

108TH CONGRESS
2D SESSION

H. R. 4459

To authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2004

Mr. POMBO introduced the following bill; which was referred to the Committee on Resources

A BILL

To authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, 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 “Llagas Reclamation
5 Groundwater Remediation Initiative”.

1 **SEC. 2. DEFINITIONS.**

2 For the purposes of this Act:

3 (1) GROUNDWATER REMEDIATION.—The term
4 “groundwater remediation” means actions that are
5 necessary to prevent, minimize, or mitigate damage
6 to groundwater.

7 (2) LOCAL WATER AUTHORITY.—The term
8 “local water authority” means the Santa Clara Val-
9 ley Water District.

10 (3) REMEDIATION FUND.—The term “Remedi-
11 ation Fund” means the California Basins Ground-
12 water Remediation Fund established pursuant to
13 section 3(a).

14 (4) SECRETARY.—The term “Secretary” means
15 the Secretary of the Interior.

16 **SEC. 3. CALIFORNIA BASINS REMEDIATION.**

17 (a) CALIFORNIA BASINS REMEDIATION.—

18 (1) ESTABLISHMENT OF REMEDIATION
19 FUND.—There shall be established within the Treas-
20 ury of the United States an interest bearing account
21 to be known as the California Basins Groundwater
22 Remediation Fund.

23 (2) ADMINISTRATION OF REMEDIATION
24 FUND.—The Remediation Fund shall be adminis-
25 tered by the Secretary of the Interior, acting
26 through the Bureau of Reclamation. The Secretary

1 shall administer the Remediation Fund in coopera-
2 tion with the local water authority.

3 (3) PURPOSES OF REMEDIATION FUND.—

4 (A) IN GENERAL.—Subject to subpara-
5 graph (B), the amounts in the Remediation
6 Fund, including interest accrued, shall be used
7 by the Secretary to provide grants to the local
8 water authority to reimburse the local water au-
9 thority for the Federal share of the costs associ-
10 ated with designing and constructing ground-
11 water remediation projects to be administered
12 by the local water authority.

13 (B) COST-SHARING LIMITATION.—

14 (i) IN GENERAL.—The Secretary may
15 not obligate any funds appropriated to the
16 Remediation Fund in a fiscal year until
17 the Secretary has deposited into the Reme-
18 diation Fund an amount provided by non-
19 Federal interests sufficient to ensure that
20 at least 35 percent of any funds obligated
21 by the Secretary for a project are from
22 funds provided to the Secretary for that
23 project by the non-Federal interests.

24 (ii) NON-FEDERAL RESPONSIBI-
25 BILITY.—Each local water authority shall

1 be responsible for providing the non-Fed-
2 eral amount required by clause (i) for
3 projects under that local water authority.
4 The State of California, local government
5 agencies, and private entities may provide
6 all or any portion of the non-Federal
7 amount.

8 (iii) CREDITS TOWARD NON-FEDERAL
9 SHARE.—For purposes of clause (ii), the
10 Secretary shall credit the appropriate local
11 water authority with the value of all prior
12 expenditures by non-Federal interests
13 made after January 1, 2000, that are com-
14 patible with the purposes of this section,
15 including—

16 (I) all expenditures made by non-
17 Federal interests to design and con-
18 struct groundwater remediation
19 projects, including expenditures asso-
20 ciated with environmental analyses
21 and public involvement activities that
22 were required to implement the
23 groundwater remediation projects in
24 compliance with applicable Federal
25 and State laws; and

1 (II) all expenditures made by
2 non-Federal interests to acquire lands,
3 easements, rights-of-way, relocations,
4 disposal areas, and water rights that
5 were required to implement a ground-
6 water remediation project.

7 (b) COMPLIANCE WITH APPLICABLE LAW.—In car-
8 rying out the activities described in this section, the Sec-
9 retary shall comply with any applicable Federal and State
10 laws.

11 (c) RELATIONSHIP TO OTHER ACTIVITIES.—Nothing
12 in this section shall be construed to affect other Federal
13 or State authorities that are being used or may be used
14 to facilitate remediation and protection of the Llagas
15 groundwater subbasin. In carrying out the activities de-
16 scribed in this section, the Secretary shall integrate such
17 activities with ongoing Federal and State projects and ac-
18 tivities. None of the funds made available for such activi-
19 ties pursuant to this section shall be counted against any
20 Federal authorization ceiling established for any pre-
21 viously authorized Federal projects or activities.

22 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to the Remediation Fund

1 \$25,000,000. Such funds shall remain available until ex-
2 pended.

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