104TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
104–703

RECLAMATION RECYCLING AND WATER CONSERVATION ACT OF 1996

JULY 24, 1996.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources, submitted the following

R E P O R T

[To accompany H.R. 3660]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3660) to make amendments to the Reclamation Wastewater and Groundwater Study and Facilities Act, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments (stated in terms of the page and line numbers of the introduced bill) are as follows:

On page 13, line 14, strike "alternatives" and insert "alternative".

On page 14, line 6, strike the comma and insert a semicolon.

PURPOSE OF THE BILL

The purposes of H.R. 3660 are to amend the Reclamation Wastewater and Groundwater Study and Facilities Act (Title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992) to authorize additional projects and to strengthen the criteria for projects receiving Federal funding under that Act.

BACKGROUND AND NEED FOR LEGISLATION

The Title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992 (RPAA, Public Law 102–575) directed the Secretary of the Interior to study cost-shared opportunities to reclaim and reuse agricultural, domestic, municipal, and industrial wastewater and naturally impaired ground and surface waters, and

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included five specific feasibility studies and four demonstration projects.

In general, the RPAA establishes a 50-percent Federal cost-share for studies, and a 25-percent Federal cost-share for projects constructed under the program. The Act also authorized such sums as may be necessary to carry out the studies and projects, as well as $4 million for a groundwater study.

H.R. 3660 would add several new projects that would be eligible to receive Federal cost-share funding under the existing RPAA program. In addition, the bill authorizes two additional desalting demonstration projects, one in Los Angeles County, California, and one in Clark County, Nevada.

In addition, the bill makes specific changes to the underlying Act to establish more stringent criteria for projects receiving Federal cost-sharing after January 1, 1996, under this program. Those changes include:

A requirement that the Secretary of the Interior or the non-Federal project sponsor conduct appraisal investigations and feasibility studies before funds can be appropriated for the project.

Additional items that must be considered in any feasibility study.

A determination by the Secretary of the Interior that the non-Federal project sponsor is financially capable of funding the non-Federal share of the project's costs.

A cost-share agreement approved by the Secretary which commits the non-Federal sponsor to fund its proportionate share of the project's construction costs on an annual basis.

A $20 million cap on the Federal share of the costs for an individual project that has not received funding by January 1, 1996.

The Committee supports the concept of water reuse as a viable, cost-effective means of meeting increasing water needs in the arid parts of the western United States. At a time when few new water storage facilities are being planned or constructed, water reuse has the potential to increase the overall available water supplies in specific areas. However, the Committee has approved certain changes in the eligibility criteria in an effort to focus the RPAA program on smaller projects in communities which will benefit from the Federal cost-share funds, but which have the financial capability to complete and operate such facilities.

COMMITTEE ACTION

H.R. 3660 was introduced on June 17, 1996, by Congressman James V. Hansen (R–UT). The bill was referred to the Committee on Resources. On June 19, 1996, the Full Resources Committee met to consider H.R. 3660. A technical amendment to strike "alternatives" and insert "alternative" in Section 4 was offered by Congressman Hansen, and adopted by unanimous consent. The bill as amended was then ordered favorably reported to the House of Representatives by voice vote.

H.R. 3660 is a revised version of legislation considered earlier this Congress by the Resources Committee. On June 8, 1995, Congressman Hansen introduced H.R. 1803, to amend the Reclamation

Wastewater and Groundwater Study and Facilities Act to authorize additional projects. The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Water and Power Resources. On November 2, 1995, the Subcommittee on Water and Power Resources held a legislative hearing on H.R. 1803.

The text of H.R. 1803, with the addition of three water reclamation projects, was reintroduced in the House on December 7, 1995, as Title II of H.R. 2738. Title I of H.R. 2738 is the Central Valley Project Reform Act of 1995. On December 13, 1995, the full Resources Committee met to mark up H.R. 2738, which was ordered favorably reported with amendments. However, further legislative action on H.R. 2738 was postponed for the remainder of the 104th Congress for reasons relating to Title I.

Therefore, Congressman Hansen reintroduced a revised text of Title II as H.R. 3660. The revised text seeks to address concerns with the underlying Act which have been raised since the markup last December.

SECTION-BY-SECTION ANALYSIS

SECTION 1. SHORT TITLE

The short title of the Act is the Reclamation Recycling and Water Conservation Act of 1996.

SECTION 2. WATER RECYCLING PROJECTS

This section amends the RPAA by inserting new sections that authorize Federal participation in the design, planning, and construction of 15 additional projects.

For each of the following projects, the Federal Government will share up to 25 percent of the project costs, with no money authorized for project operation or maintenance:

North San Diego County area water recycling project

The non-Federal project participants are: Leucadia County Water District, Leucadia, California; San Elijo Joint Powers Authority, Cardiff, California; Olivenhain Municipal Water District, California; and City of Carlsbad, California.

