

Union Calendar No. 372

104TH CONGRESS
2^D SESSION

H. R. 3660

[Report No. 104-703]

A BILL

To make amendments to the Reclamation
Wastewater and Groundwater Study and Facili-
ties Act, and for other purposes.

JULY 24, 1996

Reported with amendments, committed to the Committee
of the Whole House on the State of the Union, and or-
dered to be printed

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IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 1996

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

JULY 24, 1996

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[Omit the part struck through and insert the part printed in italics]

A BILL

To make amendments to the Reclamation Wastewater and Groundwater Study and Facilities Act, 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 “Reclamation Recycling
5 and Water Conservation Act of 1996”.

1 **SEC. 2. WATER RECYCLING PROJECTS.**

2 (a) IN GENERAL.—The Reclamation Projects Au-
3 thorization and Adjustment Act of 1992 (43 U.S.C. 390h
4 et seq.) is amended—

5 (1) by redesignating sections 1615, 1616, and
6 1617 as sections 1631, 1632, and 1633, respectively,
7 and

8 (2) by inserting after section 1614 the following
9 new sections:

10 **“SEC. 1615. NORTH SAN DIEGO COUNTY AREA WATER RECY-
11 CLING PROJECT.**

12 “(a) AUTHORIZATION.—The Secretary, in coopera-
13 tion with the appropriate State and local authorities, is
14 authorized to participate in the design, planning, and con-
15 struction of the North San Diego County Area Water Re-
16 cycling Project, consisting of projects to reclaim and reuse
17 water within service areas of the San Elijo Joint Powers
18 Authority, the Leucadia County Water District, the City
19 of Carlsbad, and the Olivenhain Municipal Water District,
20 California.

21 “(b) COST SHARE.—The Federal share of the cost
22 of a project described in subsection (a) shall not exceed
23 25 percent of the total cost.

24 “(c) LIMITATION.—The Secretary shall not provide
25 funds for the operation or maintenance of a project de-
26 scribed in subsection (a).

1 **“SEC. 1616. CALLEGUAS MUNICIPAL WATER DISTRICT RE-**
2 **CYCLING PROJECT.**

3 “(a) AUTHORIZATION.—The Secretary, in coopera-
4 tion with the appropriate State and local authorities, is
5 authorized to participate in the design, planning, and con-
6 struction of the Calleguas Municipal Water District Recy-
7 cling Project to reclaim and reuse water in the service area
8 of the Calleguas Municipal Water District in Ventura
9 County, California.

10 “(b) COST SHARE.—The Federal share of the cost
11 of a project described in subsection (a) shall not exceed
12 25 percent of the total cost.

13 “(c) LIMITATION.—The Secretary shall not provide
14 funds for the operation or maintenance of a project de-
15 scribed in subsection (a).

16 **“SEC. 1617. CENTRAL VALLEY WATER RECYCLING**
17 **PROJECT.**

18 “(a) AUTHORIZATION.—The Secretary, in coopera-
19 tion with the appropriate State and local authorities, is
20 authorized to participate in the design, planning, and con-
21 struction of the Central Valley Water Recycling Project
22 to reclaim and reuse water in the service areas of the
23 Central Valley Reclamation Facility and the Salt Lake
24 County Water Conservancy District in Utah.

1 “(b) COST SHARE.—The Federal share of the cost
2 of a project described in subsection (a) shall not exceed
3 25 percent of the total cost.

4 “(c) LIMITATION.—The Secretary shall not provide
5 funds for the operation or maintenance of a project de-
6 scribed in subsection (a).

7 **“SEC. 1618. ST. GEORGE AREA WATER RECYCLING**
8 **PROJECT.**

9 “(a) AUTHORIZATION.—The Secretary, in coopera-
10 tion with the appropriate State and local authorities, is
11 authorized to participate in the design, planning, and con-
12 struction of the St. George Area Water Recycling Project
13 to reclaim and reuse water in the service area of the Wash-
14 ington County Water Conservancy District in Utah.

15 “(b) COST SHARE.—The Federal share of the cost
16 of a project described in subsection (a) shall not exceed
17 25 percent of the total cost.

18 “(c) LIMITATION.—The Secretary shall not provide
19 funds for the operation or maintenance of a project de-
20 scribed in subsection (a).

