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106TH CONGRESS, 2d Session | HOUSE OF REPRESENTATIVES | REPORT 106–814

# AMENDMENT OF THE COLORADO RIVER BASIN SALINITY CONTROL ACT

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

## R E P O R T

[To accompany S. 1211]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (S. 1211) to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

### PURPOSE OF THE BILL

The purpose of S. 1211 is to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner.

### BACKGROUND

Salinity in the Colorado River increases dramatically as the River makes its way along its 1,450-mile journey. In its downstream journey, the River picks up over 9 million tons of salt. Almost half of the salinity is naturally occurring (the erosion of high-salt soils and thermal springs with discharge flowing into the river). In addition, return flows from agricultural lands pick up salt from the soil. Public domain lands under the jurisdiction of the Bureau of Land Management also contribute an estimated 700,000 tons of salt annually. If the salinity of the River is left to accumulate, water quality for drinking and agriculture is severely reduced.

To address the salinity problem, the Colorado River Basin Salinity Control Act was enacted in 1974. Title I of the Act addressed

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the Mexican Treaty obligations by authorizing the Yuma Desalting Plant, the Wellton-Mohawk Irrigation and Drainage District irrigation drainage reduction program, concrete lining of the Coachella Canal in California (allowing the United States to use the conserved water to replace drainage water bypassed to Mexico), and a well field in Arizona known as the Protective and Regulatory Pumping Unit. Title II of the Act, which was amended in 1995, directed the Bureau of Reclamation to conduct a $75 million pilot program to award grants, on a competitive-bid basis, for salinity control projects. Cost savings under this pilot program have far exceeded expectations—down to about $30 per ton of salt control, from the previous average of about $80 per ton. Central to the success of the new program is the concept of local ownership of the proposal and completed project. Unlike old projects, new salinity control projects are funded by a one-time grant that is limited to the sponsor's competitive bid. Once constructed, the facilities are owned, operated, maintained, and replaced by the sponsors at their own expense.

The following is a list of accepted projects with some financial information:

Bureau of Reclamation - Basinwide Salinity Control Program Summary
Updated - May 31, 2000

| Unit/Project | BOR Contract Cost (Awarded) | Total BOR Project Cost with Estimated 10% Admin Cost | BOR Contract Cost Expended thru May 2000 | Annual O&M Costs | Estimated Cost Effectiveness @25yr life 6.625% interest |
|---|---|---|---|---|---|
| Hammond | $13,486,000 | $14,834,600 | $2,693,206 | $0 | $26 |
| Nanofiltration | $10,264,236 | $11,290,660 | $256,340 | $1,170,000 | $30 |
| Uncompahgre Demo | $889,600 | $978,560 | $889,600 | $0 | $35 |
| Navajo Well | $71,000 | $78,100 | | $0 | $13 |
| Ashley | $3,269,000 | $3,595,900 | | $0 | $33 |
| Allen Lateral | $2,400,000 | $2,640,000 | $2,277,695 | $0 | $36 |
| North Carbon | $3,499,908 | $3,849,899 | $2,900,000 | $0 | $48 |
| Cottonwood | $2,100,000 | $2,310,000 | $1,705,680 | $0 | $23 |
| Ferrron | $10,802,744 | $11,883,018 | $5,023,842 | $0 | $31 |
| Seeley-Collard | $185,690 | $204,259 | $400 | $0 | $28 |
| Moore Group | $4,733,160 | $5,206,476 | $4,705,000 | $0 | $34 |
| Price Canal | $5,182,650 | $5,700,915 | | $0 | $37 |
| Wellington | $3,935,400 | $4,328,940 | $3,500,000 | $0 | $25 |
| Burns Bench | $4,465,514 | $4,912,065 | | $0 | $26 |
| BIA - Ute Tribe | $19,788,373 | $21,767,210 | | $0 | $34 |
| Duchesne County | $9,127,000 | $10,039,700 | $247,632 | $0 | $41 |
| Farnsworth | $3,250,000 | $3,575,000 | | $0 | $31 |
| Highline | $6,509,000 | $7,159,900 | | $0 | $29 |
| L. Brush Cr. (Sunshine) | $858,280 | $944,108 | $858,280 | $0 | $36 |
| Moffat | $1,066,440 | $1,173,084 | $95,943 | $0 | $33 |
| Ouray Park | $944,905 | $1,039,396 | | $0 | $19 |
| Western Uintah | $6,875,000 | $7,562,500 | | $0 | $32 |
| Totals | $113,903,900 | $125,294,290 | $25,153,618 | $1,170,000 | $31 |

Note: Cost effectiveness was computed using a conservative 25-year life. Most facilities are expected to last 50 years. The program has no contractual obligation to replace facilities. Most would be replaced by water users to maintain their water deliveries.

