

DESCHUTES RESOURCES CONSERVANCY
REAUTHORIZATION ACT OF 1999

SEPTEMBER 6, 2000.—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

REPORT

[To accompany S. 1027]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (S. 1027) to reauthorize the participation of the Bureau of Reclamation in the Deschutes Resources Conservancy, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of S. 1027 is to reauthorize the participation of the Bureau of Reclamation in the Deschutes Resources Conservancy and for other purposes.

BACKGROUND

The Deschutes Resources Conservancy was authorized in 1996 as a five-year pilot project designed to achieve local consensus on projects to improve ecosystem health in the Deschutes River basin. The Deschutes River drains Oregon's high desert along the eastern front of the Cascade Mountains and eventually flows into the Columbia River. The river basin is used for recreation, irrigation, contains hundreds of thousands of acres of productive forest and rangelands, serves the treaty fishing and water rights of the Confederated Tribes of Warm Springs, and has Oregon's largest non-federal hydroelectric project.

Projects funded through the Conservancy demonstration include: piping for irrigation district delivery systems to prevent water loss; securing water rights for instream flows to restore flows to Squaw Creek; providing fencing of riparian areas to protect riverbanks;

working with private timberland owners to restore riparian and wetlands areas; and seeking donated water rights to enhance instream flows in the Deschutes River basin.

The existing authorization provides up to \$1 million each year for projects. Funding is provided through the Bureau of Reclamation, the lead federal agency. S. 1027 would reauthorize the five-year pilot project from 2002 to 2006 and increase the authorization ceiling to \$2 million annually.

Companion legislation, H.R. 1787, was introduced in the House of Representatives by Congressman Walden (R-OR).

COMMITTEE ACTION

S. 1027 was introduced on May 12, 1999, by Senator Gordon Smith (R-OR). On July 1, 1999, the Senate passed S. 1027 by unanimous consent. The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Water and Power. On July 26, 2000, the Resources Committee met to consider the bill. The Subcommittee on Water and Power was discharged from further consideration of the bill by unanimous consent. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by unanimous consent.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

The short title of the bill is “Deschutes Resources Conservancy Reauthorization Act of 1999”.

Section 2. Extension of participation of Bureau of Reclamation in Deschutes Resources Conservancy.

This section reauthorizes the project for an additional five years. This section also raises the authorization ceiling from \$1 million to \$2 million annually.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources’ oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. *Cost of Legislation.*—Clause 3(d)(2) 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 this bill. However, clause 3(d)(3)(B) 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 402 of the Congressional Budget Act of 1974.

2. *Congressional Budget Act*.—As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. *Government Reform Oversight Findings*.—Under clause 3(c)(4) of rule XIII 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 on this bill.

4. *Congressional Budget Office Cost Estimate*.—Under clause 3(c)(3) of rule XIII 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 this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 3, 2000.

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 S. 1027, the Deschutes Resources Conservancy Reauthorization Act of 1999.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Rachel Applebaum.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

S. 1027—Deschutes Resources Conservancy Reauthorization Act of 1999

Summary: S. 1027 would authorize the appropriation of \$10 million over the 2002–2006 period for ecosystem restoration projects in the Deschutes River basin in Oregon. Assuming appropriation of the authorized amounts, CBO estimates that implementing S. 1027 would cost \$7 million over the 2002–2005 period, with the remaining \$3 million to be spent after 2005. The legislation would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

S. 1027 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). State and local governments would probably incur some costs to match the funds authorized by this act, but these costs would be voluntary.

Estimated cost to the Federal Government: For this estimate, CBO assumes that the amounts authorized in the act will be appropriated for each year and that outlays will follow the historical spending pattern for similar activities. The estimated budgetary impact of S. 1027 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and the environment).

	By fiscal year, in millions of dollars—					
	2000	2001	2002	2003	2004	2005
SPENDING SUBJECT TO APPROPRIATION						
Spending under current law:						
Authorization level ¹	1	1	0	0	0	0
Estimated Outlays	1	1	(²)	(²)	0	0
Proposed changes:						
Authorization level	0	0	2	2	2	2
Estimated Outlays	0	0	1	2	2	2
Spending Under S. 1027:						
Authorization level ¹	1	1	2	2	2	2
Estimated Outlays	1	1	2	2	2	2

¹The 2000 level is the amount appropriated for that year for restoration projects in the Deschutes basin.

²Less than \$500,000.

Pay-as-you-go considerations: None.

Intergovernmental and private-sector impact: S. 1027 contains no intergovernmental or private-sector mandates as defined in UMRA. State and local governments would probably incur some costs to match the funds authorized by this act, but these costs would be voluntary. Under current law, all federal expenditures for restoration projects in the Deschutes basin must be matched by an equal amount of nonfederal contributions, including in-kind contributions. This requirement would apply to the funds authorized by this act.

Previous CBO estimate: On June 27, 2000, CBO transmitted a cost estimate for H.R. 1787, the Deschutes Resources Conservancy Reauthorization Act of 1999, as ordered reported by the House Committee on Resources on June 21, 2000. On June 21, 1999, CBO transmitted a cost estimate for S. 1027 as ordered reported by the Senate Committee on Energy and Natural Resources on June 16, 1999. All versions of this legislation are nearly identical, and their estimated costs are the same.

Estimate prepared by: Federal costs; Rachel Applebaum; impact on State, local and tribal governments: Marjorie Miller, impact on the private sector: Lauren Marks.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) 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 (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

**SECTION 301 OF THE OREGON RESOURCE
CONSERVATION ACT OF 1996**

SEC. 301. DESCHUTES BASIN ECOSYSTEM RESTORATION PROJECTS.

(a) * * *

* * * * *

(b) IN GENERAL.—

(1) * * *

* * * * *

(3) The Bureau of Reclamation shall pay from funds authorized under subsection (h) of this title up to 50 percent of the cost of performing any project proposed by the Working Group and approved by the Secretary, up to a total amount of \$1,000,000 during each of the fiscal years 1997 through 2001, *and up to a total amount of \$2,000,000 during each of fiscal years 2002 through 2006.*

* * * * *

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this title \$1,000,000 for each of fiscal years 1997 through 2001 *and \$2,000,000 for each of fiscal years 2002 through 2006.*