21 **“SEC. 1619. WATSONVILLE AREA WATER RECYCLING**
22 **PROJECT.**

23 “(a) AUTHORIZATION.—The Secretary, in coopera-
24 tion with the City of Watsonville, California, is authorized
25 to participate in the design, planning, and construction of

1 the Watsonville Area Water Recycling Project to reclaim
2 and reuse water in the Pajaro Valley in Santa Cruz Coun-
3 ty, California.

4 “(b) COST SHARE.—The Federal share of the cost
5 of a project described in subsection (a) shall not exceed
6 25 percent of the total cost.

7 “(c) LIMITATION.—The Secretary shall not provide
8 funds for the operation or maintenance of a project de-
9 scribed in subsection (a).

10 **“SEC. 1620. SOUTHERN NEVADA WATER RECYCLING**
11 **PROJECT.**

12 “(a) AUTHORIZATION.—The Secretary, in coopera-
13 tion with the appropriate State and local authorities, is
14 authorized to participate in the design, planning, and con-
15 struction of the Southern Nevada Water Recycling Project
16 to reclaim and reuse water in the service area of the
17 Southern Nevada Water Authority in Clark County, Ne-
18 vada.

19 “(b) COST SHARE.—The Federal share of the cost
20 of a project described in subsection (a) shall not exceed
21 25 percent of the total cost.

22 “(c) LIMITATION.—The Secretary shall not provide
23 funds for the operation or maintenance of a project de-
24 scribed in subsection (a).

1 **“SEC. 1621. ALBUQUERQUE METROPOLITAN AREA WATER**
2 **RECLAMATION AND REUSE STUDY.**

3 “(a) **AUTHORIZATION.**—The Secretary, in coopera-
4 tion with the city of Albuquerque, New Mexico, is author-
5 ized to participate in the Albuquerque Metropolitan Area
6 Water Reclamation and Reuse Study to reclaim and reuse
7 industrial and municipal wastewater and reclaim and use
8 naturally impaired ground water in the Albuquerque met-
9 ropolitan area.

10 “(b) **COST SHARE.**—The Federal share of the cost
11 of a project described in subsection (a) shall not exceed
12 25 percent of the total cost.

13 “(c) **LIMITATION.**—The Secretary shall not provide
14 funds for the operation or maintenance of a project de-
15 scribed in subsection (a).

16 **“SEC. 1622. EL PASO WATER RECLAMATION AND REUSE**
17 **PROJECT.**

18 “(a) **AUTHORIZATION.**—The Secretary, in coopera-
19 tion with the appropriate State and local authorities, is
20 authorized to participate in the design, planning, and con-
21 struction of the El Paso Water Reclamation and Reuse
22 Project to reclaim and reuse wastewater in the service
23 area of the El Paso Water Utilities Public Service Board,
24 El Paso, Texas.

1 construction of phase 1 of the Orange County Regional Water
2 Reclamation Project, to reclaim and reuse water within
3 the service area of the Orange County Water District in
4 California.

5 “(b) COST SHARE.—The Federal share of the cost
6 of a project described in subsection (a) shall not exceed
7 25 percent of the total cost.

8 “(c) LIMITATION.—The Secretary shall not provide
9 funds for the operation or maintenance of a project de-
10 scribed in subsection (a).

11 **“SEC. 1625. CITY OF WEST JORDAN WATER REUSE**
12 **PROJECT.**

13 “(a) AUTHORIZATION.—The Secretary, in coopera-
14 tion with the City of West Jordan, Utah, is authorized
15 to participate in the design, planning, and construction of
16 the City of West Jordan Water Reuse Project to recycle
17 and reuse water in its service area from the South Valley
18 Water Reclamation Facility Discharge Waters in Utah.

19 “(b) COST SHARE.—The Federal share of the cost
20 of a project described in subsection (a) shall not exceed
21 25 percent of the total cost.

22 “(c) LIMITATION.—The Secretary shall not provide
23 funds for the operation or maintenance of a project de-
24 scribed in subsection (a).

1 **“SEC. 1626. HI-DESERT WATER DISTRICT IN YUCCA VALLEY,**
2 **CALIFORNIA WASTEWATER COLLECTION AND**
3 **REUSE FACILITY.**

4 “(a) **AUTHORIZATION.**—The Secretary, in coopera-
5 tion with the appropriate State and local authorities, is
6 authorized to participate in the design, planning, and con-
7 struction of the Hi-Desert Water District in Yucca Valley,
8 California wastewater collection and reuse facility.