This project is a regional response to the water supply problems facing Northern San Diego County, which is almost completely dependent upon imported water from Northern California and the Colorado River. The recycled water produced by this project will be used for landscaping, golf courses, schools, nurseries, agricultural irrigation and industrial applications. The total cost of construction is expected to be about $98 million.

Calleguas Municipal Water District recycling project

The non-Federal project sponsors are the Calleguas Municipal Water District, Thousand Oaks, California, and the City of Oxnard, California.

The Calleguas Municipal Water District Water Recycling Project will recycle up to 15,000 acre-feet of water per year. This water, currently discharged into the Pacific Ocean, will instead be used to recharge the groundwater aquifers of the Oxnard Plain Basin. The

project will increase the reliability of water supplies from the currently overdrafted Basin, while also creating a barrier to seawater intrusion. The total cost of the Project is estimated at $80 million.

Central Valley water recycling project

The non-Federal project participants are: the Salt Lake County Water Conservancy District, West Jordan, Utah; the Central Valley Water Reclamation Facility, Salt Lake City, Utah; and the Central Utah Water Conservancy District, Orem, Utah.

This project will initially recycle 60 million gallons per day. This treated water, normally discharged into Mill Creek/Jordan River, will instead receive additional treatment and then be pumped to irrigation canals for agricultural use during the warm months, and for discharge into the Great Salt Lake during the winter. This use of recycled water will make 26,700 acre-feet of water available for conservation purposes in the Utah Lake/Jordan River system. The total cost is estimated at $40 million.

St. George area water recycling project

The City of St. George, Utah, is the non-Federal sponsor for the St. George Area Water Recycling Project. This project will initially recycle 6,700 acre-feet of water per year, with an expected capacity of over 15,000 acre-feet per year as the supply of treated water increases along with the growing population of St. George. The total project cost is an estimated $10 million.

Watsonville area water recycling project

This project, sponsored by the City of Watsonville, California, will recycle up to 10,000 acre-feet per year of water from the Citys wastewater treatment plant. The water will be used for a variety of purposes, including groundwater recharge and to create a seawater intrusion barrier to help protect the agricultural economy of the region. This project would also reduce discharges into Monterey Bay, a National Marine Sanctuary. The total cost is estimated at $14 million.

Southern Nevada water recycling project

The Clark County Sanitation District (CCSD) has been studying the feasibility of increased reclaimed water use in the CCSD Las Vegas Valley service area through a dual distribution system from the CCSD wastewater treatment plant, or distribution systems from water reclamation facilities, or both. The Project would obtain lesser quality water from the CCSD's wastewater treatment plant to reduce the use of potable water supplies. The project consists of two parts: the eastern project is estimated to provide 8.5 million gallons per day of reclaimed water, and the western project would provide 7.5 million gallons per day. The estimated total cost for both parts of the project is $55 million.

Albuquerque metropolitan area water reclamation and reuse study

The City of Albuquerque, New Mexico, is working with the Bureau of Reclamation on its reuse project. The study would examine four opportunities to use the Title XVI program, including: the Intel indirect potable reuse program; the Philips non-potable reuse

program; the reclamation of groundwater impaired with naturally occurring arsenic; and the City's municipal wastewater indirect potable reuse.

El Paso water reclamation and reuse project

The El Paso Water Utilities Public Service Board of El Paso, Texas, is sponsoring this project with an estimated total cost of $15 million. This multi-phased plan will expand distribution of reclaimed water in the northwest area of El Paso.

Reclaimed water in Pasadena

The cities of Pasadena and Glendale, California, are the non-Federal sponsors for this project, which has an estimated total cost of $40 million. The project, as planned, would obtain reclaimed water from an established reclamation project and distribute it to users in the local Pasadena area.

Phase 1 of the Orange County regional water reclamation project

The Orange County Water District (California), in conjunction with the County Sanitation Districts of Orange County, California, plans to build a facility to treat secondary effluent currently discharged into the ocean. Recycled water yields are projected at 50,000 acre-feet per year, expanding to 100,000 acre-feet by the year 2020. The estimated total cost of this project is $151 million.

City of West Jordan water reuse project

The City of West Jordan, Utah, plans to construct a facility which would provide a tertiary step in an already established water reclamation process shared with five other cities. The estimated cost is $4.5 million to $6.1 million.

Hi-Desert Water District collection and reuse facility

The Hi-Desert Water District, California, would construct a collection system and a satellite treatment facility, which will reclaim water to be recycled by recharging the overdrafted Warren Valley Basin. Eventually, as the area grows, sewers will be extended to a regional treatment plant site. The estimated total cost is $14.9 million.

