

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5486

To authorize the Secretary of the Interior to cooperate with the High Plains Aquifer States in conducting a hydrogeologic characterization, mapping, modeling and monitoring program for the High Plains Aquifer, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2002

Mr. MORAN of Kansas (for himself, Mr. RYUN of Kansas, Mr. TIAHRT, and Mr. MOORE) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To authorize the Secretary of the Interior to cooperate with the High Plains Aquifer States in conducting a hydrogeologic characterization, mapping, modeling and monitoring program for the High Plains Aquifer, 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 “Geologic Research En-  
5       hancement Act”.

6       **SEC. 2. DEFINITIONS.**

7       For the purposes of this Act:

1           (1) ASSOCIATION.—The term “Association”  
2 means the Association of American State Geologists.

3           (2) DIRECTOR.—The term “Director” means  
4 the Director of the United States Geological Survey.

5           (3) FEDERAL COMPONENT.—The term “Fed-  
6 eral component” means the Federal component of  
7 the High Plains Aquifer Comprehensive  
8 Hydrogeologic Characterization, Mapping, Modeling,  
9 and Monitoring Program described in section 3(c).

10          (4) HIGH PLAINS AQUIFER.—The term “High  
11 Plains Aquifer” is the groundwater reserve depicted  
12 as Figure 1 in the United States Geological Survey  
13 Professional Paper 1400–B, entitled “Geohydrology  
14 of the High Plains Aquifer in Parts of Colorado,  
15 Kansas, Nebraska, New Mexico, Oklahoma, South  
16 Dakota, Texas, and Wyoming.”.

17          (5) HIGH PLAINS AQUIFER STATES.—The term  
18 “High Plains Aquifer States” means the States of  
19 Colorado, Kansas, Nebraska, New Mexico, Okla-  
20 homa, South Dakota, Texas, and Wyoming.

21          (6) SECRETARY.—The term “Secretary” means  
22 the Secretary of the Interior.

23          (7) STATE COMPONENT.—The term “State  
24 component” means the State component of the High  
25 Plains Aquifer Comprehensive Hydrogeologic Char-

1       acterization, Mapping, Modeling, and Monitoring  
2       Program described in section 3(d).

3 **SEC. 3. ESTABLISHMENT.**

4       (a) PROGRAM.—The Secretary, working through the  
5 United States Geological Survey, and in cooperation with  
6 the State geological surveys and the water management  
7 agencies of the High Plains Aquifer States, shall establish  
8 and carry out the High Plains Aquifer Comprehensive  
9 Hydrogeologic Characterization, Mapping, Modeling, and  
10 Monitoring Program, for the purposes of the characteriza-  
11 tion, mapping, modeling, and monitoring of the High  
12 Plains Aquifer. The program shall undertake, on a county-  
13 by-county level or at the largest scales and most detailed  
14 levels determined to be appropriate on a State-by-State  
15 and regional basis, the following:

16           (1) mapping of the hydrogeological configura-  
17           tion of the High Plains Aquifer; and

18           (2) with respect to the High Plains Aquifer,  
19           analyses of the current and past rates at which  
20           groundwater is being withdrawn and recharged, the  
21           net rate of decrease or increase in High Plains Aquifer  
22           storage, the factors controlling the rate of hori-  
23           zontal and vertical migration of water within the  
24           High Plains Aquifer, and the current and past rate

1 of loss of saturated thickness within the High Plains  
2 Aquifer.

3 The program shall also develop, as needed, regional data  
4 bases and groundwater flow models.

5 (b) FUNDING.—The Secretary shall make available  
6 50 percent of the funds available pursuant to this Act for  
7 use in carrying out the State component of the program,  
8 as provided under subsection (d).

9 (c) FEDERAL PROGRAM COMPONENT.—

10 (1) PRIORITIES.—The program shall include a  
11 Federal component, developed in consultation with  
12 the Federal Review Panel provided under subsection  
13 (e), which shall have as its priorities—

14 (A) coordinating Federal, State, and local,  
15 data, maps, and models into an integrated  
16 physical characterization of the High Plains Aquifer;  
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18 (B) supporting State and local activities  
19 with scientific and technical specialists; and

20 (C) undertaking activities and providing  
21 technical capabilities not available at the State  
22 and local levels.

23 (2) INTERDISCIPLINARY STUDIES.—The Fed-  
24 eral component shall include interdisciplinary studies  
25 that add value to hydrogeologic characterization,

1 mapping, modeling, and monitoring for the High  
2 Plains Aquifer.

3 (d) STATE PROGRAM COMPONENT.—

4 (1) PRIORITIES.—The program shall include a  
5 State component which shall have as its priorities  
6 hydrogeologic characterization, mapping, modeling,  
7 and monitoring activities in areas of the High Plains  
8 Aquifer that will assist in addressing issues relating  
9 to groundwater depletion and resource assessment of  
10 the Aquifer. Priorities under the State component  
11 shall be based upon the recommendations of State  
12 panels representing a broad range of users of  
13 hydrogeologic data and information, which shall be  
14 appointed by the Governor of the State or the Gov-  
15 ernor's designee.

