

Calendar No. 579

104TH CONGRESS
2D Session

H. R. 3660

AN ACT

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

SEPTEMBER 5, 1996

Received; read twice and ordered to be placed on the
calendar

Calendar No. 579

104TH CONGRESS
2D SESSION

H. R. 3660

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 5, 1996

Received; read twice and ordered to be placed on the calendar

AN ACT

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,*

2 This Act may be cited as the “Reclamation Recycling
3 and Water Conservation Act of 1996”.

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

11 (2) by inserting after section 1614 the following
12 new sections:

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

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

4 **“SEC. 1616. CALLEGUAS MUNICIPAL WATER DISTRICT RE-**
5 **CYCLING PROJECT.**

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

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

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

19 **“SEC. 1617. CENTRAL VALLEY WATER RECYCLING**
20 **PROJECT.**

21 “(a) AUTHORIZATION.—The Secretary, in coopera-
22 tion with the appropriate State and local authorities, is
23 authorized to participate in the design, planning, and con-
24 struction of the Central Valley Water Recycling Project
25 to reclaim and reuse water in the service areas of the

1 Central Valley Reclamation Facility and the Salt Lake
2 County Water Conservancy District in Utah.

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

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

9 **“SEC. 1618. ST. GEORGE AREA WATER RECYCLING**
10 **PROJECT.**

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

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

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

1 **“SEC. 1619. WATSONVILLE AREA WATER RECYCLING**
2 **PROJECT.**

3 “(a) AUTHORIZATION.—The Secretary, in coopera-
4 tion with the City of Watsonville, California, is authorized
5 to participate in the design, planning, and construction of
6 the Watsonville Area Water Recycling Project to reclaim
7 and reuse water in the Pajaro Valley in Santa Cruz Coun-
8 ty, California.

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. 1620. SOUTHERN NEVADA WATER RECYCLING**
16 **PROJECT.**

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

24 “(b) COST SHARE.—The Federal share of the cost
25 of a project described in subsection (a) shall not exceed
26 25 percent of the total cost.

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

4 **“SEC. 1621. ALBUQUERQUE METROPOLITAN AREA WATER**
5 **RECLAMATION AND REUSE STUDY.**

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

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

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

19 **“SEC. 1622. EL PASO WATER RECLAMATION AND REUSE**
20 **PROJECT.**

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

1 area of the El Paso Water Utilities Public Service Board,
2 El Paso, Texas.

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

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

9 **“SEC. 1623. RECLAIMED WATER IN PASADENA.**

10 “(a) AUTHORIZATION.—The Secretary, in coopera-
11 tion with the appropriate State and local authorities, is
12 authorized to participate in the design, planning, and con-
13 struction of the City of Pasadena, California, reclaimed
14 water project to obtain, store, and use reclaimed water in
15 Pasadena and its service area, as well as neighboring com-
16 munities.

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

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

1 **“SEC. 1624. PHASE 1 OF THE ORANGE COUNTY REGIONAL**
2 **WATER RECLAMATION 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 phase 1 of the Orange County Regional Water
7 Reclamation Project, to reclaim and reuse water within
8 the service area of the Orange County Water District in
9 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. 1625. CITY OF WEST JORDAN WATER REUSE**
17 **PROJECT.**

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

24 “(b) COST SHARE.—The Federal share of the cost
25 of a project described in subsection (a) shall not exceed
26 25 percent of the total cost.

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

4 **“SEC. 1626. HI-DESERT WATER DISTRICT IN YUCCA VALLEY,**
5 **CALIFORNIA WASTEWATER COLLECTION AND**
6 **REUSE FACILITY.**

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

12 “(b) COST SHARE.—The Federal share of the cost
13 of a project described in subsection (a) shall not exceed
14 25 percent of the total cost.

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

18 **“SEC. 1627. MISSION BASIN BRACKISH GROUNDWATER**
19 **DESALTING DEMONSTRATION PROJECT.**

20 “(a) AUTHORIZATION.—The Secretary, in coopera-
21 tion with the City of Oceanside, is authorized to partici-
22 pate in the design, planning, and construction of a
23 3,000,000 gallon per day expansion of the Mission Basin
24 Brackish Groundwater Desalting Demonstration Project
25 in Oceanside, California.