Mission Basin brackish groundwater desalting demonstration project

The Mission Basin Brackish Groundwater Desalting Demonstration Project in Oceanside, California, has an estimated total cost of $3 million. The Project will expand the existing Mission Basin Brackish Groundwater Desalting Demonstration Project from a capacity of two million gallons per day to five million gallons per day. The Project is anticipated to take approximately 18 months to construct.

The City of Oceanside is completely dependent upon imported water supplies, except for the two million gallons per day produced by the existing desalting demonstration facility. If the City lost access to water that is currently imported from either the Sacramento-San Joaquin Delta or the Colorado River, the City would only have a two-hour emergency supply for its residents. With a

five million gallon-per-day desalting plant, the City of Oceanside would be able to meet about 16 percent of the normal daily demand for water. Expansion of the desalting plant would also allow the City to provide Camp Pendleton with emergency water supplies.

Treatment of effluent through the city of Long Beach

The Water Replenishment District of Southern California, the Orange County Water District (CA), and other appropriate authorities would construct a facility to treat approximately 10,000 acre-feet per year of effluent from the sanitation districts of Los Angeles County through the City of Long Beach, California.

San Joaquin area water recycling and reuse project

The city of Tracy, California, plans to reuse food process water from a nearby food processing plant on about 300 acres of forage croplands to be owned by the city. In this manner, the city would reduce its treatment plant operation costs and free up treatment plant capacity for future needs. The estimated total cost is $6 million to $9 million.

Tooele wastewater treatment and reuse project

The City of Tooele, Utah, plans to construct a reuse facility with advanced treatment filters that will provide effluent of high enough quality to be used on areas such as golf courses and lawns. The estimated total cost of this treatment and reuse project is $17.7 million.

Subsection (b) has several conforming amendments.

Subsection (c) contains several clerical amendments.

SECTION 3. APPRAISAL INVESTIGATIONS

This section amends Section 1603(b) of RPAA to specify that appraisal investigations may be undertaken by the Secretary of the Interior or the non-Federal project sponsor.

SECTION 4. FEASIBILITY STUDIES

This section amends Section 1604(c) of the RPAA by specifying that either the Secretary of the Interior or the non-Federal project sponsor may conduct feasibility studies.

This section further amends the requirements of feasibility studies authorized under this title to consider at least two alternative measures or technologies available for water reclamation, distribution, and reuse for the project under consideration. The amended language also requires a determination of whether development of the water reclamation and reuse measures would "reduce the demand on existing Federal water supply facilities."

Feasibility studies are to include the following considerations: "the market or dedicated use for reclaimed water in the project's service areas"; and "the financial capability of the non-Federal project sponsor to fund its proportionate share of the project's construction costs on an annual basis."

SECTION 5. DESALINATION RESEARCH AND DEVELOPMENT PROJECT

This section amends Section 1605 of the RPAA by adding new subsections authorizing participation in the design, planning, and construction of two specified projects.

For each of the following projects the Federal Government will share up to 50 percent of the project costs, with no money authorized for project operation or maintenance. The two projects are:

Long Beach desalination research and development project

Several Southern California entities plan to install a desalination system at Southern California Edison's Alamitos Generating Station in Long Beach. The estimated total cost is $27 million.

Las Vegas area shallow aquifer desalination research and development project

The Clark County Sanitation District and the Las Vegas Valley Water District are studying the feasibility for recovering and reusing water trapped in the shallow aquifer by underlying clay and caliche (concrete like) layers. This project would address the potential to relieve the sewer system of shallow groundwater flows and identify ways to recover the saline groundwater for reuse and to reduce the salinity of effluent being discharged into Lake Mead. The reclaimed water is estimated to be suitable for groundwater recharge as well as direct reuse by industry and agriculture. The total cost for this project is estimated at approximately $23 million.

In addition, if the Federal cost share for these projects exceeds 25 percent, the Secretary of the Interior must determine that the project is not feasible without such additional Federal contribution.

SECTION 6. SAN FRANCISCO AREA WATER RECLAMATION STUDY

This section amends Section 1611(c) of the RPAA by requiring the report authorized by this section to be submitted no later than five years after funds have been appropriated. Current law requires its submission no later than four years after funds are appropriated.

SECTION 7. AUTHORIZATION OF APPROPRIATIONS

This section amends Section 1631 of the RPAA, as amended by section 2 of the bill, by redesignating the existing section as a subsection and adding new subsections.

Subsection (b) outlines the following three criteria which must be met before funds may be appropriated for construction of any project authorized by Title XVI of the RPAA:

(A) An appraisal investigation and a feasibility study must be completed by the Secretary or the non-Federal sponsor.

