

108TH CONGRESS  
2D SESSION

# S. 2511

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.

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IN THE SENATE OF THE UNITED STATES

JUNE 8, 2004

Mr. DOMENICI (for himself and Mr. BINGAMAN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

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, acting through the  
7           Commissioner of Reclamation.

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

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

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

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

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

24                  (b) **SCOPE OF STUDY.**—In conducting the study  
25          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 after the date of enactment of this Act, but not later than  
22 3 years after the date of the enactment of this Act, the  
23 Secretary shall complete the study.

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

1 (e) EASEMENTS; DRILLING.—

2 (1) EASEMENTS.—The Secretary may reserve  
3 any easements on Bureau of Land Management land  
4 adjacent to the study area that are necessary to  
5 carry out this section.

6 (2) DRILLING.—The Secretary, in cooperation  
7 with the Director of the United States Geological  
8 Survey, may drill any exploratory wells on Bureau of  
9 Land Management land adjacent to the study area  
10 that are necessary to determine water resources  
11 available for the Town.

12 (f) REPORT.—The Secretary shall submit to Con-  
13 gress a report on the results of the feasibility study as  
14 soon as practicable after the date of enactment of this Act,  
15 but not later than the earlier of—

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

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

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

22 (a) IN GENERAL.—The Secretary may enter into con-  
23 tracts with water authorities in the study area to provide  
24 emergency water supply development assistance to any eli-

1 gible person or entity, as the Secretary determines to be  
2 appropriate.

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

5 (1) hauling water;

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

9 (3) the drilling of wells;

10 (4) the installation of pump stations and stor-  
11 age reservoirs;

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

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

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

19 (c) COST SHARING.—The Federal share of the cost  
20 of any activity assisted under this section shall be 75 per-  
21 cent.

22 **SEC. 104. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) IN GENERAL.—There is authorized to be appro-  
24 priated—

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

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

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

## 8 **TITLE II—ESPANOLA WATER** 9 **FILTRATION FACILITY**

### 10 **SEC. 201. DEFINITIONS.**

11 In this title:

12 (1) COMPONENT.—The term “component”  
13 means a water delivery resource or infrastructure  
14 development described in section 202(b).

15 (2) FACILITY.—The term “facility” means the  
16 Espanola water filtration facility described in section  
17 202(a).

18 (3) SECRETARY.—The term “Secretary” means  
19 the Secretary of the Interior, acting through the  
20 Commissioner of Reclamation.

### 21 **SEC. 202. ESPANOLA WATER FILTRATION FACILITY.**

22 (a) IN GENERAL.—The Secretary shall provide finan-  
23 cial assistance to the city of Espanola, New Mexico, for  
24 the construction of an Espanola water filtration facility  
25 consisting of projects—

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

4           (A) presedimentation basins for removal of  
5 sediments;

6           (B) an influent pump station to supply  
7 water into treatment facilities;

8           (C) a pretreatment facility;

9           (D) filtration facilities;

10          (E) finished water storage facilities;

11          (F) a finished water booster pump station;

12          (G) sludge dewatering facilities; and

13          (H) potable water transmission lines to  
14 connect into the water distribution facilities of  
15 the city of Espanola, New Mexico; and

16          (2) to use reclaimed water to enhance ground-  
17 water resources and surface water supplies.

18          (b) PARTICIPATION.—The Secretary may provide fi-  
19 nancial assistance to the Santa Clara and San Juan Pueb-  
20 los of New Mexico and the non-Federal sponsors of the  
21 facility for the study, planning, design, and construction  
22 of a water delivery resource and infrastructure develop-  
23 ment for the Santa Clara and San Juan Pueblos as a com-  
24 ponent of the facility.

1       (c) COST SHARING.—The Federal share of the total  
2 cost of the facility and the component shall not exceed 25  
3 percent.

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

7 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

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

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