

108TH CONGRESS
2D SESSION

S. 2511

AN ACT

To direct the Secretary of the Interior to conduct a feasibility study of a Chimayo water supply system, to provide for the planning, design, and construction of a water supply, reclamation, and filtration facility for Espanola, New Mexico, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Chimayo Water Supply
5 System and Espanola Filtration Facility Act of 2004”.

1 **TITLE I—CHIMAYO WATER**
 2 **SUPPLY SYSTEM**

3 **SEC. 101. DEFINITIONS.**

4 In this title:

5 (1) **SECRETARY.**—The term “Secretary” means
 6 the Secretary of the Interior.

7 (2) **STUDY AREA.**—The term “study area”
 8 means the Santa Cruz River Valley in the eastern
 9 margin of the Espanola Basin.

10 (3) **SYSTEM.**—The term “system” means a
 11 water supply system described in section 102(a).

12 (4) **TOWN.**—The term “Town” means the town
 13 of Chimayo, New Mexico, located in Rio Arriba
 14 County and Santa Fe County, New Mexico.

15 **SEC. 102. CHIMAYO WATER SUPPLY SYSTEM FEASIBILITY**
 16 **STUDY.**

17 (a) **IN GENERAL.**—The Secretary, in cooperation
 18 with appropriate State and local authorities, shall conduct
 19 a study to determine the feasibility of constructing a water
 20 supply system for the Town in the study area that includes
 21 potable water transmission lines, pump stations, and stor-
 22 age reservoirs.

23 (b) **SCOPE OF STUDY.**—In conducting the study
 24 under subsection (a), the Secretary shall—

1 (1) consider operating the system in connection
2 with the Espanola Water Filtration Facility;

3 (2) consider various options for supplying water
4 to the Town, including connection to a regional
5 water source, local sources, sources distributed
6 throughout the Town, and sources located on adja-
7 cent Bureau of Land Management land;

8 (3) consider reusing or recycling water from
9 local or regional sources;

10 (4) consider using alternative water supplies
11 such as surface water, brackish water, nonpotable
12 water, or deep aquifer groundwater; and

13 (5) determine the total lifecycle costs of the sys-
14 tem, including—

15 (A) long-term operation, maintenance, re-
16 placement, and treatment costs of the system;
17 and

18 (B) management costs (including personnel
19 costs).

20 (c) DEADLINE FOR STUDY.—As soon as practicable,
21 but not later than 3 years after the date of enactment
22 of this Act, the Secretary shall complete the study.

23 (d) COST SHARING.—The Federal share of the cost
24 of the study shall be 75 percent.

1 (e) COORDINATION.—The Secretary shall coordinate
 2 activities of the Bureau of Reclamation, the Bureau of
 3 Land Management, and the United States Geological Sur-
 4 vey in the furtherance of the study, including—

5 (1) accessing any Bureau of Land Management
 6 land adjacent to the study area that is necessary to
 7 carry out this section; and

8 (2) the drilling of any exploratory wells on Bu-
 9 reau of Land Management land adjacent to the
 10 study area that are necessary to determine water re-
 11 sources available for the Town.

12 (f) REPORT.—The Secretary shall submit to Con-
 13 gress a report on the results of the feasibility study not
 14 later than the earlier of—

15 (1) the date that is 1 year after the date of
 16 completion of the feasibility study; or

17 (2) the date that is 4 years after the date of en-
 18 actment of this Act.

19 **SEC. 103. EMERGENCY WATER SUPPLY DEVELOPMENT AS-**
 20 **SISTANCE.**

21 (a) IN GENERAL.—The Secretary may enter into con-
 22 tracts with water authorities in the study area to provide
 23 emergency water supply development assistance to any eli-
 24 gible person or entity, as the Secretary determines to be
 25 appropriate.

1 (b) ELIGIBLE ACTIVITIES.—The Secretary may pro-
2 vide assistance under subsection (a) for—

3 (1) hauling water;

4 (2) the installation of water purification tech-
5 nology at the community wells or individual point-of-
6 use;

7 (3) the drilling of wells;

8 (4) the installation of pump stations and stor-
9 age reservoirs;

10 (5) the installation of transmission and dis-
11 tribution pipelines to bring water to individual resi-
12 dential service connections;

13 (6) the engineering, design, and installation of
14 an emergency water supply system; and

15 (7) any other eligible activity, as the Secretary
16 determines to be appropriate.

17 (c) COST SHARING.—The Federal share of the cost
18 of any activity under this section shall be 75 percent.

19 **SEC. 104. AUTHORIZATION OF APPROPRIATIONS.**

20 (a) IN GENERAL.—There is authorized to be
21 appropriated—

22 (1) to carry out section 102, \$2,000,000 for the
23 period of fiscal years 2005 through 2008; and

24 (2) to carry out section 103, \$3,000,000 for the
25 period of fiscal years 2005 through 2010.

1 (b) LIMITATION.—Amounts made available under
 2 subsection (a)(1) shall not be available for the construc-
 3 tion of water infrastructure for the system.

4 **TITLE II—ESPANOLA WATER**
 5 **FILTRATION FACILITY**

6 **SEC. 201. DEFINITIONS.**

7 In this title:

8 (1) COMPONENT.—The term “component”
 9 means a water delivery infrastructure development
 10 described in section 202(b).

11 (2) FACILITY.—The term “facility” means the
 12 Espanola water filtration facility described in section
 13 202(a).

14 (3) SECRETARY.—The term “Secretary” means
 15 the Secretary of the Interior, acting through the
 16 Commissioner of Reclamation.

17 **SEC. 202. ESPANOLA WATER FILTRATION FACILITY.**

18 (a) IN GENERAL.—The Secretary shall provide finan-
 19 cial assistance to the city of Espanola, New Mexico, for
 20 the construction of an Espanola water filtration facility
 21 consisting of projects—

22 (1) to divert and fully use imported water to
 23 meet future demands in the greater Espanola, New
 24 Mexico region, including construction of—

1 (A) presedimentation basins for removal of
2 sediments;

3 (B) an influent pump station to supply
4 water into treatment facilities;

5 (C) a pretreatment facility;

6 (D) filtration facilities;

7 (E) finished water storage facilities;

8 (F) a finished water booster pump station;

9 (G) sludge dewatering facilities; and

10 (H) potable water transmission lines to
11 connect into the water distribution facilities of
12 the city of Espanola, New Mexico; and

13 (2) to use reclaimed water to enhance ground-
14 water resources and surface water supplies.

15 (b) PARTICIPATION.—The Secretary may provide fi-
16 nancial assistance to the Santa Clara and San Juan Pueb-
17 los of New Mexico and the non-Federal sponsors of the
18 facility for the study, planning, design, and construction
19 of a water delivery infrastructure development for the
20 Santa Clara and San Juan Pueblos as a component of
21 the facility.

22 (c) COST SHARING.—The Federal share of the total
23 cost of the facility and the component shall not exceed 25
24 percent.

1 (d) LIMITATION ON USE OF FUNDS.—Funds pro-
2 vided by the Secretary may not be used for the operation
3 or maintenance of the facility or the component.

4 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

5 There is authorized to be appropriated for the con-
6 struction of the facility \$3,000,000 for the period of fiscal
7 years 2005 through 2009.

Passed the Senate September 15, 2004.

Attest:

Secretary.

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