(B) The Secretary has determined that the non-Federal project sponsor is financially capable of providing the non-Federal share of the project cost.

(C) A cost-sharing agreement with the non-Federal project sponsor has been approved.

This section further states that these new requirements will not apply to projects for which funds were appropriated prior to January 1, 1996.

This section directs the Secretary to notify the respective committees in the House of Representatives and in the Senate within 30 days after entering into a cost-sharing agreement with a non-Federal project sponsor.

Finally, this section also limits the Federal share of the costs of each of the individual projects authorized by this title to $20 million. The Committee intends this $20 million cap to be at October 1996 price levels, and will seek a technical amendment as the bill goes to the full House of Representatives to clarify that these are constant dollars.

For projects already authorized and for which funds were appropriated before January 1, 1996, the Federal share will not exceed the amount specified in the budget justification for Fiscal Year 1997.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(l)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 3660 will have no significant inflationary impact on prices and costs in the operation of the national economy.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 3660. However, clause 7(d) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 3660 does not contain any new credit authority, or an increase or decrease in revenues or tax expenditures. Additional discretionary spending authority is provided, as described in the Congressional Budget Office report, below.

2. With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 3660.

3. With respect to the requirement of clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 3660 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 22, 1996.

Hon. DON YOUNG,
Chairman, Committee on Resources,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3660, the Reclamation Recycling and Water Conservation Act of 1996.

Enactment of H.R. 3660 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JAMES L. BLUM
(For June E. O'Neill, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 3660.

2. Bill title: Reclamation Recycling and Water Conservation Act of 1996.

3. Bill status: As ordered reported by the House Committee on Resources on June 19, 1996.

4. Bill purpose: H.R. 3660 would authorize the Secretary of the Interior to participate in the design, planning, and construction of sixteen water reclamation and reuse projects and two desalination research and development projects. Those projects for which funds were not appropriated prior to January 16 1996, would be subject to the following conditions:

No funds could be appropriated until an appraisal investigation and a feasibility study are completed by the Secretary or the nonfederal project sponsor, the Secretary has determined that the nonfederal project sponsor is financially capable of funding the nonfederal share of the project's costs, and the Secretary has approved a cost-sharing agreement with the nonfederal project sponsor that commits that sponsor to funding its proportionate share of the project's construction costs on an annual basis;

The federal government could not pay more than 25 percent of the total cost of constructing the water reclamation and reuse projects or more than 50 percent of the cost of the desalinization and research and development projects; in either case, the federal share could not exceed $20 million per project; and

The Secretary would not be authorized to provide funds for the operation and maintenance of any project.

The bill also would require that, for projects which received appropriations prior to January 1, 1996, the federal share of a project's total cost could not exceed the amount specified as the total federal obligation in the Bureau of Reclamation's (BOHR's) fiscal year 1997 budget justification.

5. Estimated cost to the Federal Government: Assuming the necessary appropriations, CBO estimates that enacting H.R. 660 would result in new discretionary spending totaling $153 million for fiscal years 1997 through 2002. Additional spending of $30 million would occur after 2002. Appropriations in fiscal year 1996 for water reclamation and reuse projects totaled $20 million. Assuming appropriation of the needed amounts, BOR anticipates spending an average of $30 million a year over the 1997–2007 period on projects that have already been authorized.

[By fiscal year, in millions of dollars]

	1996	1997	1998	1999	2000	2001	2002
SPENDING SUBJECT TO APPROPRIATION							
Spending under current law:							
Estimated authorization level [1]	20	30	30	30	30	30	30
Estimated outlays	20	28	30	30	30	30	30
Proposed changes:							
Estimated authorization level [1]	.....	6	22	23	38	59	14
Estimated outlays	.....	4	17	21	35	53	23
Spending under H.R. 3660:							
Estimated authorization level [1]	20	36	52	53	68	89	44
Estimated outlays	20	32	47	51	65	83	53

[1] The 1996 level is the amount appropriated for that year.

The costs of this bill fall within budget function 300.

6. Basis of estimate: For the purpose of this estimate, CBO assumes that funds will be appropriated for all projects authorized by this bill and that spending will occur at historical rates for similar water projects. Some of the projects authorized in this bill are still in the study or design phase and will not be ready to begin construction for a number of years. Estimates of annual budget authority needed to meet design and construction schedules were provided by the Bureau of Reclamation. In all cases, CBO adjusted the estimates to reflect the impact of inflation during the time between authorization, appropriation, and the beginning of construction.