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. 1628. TREATMENT OF EFFLUENT FROM THE SANITA-**
8 **TION DISTRICTS OF LOS ANGELES COUNTY**
9 **THROUGH THE CITY OF LONG BEACH.**

10 “(a) AUTHORIZATION.—The Secretary, in coopera-
11 tion with the Water Replenishment District of Southern
12 California, the Orange County Water District in the State
13 of California, and other appropriate authorities, is author-
14 ized to participate in the design, planning, and construc-
15 tion of water reclamation and reuse projects to treat ap-
16 proximately 10,000 acre-feet per year of effluent from the
17 sanitation districts of Los Angeles County through the city
18 of Long Beach.

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. 1629. SAN JOAQUIN AREA WATER RECYCLING AND**
2 **REUSE 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 San Joaquin Area Water Recycling and
7 Reuse Project, in cooperation with the City of Tracy, and
8 consisting of participating projects which will reclaim and
9 reuse water within the County of San Joaquin in Califor-
10 nia.

11 “(b) COST SHARE.—The Federal share of the cost
12 of a project described in subsection (a) shall not exceed
13 25 percent of the total cost.

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

17 **“SEC. 1630. TOOELE WASTEWATER TREATMENT AND REUSE**
18 **PROJECT.**

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

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

4 (b) CONFORMING AMENDMENTS.—

5 (1) Section 1631 of such Act, as redesignated
6 by subsection (a)(1), is amended by striking out
7 “1614” and inserting in lieu thereof “1630”.

8 (2) Section 1632(c) of such Act, as redesign-
9 nated by subsection (a)(1), is amended by striking
10 out “section 1617” and inserting in lieu thereof
11 “section 1633”.

12 (3) Section 1633 of such Act, as redesignated
13 by subsection (a)(1), is amended by striking out
14 “section 1616” and inserting in lieu thereof “section
15 1632”.

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

19 (1) by redesignating the items relating to sec-
20 tions 1615, 1616, and 1617 as items relating to sec-
21 tions 1631, 1632, and 1633, respectively, and

22 (2) by inserting after the item relating to sec-
23 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 alternative”
15 after “(3)”,

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

1 (C) by inserting “for the project under
2 consideration” after “reuse”;

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

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

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

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

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

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

17 **SEC. 5. DESALINATION RESEARCH AND DEVELOPMENT**
18 **PROJECT.**

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

22 (1) by designating the existing text as sub-
23 section (a); and

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

1 “(b)(1) The Secretary, in cooperation with the city
2 of Long Beach, the Central Basin Municipal Water Dis-
3 trict, and the Metropolitan Water District of Southern
4 California may participate in the design, planning, and
5 construction of the Long Beach Desalination Research
6 and Development Project in Los Angeles County, Califor-
7 nia.

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

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

14 “(c)(1) The Secretary, in cooperation with the South-
15 ern Nevada Water Authority, may participate in the de-
16 sign, planning, and construction of the Las Vegas Area
17 Shallow Aquifer Desalination Research and Development
18 Project in Clark County, Nevada.

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

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

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

5 **SEC. 6. SAN FRANCISCO AREA WATER RECLAMATION**
 6 **STUDY.**

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

10 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

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

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

19 “(A) an appraisal investigation and a feasibility
 20 study that complies with the provisions of sections
 21 1603(b) or 1604(c), as the case may be, have been
 22 completed by the Secretary or the non-Federal
 23 project sponsor;

24 “(B) the Secretary has determined that the
 25 non-Federal project sponsor is financially capable of

1 funding the non-Federal share of the project's costs;
2 and

3 “(C) the Secretary has approved a cost-sharing
4 agreement with the non-Federal project sponsor
5 which commits the non-Federal project sponsor to
6 funding its proportionate share of the project's con-
7 struction costs on an annual basis.

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

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

20 “(d)(1) Notwithstanding any other provision of this
21 title and except as provided by paragraph (2), the Federal
22 share of the costs of each of the individual projects author-
23 ized by this title shall not exceed \$20,000,000 (October
24 1996 prices).

1 “(2) In the case of any project authorized by this title
2 for which construction funds were appropriated before
3 January 1, 1996, the Federal share of the cost of such
4 project may not exceed the amount specified as the ‘total
5 Federal obligation’ for that project in the budget justifica-
6 tion made by the Bureau of Reclamation for fiscal year
7 1997, as contained in part 3 of the report of the hearing
8 held on March 27, 1996, before the Subcommittee on En-
9 ergy and Water Development of the Committee on Appro-
10 priations of the House of Representatives.”.

Passed the House of Representatives September 4,
1996.

Attest:

ROBIN H. CARLE,
Clerk.