9 “(b) **COST SHARE.**—The Federal share of the cost
10 of a project described in subsection (a) shall not exceed
11 25 percent of the total cost.

12 “(c) **LIMITATION.**—The Secretary shall not provide
13 funds for the operation or maintenance of a project de-
14 scribed in subsection (a).

15 **“SEC. 1627. MISSION BASIN BRACKISH GROUNDWATER**
16 **DESALTING DEMONSTRATION PROJECT.**

17 “(a) **AUTHORIZATION.**—The Secretary, in coopera-
18 tion with the City of Oceanside, is authorized to partici-
19 pate in the design, planning, and construction of a
20 3,000,000 gallon per day expansion of the Mission Basin
21 Brackish Groundwater Desalting Demonstration Project
22 in Oceanside, California.

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

1 authorized to participate in the design, planning, and con-
2 struction of the San Joaquin Area Water Recycling and
3 Reuse Project, in cooperation with the City of Tracy, and
4 consisting of participating projects which will reclaim and
5 reuse water within the County of San Joaquin in Califor-
6 nia.

7 “(b) COST SHARE.—The Federal share of the cost
8 of a project described in subsection (a) shall not exceed
9 25 percent of the total cost.

10 “(c) LIMITATION.—The Secretary shall not provide
11 funds for the operation or maintenance of a project de-
12 scribed in subsection (a).

13 **“SEC. 1630. TOOELE WASTEWATER TREATMENT AND REUSE**
14 **PROJECT.**

15 “(a) AUTHORIZATION.—The Secretary, in coopera-
16 tion with Tooele City, Utah, is authorized to participate
17 in the design, planning, and construction of the Tooele
18 Wastewater Treatment and Reuse Project.

19 “(b) COST SHARE.—The Federal share of the cost
20 of a project described in subsection (a) shall not exceed
21 25 percent of the total cost.

22 “(c) LIMITATION.—The Secretary shall not provide
23 funds for the operation or maintenance of a project de-
24 scribed in subsection (a).”.

25 (b) CONFORMING AMENDMENTS.—

1 (1) Section 1631 of such Act, as redesignated
2 by subsection (a)(1), is amended by striking out
3 “1614” and inserting in lieu thereof “1630”.

4 (2) Section 1632(c) of such Act, as redesignated
5 by subsection (a)(1), is amended by striking
6 out “section 1617” and inserting in lieu thereof
7 “section 1633”.

8 (3) Section 1633 of such Act, as redesignated
9 by subsection (a)(1), is amended by striking out
10 “section 1616” and inserting in lieu thereof “section
11 1632”.

12 (c) CLERICAL AMENDMENTS.—The table of sections
13 in section 2 of the Reclamation Projects Authorization and
14 Adjustment Act of 1992 is amended—

15 (1) by redesignating the items relating to sec-
16 tions 1615, 1616, and 1617 as items relating to sec-
17 tions 1631, 1632, and 1633, respectively, and

18 (2) by inserting after the item relating to sec-
19 tion 1614 the following new items:

- “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.

“Sec. 1630. Tooele Wastewater Treatment and Reuse Project.”.

1 **SEC. 3. APPRAISAL INVESTIGATIONS.**

2 Section 1603(b) of (43 U.S.C. 390h–1(b)) is amend-
3 ed in the matter preceding paragraph (1) by inserting “by
4 the Secretary or the non-Federal project sponsor” after
5 “undertaken”.

6 **SEC. 4. FEASIBILITY STUDIES.**

7 Section 1604(c) of the Reclamation Projects Author-
8 ization and Adjustment Act of 1992 (43 U.S.C. 390h–
9 2(c)) is amended—

10 (1) in the matter preceding paragraph (1), by
11 striking “authorized” and inserting “conducted by
12 the Secretary or the non-Federal project sponsor”;

13 (2) in paragraph (3)—

14 (A) by inserting “at least two ~~alternatives~~
15 *alternative*” after “(3)”;

16 (B) by striking “and” after “measures”
17 and inserting “or”, and

18 (C) by inserting “for the project under
19 consideration” after “reuse”;

20 (3) in paragraph (4), by striking “and,” at the
21 end;

1 (4) in paragraph (5), by striking “or” at the
2 end of subparagraph (A), by striking the period at
3 the end of subparagraph (B) and inserting “, or”,
4 and by adding at the end the following:

5 “(C) reduce the demand on existing Fed-
6 eral water supply facilities;”; and

7 (5) by adding at the end the following:

8 “(6) the market or dedicated use for reclaimed
9 water in the project’s service area; and

10 “(7) the financial capability of the non-Federal
11 project sponsor to fund its proportionate share of
12 the project’s construction costs on an annual basis.”.