7. Pay-as-you-go considerations: None.

8. Estimated impact on State, local, and tribal governments: H.R. 3660 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act of 1995 (Public Law 104–4). CBO estimates that state and local governments, as nonfederal project sponsors, would incur costs totaling about $600 million over fiscal years 1997 through 2006 if they choose to participate in these projects. Further, nonfederal project sponsors would probably incur some additional costs for feasibility studies and would pay for the operation and maintenance of these projects. Participation in these projects would be voluntary on the part of these nonfederal entities.

This estimate is based on information provided by the Bureau of Reclamation. We assumed that nonfederal project sponsors would

contribute 75 percent of the cost of water reclamation and reuse projects and 50 percent of the cost of desalinization projects, as required by the bill. In addition, the estimate reflects the requirements that the total federal share for any project not exceed $20 million. The latter requirement would shift additional costs to the nonfederal sponsors.

9. Estimated impact on the private sector: This bill would impose no new federal private-sector mandates as defined in Public Law 104–4.

10. Previous CBO estimate: On July 22, 1996, CBO prepared a cost estimate for S. 901, a similar bill reported by the Senate Committee on Energy and Natural Resources. Differences in the estimated costs of the two bills reflect differences in the projects authorized and in the federal shares.

11. Estimate prepared by: Federal cost estimate: Gary Brown; impact on State, local, and tribal governments: Marjorie Miller; impact on the private sector: Amy Downs.

12. Estimate approved by: Robert A. Sunshine (for Paul N. Van de Water, Assistant Director for Budget Analysis).

COMPLIANCE WITH PUBLIC LAW 104–4

H.R. 3660 contains no unfunded mandates.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

RECLAMATION PROJECTS AUTHORIZATION AND ADJUSTMENT ACT OF 1992

SEC. 2. DEFINITION AND TABLE OF CONTENTS.

For purposes of this Act, the term "Secretary" means the Secretary of the Interior.

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Sec. 1. Short title.
Sec. 2. Definition and table of contents.

TITLE I—BUFFALO BILL DAM AND RESERVOIR, WYOMING

Sec. 101. Additional authorization of appropriations.

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TITLE XVI—RECLAMATION WASTEWATER AND GROUND WATER STUDIES

Sec. 1601. Short title.
Sec. 1602. General authority.
Sec. 1603. Appraisal investigations.

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Sec. 1614. San Gabriel Basin demonstration project.
Sec. 1615. North San Diego County Area Water Recycling Project.
Sec. 1616. Calleguas Municipal Water District Recycling Project.
Sec. 1617. Central Valley Water Recycling Project.
Sec. 1618. St. George Area Water Recycling Project.
Sec. 1619. Watsonville Area Water Recycling Project.
Sec. 1620. Southern Nevada Water Recycling Project.

Sec. 1621. Albuquerque Metropolitan Area Water Reclamation and Reuse Study.
Sec. 1622. El Paso Water Reclamation and Reuse Project.
Sec. 1623. Reclaimed Water in Pasadena.
Sec. 1624. Phase 1 of the Orange County Regional Water Reclamation Project.
Sec. 1625. City of West Jordan Water Reuse Project.
Sec. 1626. Hi-Desert Water District in Yucca Valley, California Wastewater Collection and Reuse Facility.
Sec. 1627. Mission Basin Brackish Groundwater Desalting Demonstration Project.
Sec. 1628. Treatment of effluent from the sanitation districts of Los Angeles County through the City of Long Beach.
Sec. 1629. San Joaquin Area Water Recycling and Reuse Project.
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Sec. [1615.] *1631.* Authorization of appropriations.
Sec. [1616.] *1632.* Ground water study.
Sec. [1617.] *1633.* Authorization of appropriations.

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TITLE XVI—RECLAMATION WASTEWATER AND GROUNDWATER STUDIES

SEC. 1601. SHORT TITLE.

This title may be referred to as the "Reclamation Wastewater and Groundwater Study and Facilities Act".

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SEC. 1603. APPRAISAL INVESTIGATIONS.

(a) * * *

(b) Appraisal investigations undertaken *by the Secretary or the non-Federal project sponsor* pursuant to this title shall consider, among other things—

(1) all potential uses of reclaimed water, including, but not limited to, environmental restoration, fish and wildlife, groundwater recharge, municipal, domestic, industrial, agricultural, power generation, and recreation;

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SEC. 1604. FEASIBILITY STUDIES.

