

106TH CONGRESS
1ST SESSION

S. 1761

To direct the Secretary of the Interior, through the Bureau of Reclamation, to conserve and enhance the water supplies of the Lower Rio Grande Valley.

IN THE SENATE OF THE UNITED STATES

OCTOBER 21, 1999

Mrs. HUTCHISON (for herself and Mr. GRAMM) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To direct the Secretary of the Interior, through the Bureau of Reclamation, to conserve and enhance the water supplies of the Lower Rio Grande Valley.

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 “Lower Rio Grande Val-
5 ley Water Resources Conservation and Improvement Act
6 of 1999”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

1 (1) STATE.—The term “State” means the
2 Texas Water Development Board and any other au-
3 thorized entity of the State of Texas.

4 (2) SECRETARY.—The term “Secretary” means
5 the Secretary of the Interior, acting through the
6 Commissioner.

7 (3) COMMISSIONER.—The term “Commis-
8 sioner” means the Commissioner of the Bureau of
9 Reclamation.

10 (4) COUNTIES.—The term “counties” means
11 the following counties in the State of Texas: Cam-
12 eron, Hidalgo, Starr, Willacy, Jim Hogg, Zapata,
13 Webb, Maverick, Val Verde, Kinney, Terrell, Brew-
14 ster, Presidio, Jeff Davis, Hudspeth, and El Paso.

15 **SEC. 3. FINDINGS.**

16 The Congress finds the following:

17 (1) Drought conditions over the last decade
18 have made citizens of the Lower Rio Grande Valley
19 region of Texas aware of the significant impacts a
20 dwindling water supply can have on a region.

21 (2) As a result of the impacts, that region has
22 devised an integrated water resource plan to meet
23 the critical water needs of the Lower Rio Grande
24 Valley through the end of the year 2050.

1 (3) Implementation of an integrated water re-
 2 source plan to meet the critical water needs of the
 3 Lower Rio Grande Valley is in the national interest.

4 (4) The Congress should authorize and provide
 5 Federal, technical, and financial assistance to con-
 6 struct improved irrigation canal delivery systems,
 7 implement an aggressive water conservation pro-
 8 gram, and improve water management to help meet
 9 the critical water needs of the Lower Rio Grande
 10 Valley through the end of the year 2050.

11 **SEC. 4. LOWER RIO GRANDE WATER CONSERVATION AND**
 12 **IMPROVEMENT PROGRAM.**

13 (a) IN GENERAL.—The Secretary, in cooperation
 14 with the Secretary of Agriculture, shall undertake a pro-
 15 gram to improve the supply of water for the counties
 16 through the following activities:

17 (1) In cooperation with the State, water users
 18 in the counties, and other non-Federal entities, con-
 19 duct feasibility studies, engineering work, and infra-
 20 structure construction and improvements for the
 21 purpose of transporting raw water, including the fol-
 22 lowing:

23 (A) Irrigation canals.

24 (B) Pipelines.

25 (C) Flow control structures.

1 (D) Meters.

2 (E) All associated appurtenances.

3 (2) In cooperation with the Secretary of Agri-
4 culture, the State, water users in the counties, and
5 other non-Federal entities, enhance water conserva-
6 tion in the counties through the installation of on-
7 farm water application metering.

8 (3) In cooperation with the Secretary of Agri-
9 culture, the State, and other non-Federal entities,
10 enhance water conservation including on-farm instal-
11 lation of gated and poly-pipe.

12 (4) In cooperation with the Secretary of Agri-
13 culture, the State, water users in the counties, and
14 other non-Federal entities including institutions of
15 higher education—

16 (A) develop educational programs and im-
17 plement on-farm training in the use and appli-
18 cation of state-of-the-art water application and
19 conservation techniques; and

20 (B) provide educational information re-
21 garding use and application of such techniques
22 to the Commissioners of the International
23 Boundary and Water Commission.

1 (b) PROJECT ELIGIBILITY REQUIREMENTS.—A
 2 project shall not be eligible to be implemented under this
 3 section unless—

4 (1) the project plan shows an estimate of the
 5 amount of water that will be conserved as a result
 6 of the project; and

7 (2) the design for the project includes a cost-
 8 of-project-to-water-developed ratio statement.

9 (c) DETERMINATION OF PROJECT ELIGIBILITY.—
 10 The responsibility for determining project eligibility under
 11 subsection (b) shall be carried out by the State in con-
 12 sultation with the Commissioner.

13 **SEC. 5. COST SHARING.**

14 The non-Federal share of the costs of any activity
 15 carried out under, or with assistance provided under, this
 16 Act shall be 40 percent of such costs. Not more than 30
 17 percent of the costs of such an activity may be paid by
 18 the State. Provision of the remainder of the non-Federal
 19 share may include in-kind contributions of goods and serv-
 20 ices.

21 **SEC. 6. STUDIES.**

22 (a) ALTERNATIVE WATER SUPPLY OPTIONS.—

23 (1) STUDY AND RECOMMENDATIONS.—The Sec-
 24 retary, in cooperation with the Secretary of Agri-

1 culture, counties, and other non-Federal entities,
2 shall—

3 (A) assess alternative water supply options
4 for the Counties of Maverick, Kinney, Edwards,
5 Val Verde, Terrell, Brewster, Presidio, Jeff
6 Davis, Hudspeth, and El Paso, Texas, for the
7 purpose of alleviating water supply shortages
8 and project water demands; and

9 (B) submit recommendations to the Con-
10 gress regarding such alternatives.

11 (2) EMPHASIS ON CONSERVATION MEASURES.—

12 Recommendations under subsection (a) shall empha-
13 size water management actions that encourage the
14 incorporation, by the counties referred to in para-
15 graph (1)(A) and irrigation districts in those coun-
16 ties, of prudent and responsible water conservation
17 measures to the extent such measures are shown to
18 be economically feasible.

19 (b) WASTEWATER REUSE.— The Secretary, in co-
20 operation with the Secretary of Agriculture, the counties
21 referred to in paragraph (1)(A), the State, and other non-
22 Federal entities, shall assess the feasibility of wastewater
23 reuse for irrigation and groundwater recharge and other
24 nonpotable purposes.

25 (c) COST SHARING.—

1 (1) IN GENERAL.—The Federal share of the
2 cost of any activity under this section shall not ex-
3 ceed 50 percent.

4 (2) AGREEMENT.—The Secretary may not
5 carry out any activity under this section except
6 under an agreement with a non-Federal entity that
7 has legal authority under the laws of the State to
8 obligate funds or provide in-kind services for such
9 activity, under which the non-Federal entity is obli-
10 gated to provide the non-Federal share of the cost
11 of the activity.

12 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

13 There are authorized to be appropriated to the Sec-
14 retary to carry out this Act \$65,200,000.

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