



via e-mail to: Jennifer.fullam@state.nm.us

November 16, 2020

Jennifer Fullam, Standards Coordinator
NMED Surface Water Quality Bureau
1190 St. Francis Drive
Santa Fe, NM 87505

RE: COMMENTS ON PROPOSED WATER QUALITY STANDARDS AMENDMENTS
BUCKMAN DIRECT DIVERSION (BDD) BOARD

Dear Ms. Fullam:

The Buckman Direct Diversion Board (the Board) is the governing body for the Buckman Direct Diversion (“BDD”), a single diversion point on the Rio Grande that the City of Santa Fe, Santa Fe County, and their limited partner, Las Campanas, share to divert their San Juan-Chama and native Rio Grande water rights. Diverted water is treated and introduced into the regional water system. The government entities are represented on the Board.

The BDD is on the Rio Grande, approximately 3 miles downstream of Otowi Bridge. The proposed amendments to New Mexico’s Standards for Interstate and Intrastate Surface Waters found at 20.6.4 NMAC (“Proposed Amendments”) includes standards for the segment of the Rio Grande within which the BDD intake structure is located, and stream segments draining the Pajarito Plateau where Los Alamos National Laboratory (“LANL”) is located. Many of these waters flow to Los Alamos Canyon, and enter the Rio Grande at their confluence approximately three miles upstream of the BDD intake structure. The Board is therefore understandably concerned about water quality in the Rio Grande and in Los Alamos Canyon and its tributaries. The Board provides the following comments.

20.6.4.128

Many stream segments on the Pajarito Plateau outside of lands managed by the U.S. Department of Energy (“USDOE”) within LANL are listed as impaired, with NMED noting in its draft CWA §303(d)/305(b) Integrated Report (“Integrated Report”) that application of the Hydrology Protocol resulted in a classification of segments or subsegments as ephemeral, intermittent, or perennial. However, for Segment 128 waters, the Board is concerned that the parties to the Joint Stipulation Regarding Proposed Changes to 20.6.4.128 NMAC (i.e., NMED, LANL, the USDOE, and Amigos Bravos) have not fully implemented the Stipulation by applying the Hydrology Protocol to all waters on the Plateau. This could result in perennial waters receiving the lesser protections of ephemeral streams, and therefore not being assessed as impaired when in fact they are. The Board also notes that for Segment 128 waters listed as impaired none are as yet subject to TMDLs, a necessary first step to improving water quality, despite being listed as impaired for, in some cases, over ten years. In the absence of TMDLs NMED should propose new standards based on full implementation of the Stipulation.

General Procedural Comments

The Board is nevertheless concerned that NMED is engaging in the Triennial Review at the same time it is developing the Integrated Report. As the List of Impaired Waters contained in the Integrated Report is intended to inform changes to State Standards, NMED does not have the benefit of transparently using the most current assessments in its amendments to be



proposed to the WQCC. We ask NMED to consider allowing the Integrated Report process to proceed to its completion before NMED proposes amendments to State Standards to the WQCC.

The Buckman Direct Diversion plays a unique role by deriving drinking water from the Rio Grande downstream of LANL, and delivering it safely and effectively to regional customers. We appreciate that NMED recognizes this fact, and has worked over the years to provide special provisions and assessments for stream segments from the Pajarito Plateau and the Rio Grande at the BDD intake in State Standards.

We appreciate the opportunity to provide these comments, and look forward to your response.

Sincerely,

Rick Carpenter

Rick Carpenter
Facility Manager
Buckman Direct Diversion

Signature: 
Rick Carpenter (Nov 16, 2020 09:46 MST)

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