(a) * * *

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(c) In addition to the requirements of other Federal laws, feasibility studies [authorized] *conducted by the Secretary or the non-Federal project sponsor* under this title shall consider, among other things—

(1) near- and long-term water demand and supplies in the study area;

(2) all potential uses for reclaimed water;

(3) *at least two alternative* measures [and] *or* technologies available for water reclamation, distribution, and reuse *for the project under consideration*;

(4) public health and environmental quality issues associated with use of reclaimed water; [and,]

(5) whether development of the water reclamation and reuse measures under study would—

(A) reduce, postpone, or eliminate development of new or expanded water supplies, [or]

(B) reduce or eliminate the use of existing diversions from natural watercourses or withdrawals from aquifers[.], *or*

(C) reduce the demand on existing Federal water supply facilities;

(6) the market or dedicated use for reclaimed water in the project's service area; and

(7) the financial capability of the non-Federal project sponsor to fund its proportionate share of the project's construction costs on an annual basis.

SEC. 1605. RESEARCH AND DEMONSTRATION PROJECTS.

(a) The Secretary is authorized to conduct research and to construct, operate, and maintain cooperative demonstration projects for the development and demonstration of appropriate treatment technologies for the reclamation of municipal, industrial, domestic, and agricultural wastewater, and naturally impaired ground and surface waters. The Federal share of the costs of demonstration projects shall not exceed 50 per centum of the total cost including operation and maintenance. Rights to inventions developed pursuant to this section shall be governed by the provisions of the Stevenson-Wydler Technology Innovation Act of 1980 (Public Law 96–480) as amended by the Technology Transfer Act of 1986 (Public Law 99–502).

(b)(1) The Secretary, in cooperation with the city of Long Beach, the Central Basin Municipal Water District, and the Metropolitan Water District of Southern California may participate in the design, planning, and construction of the Long Beach Desalination Research and Development Project in Los Angeles County, California.

(2) The Federal share of the cost of the project described in paragraph (1) shall not exceed 50 percent of the total.

(3) The Secretary shall not provide funds for the operation or maintenance of the project described in paragraph (1).

(c)(1) The Secretary, in cooperation with the Southern Nevada Water Authority, may participate in the design, planning, and construction of the Las Vegas Area Shallow Aquifer Desalination Research and Development Project in Clark County, Nevada.

(2) The Federal share of the cost of the project described in paragraph (1) shall not exceed 50 percent of the total.

(3) The Secretary shall not provide funds for the operation or maintenance of the project described in paragraph (1).

(d) A Federal contribution in excess of 25 percent for a project under this section may not be made until after the Secretary determines that the project is not feasible without such Federal contribution.

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SEC. 1611. SAN FRANCISCO AREA WATER RECLAMATION STUDY.

(a) * * *

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(c) The Secretary shall submit the report authorized by this section to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of

Representatives not later than [four] *five* years after appropriation of funds authorized by this title.

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SEC. 1615. NORTH SAN DIEGO COUNTY AREA WATER RECYCLING PROJECT.

(a) AUTHORIZATION.—The Secretary, in cooperation with the appropriate State and local authorities, is authorized to participate in the design, planning, and construction of the North San Diego County Area Water Recycling Project, consisting of projects to reclaim and reuse water within service areas of the San Elijo Joint Powers Authority, the Leucadia County Water District, the City of Carlsbad, and the Olivenhain Municipal Water District, California.

(b) COST SHARE.—The Federal share of the cost of a project described in subsection (a) shall not exceed 25 percent of the total cost.

(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project described in subsection (a).

SEC. 1616. CALLEGUAS MUNICIPAL WATER DISTRICT RECYCLING PROJECT.

(a) AUTHORIZATION.—The Secretary, in cooperation with the appropriate State and local authorities, is authorized to participate in the design, planning, and construction of the Calleguas Municipal Water District Recycling Project to reclaim and reuse water in the service area of the Calleguas Municipal Water District in Ventura County, California.

(b) COST SHARE.—The Federal share of the cost of a project described in subsection (a) shall not exceed 25 percent of the total cost.

(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project described in subsection (a).

SEC. 1617. CENTRAL VALLEY WATER RECYCLING PROJECT.

(a) AUTHORIZATION.—The Secretary, in cooperation with the appropriate State and local authorities, is authorized to participate in the design, planning, and construction of the Central Valley Water Recycling Project to reclaim and reuse water in the service areas of the Central Valley Reclamation Facility and the Salt Lake County Water Conservancy District in Utah.

(b) COST SHARE.—The Federal share of the cost of a project described in subsection (a) shall not exceed 25 percent of the total cost.

(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project described in subsection (a).

SEC. 1618. ST. GEORGE AREA WATER RECYCLING PROJECT.

(a) AUTHORIZATION.—The Secretary, in cooperation with the appropriate State and local authorities, is authorized to participate in the design, planning, and construction of the St. George Area Water Recycling Project to reclaim and reuse water in the service area of the Washington County Water Conservancy District in Utah.

(b) COST SHARE.—The Federal share of the cost of a project described in subsection (a) shall not exceed 25 percent of the total cost.