16 (2) AWARDS.—Twenty percent of the Federal  
17 funds available under the State component shall be  
18 equally divided among the State geological surveys  
19 of the High Plains Aquifer States to carry out the  
20 purposes of the program provided under this Act.  
21 The remaining funds under the State component  
22 shall be competitively awarded to State or local  
23 agencies or entities in the High Plains Aquifer  
24 States, including State geological surveys, State  
25 water management agencies, institutions of higher

1 education, or consortia of such agencies or entities.  
2 Such funds shall be awarded by the Director only  
3 for proposals that have been recommended by the  
4 State panels referred to in paragraph (1), subject to  
5 independent peer review, and given final rec-  
6 ommendation by the Federal Review Panel estab-  
7 lished under subsection (e). Proposals for multi-  
8 State activities must be recommended by the State  
9 panel of at least one of the affected States.

10 (e) FEDERAL REVIEW PANEL.—

11 (1) ESTABLISHMENT.—There shall be estab-  
12 lished a Federal Review Panel to evaluate the pro-  
13 posals submitted for funding under the State compo-  
14 nent under subsection (d)(2) and to recommend ap-  
15 provals and levels of funding. The Federal Review  
16 Panel shall review and coordinate the Federal com-  
17 ponent priorities under subsection (c)(1), Federal  
18 interdisciplinary studies under subsection (c)(2), and  
19 the State component priorities under subsection  
20 (d)(1).

21 (2) COMPOSITION AND SUPPORT.—Not later  
22 than 3 months after the date of enactment of this  
23 Act, the Secretary shall appoint to the Federal Re-  
24 view Panel the following:

1           (A) Two representatives of the United  
2 States Geological Survey, at least one of which  
3 shall be a hydrologist or hydrogeologist.

4           (B) Three representatives of the geological  
5 surveys and water management agencies of the  
6 High Plains Aquifer States from lists of nomi-  
7 nees provided by the Association and the West-  
8 ern States Water Council, so that there is rep-  
9 resentation of both the State geological surveys  
10 and the State water management agencies.

11 Appointment to the Panel shall be for a term of 3 years.  
12 The Director shall provide technical and administrative  
13 support to the Federal Review Panel. Expenses for the  
14 Federal Review Panel shall be paid from funds available  
15 under the Federal component of the program.

16       (f) LIMITATION.—The United States Geological Sur-  
17 vey shall not use any of the Federal funds to be made  
18 available under the State component for any fiscal year  
19 to pay indirect, servicing, or program management  
20 charges. Recipients of awards granted under subsection  
21 (d)(2) shall not use more than 18 percent of the Federal  
22 award amount for any fiscal year for indirect, servicing,  
23 or program management charges.

1 **SEC. 4. PLAN.**

2       The Secretary, acting through the Director, shall,  
3 with the participation and review of the Association, the  
4 Western States Water Council, the Federal Review Panel,  
5 and the State panels, prepare a plan for the High Plains  
6 Aquifer Hydrogeologic Characterization, Mapping, Mod-  
7 eling, and Monitoring Program. The plan shall address  
8 overall priorities for the program and a management  
9 structure and program operations, including the role and  
10 responsibilities of the United States Geological Survey and  
11 the States in the program, and mechanisms for identifying  
12 priorities for the Federal component and the State compo-  
13 nent.

14 **SEC. 5. REPORTING REQUIREMENTS.**

15       (a) REPORT ON PROGRAM IMPLEMENTATION.—One  
16 year after the date of enactment of this Act, and every  
17 2 years thereafter through fiscal year 2011, the Secretary  
18 shall submit a report on the status of implementation of  
19 the program established by this Act to the Committee on  
20 Energy and Natural Resources of the Senate, the Com-  
21 mittee on Resources of the House of Representatives, and  
22 the Governors of the High Plains Aquifer States.

23       (b) REPORT ON HIGH PLAINS AQUIFER.—One year  
24 after the date of enactment of this Act and every year  
25 thereafter through fiscal year 2011, the Secretary shall  
26 submit a report to the Committee on Energy and Natural

1 Resources of the Senate, the Committee on Resources of  
2 the House of Representatives, and the Governors of the  
3 High Plains Aquifer States on the status of the High  
4 Plains Aquifer, including aquifer recharge rates, extrac-  
5 tion rates, saturated thickness, and water table levels.

6 (c) **ROLE OF FEDERAL REVIEW PANEL.**—The Fed-  
7 eral Review Panel shall be given an opportunity to review  
8 and comment on the reports required by this section.

9 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

10 There are authorized to be appropriated such sums  
11 as may be necessary for each of the fiscal years 2003  
12 through 2011 to carry out this Act.

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