## COMMITTEE ACTION

S. 1211 was introduced on June 10, 1999, by Senator Robert Bennett (R–UT). Companion legislation, H.R. 2619, was introduced in the House of Representatives by Congressman Chris Cannon (R–UT). On November 19, 1999, the Senate passed S. 1211 with an amendment by unanimous consent. In the House of Representatives, the bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Water and Power. On May 11, 2000, the Subcommittee met to mark up the bill. No amendments were offered and the bill was then ordered favorably reported to the Full Committee by voice vote. On May 24, 2000, the Full Resources Committee met to consider the bill. No amendments were offered and the bill was then ordered to be reported to the House of Representatives by voice vote.

## SECTION-BY-SECTION ANALYSIS

*Section 1. Amendment of the Colorado River Basin Salinity Control Act*

This section raises the program ceiling authorization of appropriations from $75,000,000 to $175,000,000.

*Section 2. Report*

This section requires the Secretary of the Interior to file a report on the status of the implementation of the program designed to minimize salt entering the Colorado River from Bureau of Land Management lands.

## 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, June 7, 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. 1211, an act to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Rachel Applebaum (for federal costs), and Marjorie Miller (for the state and local impact).

Sincerely,

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

Enclosure.

*S. 1211—An act to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner*

Summary: S. 1211 would authorize the appropriation of $175 million for a program to control the salinity of the Colorado River upstream of the Imperial Dam. Under current law, the Congress has authorized the appropriation of $75 million for this activity. The legislation would direct the Secretary of the Interior to prepare a report by June 30, 2000, on the status of the comprehensive program for minimizing salt contributions to the Colorado River.

Assuming appropriation of the necessary amounts, CBO estimates that implementing S. 1211 would cost $17 million over the 2000–2005 period. Enacting this legislation would not affect direct spending or receipts, so pay-as-you-go procedures would not apply. S. 1211 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). State and local governments might incur some costs to match the federal funds authorized by this legislation, but these costs would be voluntary.

Estimated cost to the Federal Government: The estimated budgetary impact of S. 1211 is shown in the following table. Of the $75 million authorized under current law about $36 million has been appropriated through fiscal year 2000. Assuming that annual appropriations for this program continue near the 2000 level of $12

million, as anticipated by the Department of the Interior, the balance of the existing $75 million authorization would not be exceeded until fiscal year 2004. Thus, CBO estimates that the additional $100 million authorized by S. 1211 would be appropriated in 2004 and in the following years. We estimate that the report required by S. 1211 would cost less than $500,000 in fiscal year 2000. The costs of this legislation fall within budget function 300 (natural resources and environment).

| | By fiscal year, in millions of dollars— | | | | | |
|---|---|---|---|---|---|---|
| | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
| CHANGES IN SPENDING SUBJECT TO APPROPRIATION | | | | | | |
| Spending Under Current Law: | | | | | | |
| Estimated Authorization Level [1] | 12 | 12 | 12 | 12 | 2 | 0 |
| Estimated Outlays | 12 | 12 | 12 | 12 | 6 | 1 |
| Proposed Changes: | | | | | | |
| Estimated Authorization Level | ([2]) | 0 | 0 | 0 | 10 | 12 |
| Estimated Outlays | ([2]) | 0 | 0 | 0 | 6 | 11 |
| Spending Under S. 1211: | | | | | | |
| Estimated Authorization Level [1] | 12 | 12 | 12 | 12 | 12 | 12 |
| Estimated Outlays | 12 | 12 | 12 | 12 | 12 | 12 |

[1] The 2000 level is the amount appropriated for the Colorado River salinity control program for that year. The estimated levels for fiscal years 2001 through 2004 represent the use of the remaining authorization under current law.
[2] Less than $500,000.

Pay-as-you-go considerations: None.

Intergovernmental and private-sector impact: S. 1211 contains no intergovernmental or private-sector mandates as defined in UMRA. State and local governments might incur some costs to match the federal funds authorized by this legislation, but these costs would be voluntary.

Previous CBO estimate: On October 5, 1999, CBO transmitted a cost estimate for S. 1211 as ordered reported by the Senate Committee on Energy and Natural Resources on September 22, 1999. The two versions of the legislation are nearly identical, and the cost estimates are the same, except CBO's estimate for the Senate version only included estimated spending for fiscal years 2000 through 2004.

Estimate prepared by: Federal Costs: Rachel Applebaum; Impact on State, Local, and Tribal Governments: Marjorie Miller; Impact on the Private Sector: Natalie Tawil.

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 XII 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):

## SECTION 208 OF THE COLORADO RIVER BASIN SALINITY CONTROL ACT

SEC. 208. (a) * * *

* * * * * * *

(c) In addition to the amounts authorized to be appropriated under subsection (b), there are authorized to be appropriated **[**$75,000,000 for subsection 202(a)**]** *$175,000,000 for section 202(a),* including constructing the works described in **[**paragraph 202(a)(6)**]** *paragraph (6) of section 202(a)* and carrying out the measures described in such paragraph. Notwithstanding subsection (b), the Secretary may implement the program under **[**paragraph**]** *section* 202(a)(6) only to the extent and in such amounts as are provided in advance in appropriations Acts.

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