(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project described in subsection (a).

SEC. 1619. WATSONVILLE AREA WATER RECYCLING PROJECT.

(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Watsonville, California, is authorized to participate in the design,

planning, and construction of the Watsonville Area Water Recycling Project to reclaim and reuse water in the Pajaro Valley in Santa Cruz County, California.

(b) COST SHARE.—The Federal share of the cost of a project described in subsection (a) shall not exceed 25 percent of the total cost.

(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project described in subsection (a).

SEC. 1620. SOUTHERN NEVADA WATER RECYCLING PROJECT.

(a) AUTHORIZATION.—The Secretary, in cooperation with the appropriate State and local authorities, is authorized to participate in the design, planning, and construction of the Southern Nevada Water Recycling Project to reclaim and reuse water in the service area of the Southern Nevada Water Authority in Clark County, Nevada.

(b) COST SHARE.—The Federal share of the cost of a project described in subsection (a) shall not exceed 25 percent of the total cost.

(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project described in subsection (a).

SEC. 1621. ALBUQUERQUE METROPOLITAN AREA WATER RECLAMATION AND REUSE STUDY.

(a) AUTHORIZATION.—The Secretary, in cooperation with the city of Albuquerque, New Mexico, is authorized to participate in the Albuquerque Metropolitan Area Water Reclamation and Reuse Study to reclaim and reuse industrial and municipal wastewater and reclaim and use naturally impaired ground water in the Albuquerque metropolitan area.

(b) COST SHARE.—The Federal share of the cost of a project described in subsection (a) shall not exceed 25 percent of the total cost.

(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project described in subsection (a).

SEC. 1622. EL PASO WATER RECLAMATION AND REUSE PROJECT.

(a) AUTHORIZATION.—The Secretary, in cooperation with the appropriate State and local authorities, is authorized to participate in the design, planning, and construction of the El Paso Water Reclamation and Reuse Project to reclaim and reuse wastewater in the service area of the El Paso Water Utilities Public Service Board, El Paso, Texas.

(b) COST SHARE.—The Federal share of the cost of a project described in subsection (a) shall not exceed 25 percent of the total cost.

(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project described in subsection (a).

SEC. 1623. RECLAIMED WATER IN PASADENA.

(a) AUTHORIZATION.—The Secretary, in cooperation with the appropriate State and local authorities, is authorized to participate in the design, planning, and construction of the City of Pasadena, California, reclaimed water project to obtain, store, and use reclaimed water in Pasadena and its service area, as well as neighboring communities.

(b) COST SHARE.—The Federal share of the cost of a project described in subsection (a) shall not exceed 25 percent of the total cost.

(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project described in subsection (a).

SEC. 1624. PHASE 1 OF THE ORANGE COUNTY REGIONAL WATER RECLAMATION PROJECT.

(a) AUTHORIZATION.—The Secretary, in cooperation with the appropriate State and local authorities, is authorized to participate in the design, planning, and construction of phase 1 of the Orange County Regional Water Reclamation Project, to reclaim and reuse water within the service area of the Orange County Water District in California.

(b) COST SHARE.—The Federal share of the cost of a project described in subsection (a) shall not exceed 25 percent of the total cost.

(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project described in subsection (a).

SEC. 1625. CITY OF WEST JORDAN WATER REUSE PROJECT.

(a) AUTHORIZATION.—The Secretary, in cooperation with the City of West Jordan, Utah, is authorized to participate in the design, planning, and construction of the City of West Jordan Water Reuse Project to recycle and reuse water in its service area from the South Valley Water Reclamation Facility Discharge Waters in Utah.

(b) COST SHARE.—The Federal share of the cost of a project described in subsection (a) shall not exceed 25 percent of the total cost.

(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project described in subsection (a).

SEC. 1626. HI-DESERT WATER DISTRICT IN YUCCA VALLEY, CALIFORNIA WASTEWATER COLLECTION AND REUSE FACILITY.

(a) AUTHORIZATION.—The Secretary, in cooperation with the appropriate State and local authorities, is authorized to participate in the design, planning, and construction of the Hi-Desert Water District in Yucca Valley, California wastewater collection and reuse facility.

(b) COST SHARE.—The Federal share of the cost of a project described in subsection (a) shall not exceed 25 percent of the total cost.

(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project described in subsection (a).

SEC. 1627. MISSION BASIN BRACKISH GROUNDWATER DESALTING DEMONSTRATION PROJECT.

(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Oceanside, is authorized to participate in the design, planning, and construction of a 3,000,000 gallon per day expansion of the Mission Basin Brackish Groundwater Desalting Demonstration Project in Oceanside, California.