13 **SEC. 5. DESALINATION RESEARCH AND DEVELOPMENT**
14 **PROJECT.**

15 Section 1605 of the Reclamation Projects Authoriza-
16 tion and Adjustment Act of 1992 (43 U.S.C. 390h–3) is
17 amended—

18 (1) by designating the existing text as sub-
19 section (a); and

20 (2) by adding at the end the following:

21 “(b)(1) The Secretary, in cooperation with the city
22 of Long Beach, the Central Basin Municipal Water Dis-
23 trict, and the Metropolitan Water District of Southern
24 California may participate in the design, planning, and
25 construction of the Long Beach Desalination Research

1 and Development Project in Los Angeles County, Califor-
2 nia.

3 “(2) The Federal share of the cost of the project de-
4 scribed in paragraph (1) shall not exceed 50 percent of
5 the total.

6 “(3) The Secretary shall not provide funds for the
7 operation or maintenance of the project described in para-
8 graph (1).

9 “(c)(1) The Secretary, in cooperation with the South-
10 ern Nevada Water Authority, may participate in the de-
11 sign, planning, and construction of the Las Vegas Area
12 Shallow Aquifer Desalination Research and Development
13 Project in Clark County, Nevada.

14 “(2) The Federal share of the cost of the project de-
15 scribed in paragraph (1) shall not exceed 50 percent of
16 the total.

17 “(3) The Secretary shall not provide funds for the
18 operation or maintenance of the project described in para-
19 graph (1).

20 “(d) A Federal contribution in excess of 25 percent
21 for a project under this section may not be made until
22 after the Secretary determines that the project is not fea-
23 sible without such Federal contribution.”.

1 **SEC. 6. SAN FRANCISCO AREA WATER RECLAMATION**
2 **STUDY.**

3 Section 1611(c) of the Reclamation Projects Author-
4 ization and Adjustment Act of 1992 (43 U.S.C. 390h-
5 9(c)) is amended by striking “four” and inserting “five”.

6 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

7 Section 1631 of the Reclamation Projects Authoriza-
8 tion and Adjustment Act of 1992 (43 U.S.C. 390h-13),
9 as amended by section 2 of this Act, is amended by insert-
10 ing “(a)” before “There are authorized” and by adding
11 at the end the following:

12 “(b)(1) Funds may not be appropriated for the con-
13 struction of any project authorized by this title until
14 after—

15 “(A) an appraisal investigation and a feasibility
16 study that complies with the provisions of sections
17 1603(b) or 1604(c), as the case may be, have been
18 completed by the Secretary or the non-Federal
19 project sponsor;

20 “(B) the Secretary has determined that the
21 non-Federal project sponsor is financially capable of
22 funding the non-Federal share of the project’s costs;
23 and

24 “(C) the Secretary has approved a cost-sharing
25 agreement with the non-Federal project sponsor
26 which commits the non-Federal project sponsor to

1 funding its proportionate share of the project's con-
2 struction costs on an annual basis.

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

6 “(c) The Secretary shall notify the Committees on
7 Resources and Appropriations of the House of Represent-
8 atives and the Committees on Energy and Natural Re-
9 sources and Appropriations of the Senate within 30 days
10 after the signing of a cost-sharing agreement pursuant to
11 subsection (b) that such an agreement has been signed
12 and that the Secretary has determined that the non-Fed-
13 eral project sponsor is financially capable of funding the
14 project's non-Federal share of the project's costs.

15 “(d)(1) Notwithstanding any other provision of this
16 title and except as provided by paragraph (2), the Federal
17 share of the costs of each of the individual projects author-
18 ized by this title shall not exceed \$20,000,000.

19 “(2) In the case of any project authorized by this title
20 for which construction funds were appropriated before
21 January 1, 1996, the Federal share of the cost of such
22 project may not exceed the amount specified as the ‘total
23 Federal obligation’ for that project in the budget justifica-
24 tion made by the Bureau of Reclamation for fiscal year
25 1997, as contained in part 3 of the report of the hearing

1 held on March 27, 1996, before the Subcommittee on En-
2 ergy and Water Development of the Committee on Appro-
3 priations of the House of Representatives.”.