

109TH CONGRESS
2^D SESSION

H. R. 5110

IN THE SENATE OF THE UNITED STATES

DECEMBER 6, 2006

Received

AN ACT

To facilitate the use for irrigation and other purposes of water produced in connection with development of energy resources.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “More Water and More
3 Energy Act of 2006”.

4 **SEC. 2. PRODUCED WATER.**

5 The Water Resources Research Act of 1984 (42
6 U.S.C. 10301 et seq.) is amended by adding at the end
7 thereof a new section, as follows:

8 **“SEC. 112. PRODUCED WATER.**

9 “(a) **STUDY.**—The Secretary, acting through the
10 Commissioner of Reclamation and the Director of the
11 United States Geological Survey, shall conduct a study to
12 identify—

13 “(1) the technical, economic, environmental (in-
14 cluding potential adverse effects on water quality),
15 legal, and other obstacles to increasing the extent to
16 which produced water can be used for irrigation and
17 other purposes; and

18 “(2) the legislative, administrative, and other
19 actions that could reduce or eliminate such obsta-
20 cles.

21 “(b) **REPORT.**—Not later than one year after the
22 date of the enactment of this section, the Secretary shall
23 report to the Committee on Resources of the House of
24 Representatives and the Committee on Energy and Nat-
25 ural Resources of the Senate regarding the results of the
26 study required by this section.

1 “(c) PROJECTS AUTHORIZED.—

2 “(1) In the implementation of authority avail-
3 able to the Secretary prior to the date of enactment
4 of this section and subject to the availability of
5 funds appropriated for the purpose, the following
6 projects are authorized:

7 “(A) At least one project in one of the
8 Upper Basin States.

9 “(B) At least one project in one of the
10 Lower Basin States other than California.

11 “(C) At least one project in California.

12 “(2) Funds obligated under this subsection—

13 “(A) shall not exceed \$1,000,000 for any
14 project;

15 “(B) shall be used to pay not more than
16 50 percent of the total cost of a project;

17 “(C) shall not be used for operation or
18 maintenance of any facility; and

19 “(D) may be in addition to assistance pro-
20 vided by the United States pursuant to other
21 provisions of law.

22 “(d) ADDITIONAL CONSULTATION, REVIEW, ADVICE,
23 AND COMMENT.—In implementing this section, including
24 preparation of the report required by subsection (b) and
25 the establishment of criteria to be used in connection with

1 award of assistance pursuant to subsection (c), the Sec-
2 retary shall—

3 “(1) consult with the Secretary of Energy, the
4 Administrator of the Environmental Protection
5 Agency, and appropriate Governors and local offi-
6 cials;

7 “(2) review any relevant information developed
8 in connection with research carried out by others, in-
9 cluding research carried out pursuant to section 999
10 of Public Law 109–58, and to the extent the Sec-
11 retary considers advisable include such information
12 in the report required by paragraph (3);

13 “(3) seek the advice of individuals with relevant
14 professional or academic expertise and of companies
15 or individuals with industrial experience, particularly
16 experience related to production of oil, natural gas,
17 or other energy resources, including geothermal re-
18 sources; and

19 “(4) solicit comments and suggestions from the
20 public.

21 “(e) RELATIONSHIP TO STATE LAWS AND INTER-
22 STATE AUTHORITIES AND COMPACTS.—Nothing in this
23 section shall be construed as superseding, modifying, abro-
24 gating, or limiting—

1 “(1) the effect of any State law or any inter-
2 state authority or compact with regard to any use of
3 water or the regulation of water quantity or quality;
4 or

5 “(2) the applicability or effect of any Federal
6 law or regulation.

7 “(f) DEFINITIONS.—In this section:

8 “(1) The term ‘produced water’ means water
9 from an underground source, that is brought to the
10 surface as part of the process of exploration for or
11 development of oil, natural gas, coalbed methane, or
12 any other substance to be used as an energy source.

13 “(2) The term ‘Secretary’ means the Secretary
14 of the Interior.

15 “(3) The term ‘Upper Basin States’ means the
16 States of Colorado, New Mexico, Utah, and Wyo-
17 ming.

18 “(4) The term ‘Lower Basin States’ means the
19 States of Arizona, California, and Nevada.

20 “(5) The term ‘project’ means the provision of
21 financial assistance for the development of a facility
22 to demonstrate the feasibility, effectiveness, and
23 safety of processes to increase the extent to which
24 produced water may be recovered and made suitable

1 for use for irrigation, municipal or industrial uses,
2 or other purposes.

3 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated—

5 “(1) \$1,000,000 to carry out the study required
6 by subsection (a); and

7 “(2) \$5,000,000 to carry out the other provi-
8 sions of this section.”.

Passed the House of Representatives December 5,
2006.

Attest:

KAREN L. HAAS,

Clerk.