(b) COST SHARE.—The Federal share of the cost of a project described in subsection (a) shall not exceed 25 percent of the total cost.

(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project described in subsection (a).

SEC. 1628. TREATMENT OF EFFLUENT FROM THE SANITATION DISTRICTS OF LOS ANGELES COUNTY THROUGH THE CITY OF LONG BEACH.

(a) AUTHORIZATION.—The Secretary, in cooperation with the Water Replenishment District of Southern California, the Orange County Water District in the State of California, and other appropriate authorities, is authorized to participate in the design, planning, and construction of water reclamation and reuse projects to treat approximately 10,000 acre-feet per year of effluent from the

sanitation districts of Los Angeles County through the city of Long Beach.

(b) COST SHARE.—The Federal share of the cost of a project described in subsection (a) shall not exceed 25 percent of the total cost.

(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project described in subsection (a).

SEC. 1629. SAN JOAQUIN AREA WATER RECYCLING AND REUSE PROJECT.

(a) AUTHORIZATION.—The Secretary, in cooperation with the appropriate State and local authorities, is authorized to participate in the design, planning, and construction of the San Joaquin Area Water Recycling and Reuse Project, in cooperation with the City of Tracy, and consisting of participating projects which will reclaim and reuse water within the County of San Joaquin in California.

(b) COST SHARE.—The Federal share of the cost of a project described in subsection (a) shall not exceed 25 percent of the total cost.

(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project described in subsection (a).

SEC. 1630. TOOELE WASTEWATER TREATMENT AND REUSE PROJECT.

(a) AUTHORIZATION.—The Secretary, in cooperation with Tooele City, Utah, is authorized to participate in the design, planning, and construction of the Tooele Wastewater Treatment and Reuse Project.

(b) COST SHARE.—The Federal share of the cost of a project described in subsection (a) shall not exceed 25 percent of the total cost.

(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project described in subsection (a).

SEC. [1615.] *1631.* AUTHORIZATION OF APPROPRIATIONS.

(a) There are authorized to be appropriated such sums as may be necessary to carry out the purposes and provisions of sections 1601 through [1614] *1630* of this title.

(b)(1) Funds may not be appropriated for the construction of any project authorized by this title until after—

(A) an appraisal investigation and a feasibility study that complies with the provisions of sections 1603(b) or 1604(c), as the case may be, have been completed by the Secretary or the non-Federal project sponsor;

(B) the Secretary has determined that the non-Federal project sponsor is financially capable of funding the non-Federal share of the project's costs; and

(C) the Secretary has approved a cost-sharing agreement with the non-Federal project sponsor which commits the non-Federal project sponsor to funding its proportionate share of the project's construction costs on an annual basis.

(2) The requirements of paragraph (1) shall not apply to those projects authorized by this title for which funds were appropriated prior to January 1, 1996.

(c) The Secretary shall notify the Committees on Resources and Appropriations of the House of Representatives and the Committees on Energy and Natural Resources and Appropriations of the Senate within 30 days after the signing of a cost-sharing agreement pursuant to subsection (b) that such an agreement has been signed and that the Secretary has determined that the non-Federal project spon-

sor is financially capable of funding the project's non-Federal share of the project's costs.

(d)(1) Notwithstanding any other provision of this title and except as provided by paragraph (2), the Federal share of the costs of each of the individual projects authorized by this title shall not exceed $20,000,000.

(2) In the case of any project authorized by this title for which construction funds were appropriated before January 1, 1996, the Federal share of the cost of such project may not exceed the amount specified as the "total Federal obligation" for that project in the budget justification made by the Bureau of Reclamation for fiscal year 1997, as contained in part 3 of the report of the hearing held on March 27, 1996, before the Subcommittee on Energy and Water Development of the Committee on Appropriations of the House of Representatives.

SEC. [1616.] *1632.* GROUNDWATER STUDY.

(a) In furtherance of the High Plains Groundwater Demonstration Program Act of 1983 (98 Stat. 1675), the Secretary of the Interior, acting through the Bureau of Reclamation and the Geological Survey, shall conduct an investigation and analysis of the impacts of existing Bureau of Reclamation projects on the quality and quantity of groundwater resources. Based on such investigation and analysis, the Secretary shall prepare a reclamation groundwater management and technical assistance report which shall include—

(1) a description of the findings of the investigation and analysis, including the methodology employed;

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(c) The report shall be submitted to the Committees on Appropriations and Natural Resources of the House of Representatives and the Committees on Appropriations and Energy and Natural Resources of the Senate within three years of the appropriation of funds authorized by [section 1617] *section 1633*.

SEC. [1617.] *1633.* AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for fiscal years beginning after September 30, 1992, $4,000,000 to carry out the study authorized by [section 1616] *section 1632*.

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