

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5796

To direct the Secretary of the Interior to exclude and defer from the pooled reimbursable costs of the Central Valley Project the reimbursable capital costs of the unused capacity of the Folsom South Canal, Auburn-Folsom South Unit, Central Valley Project, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2006

Mr. DANIEL E. LUNGREN of California introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To direct the Secretary of the Interior to exclude and defer from the pooled reimbursable costs of the Central Valley Project the reimbursable capital costs of the unused capacity of the Folsom South Canal, Auburn-Folsom South Unit, Central Valley Project, 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,*

1 **SECTION 1. CERTAIN AMOUNTS EXCLUDE AND DEFER**  
2 **FROM THE POOLED REIMBURSABLE COSTS**  
3 **RELATED TO THE CENTRAL VALLEY**  
4 **PROJECT.**

5 (a) IN GENERAL.—The Secretary of the Interior (re-  
6 ferred to in this section as the “Secretary”) shall exclude  
7 and defer from the pooled reimbursable costs of the Cen-  
8 tral Valley Project the reimbursable capital costs of the  
9 unused capacity of the Folsom South Canal, Auburn-Fol-  
10 som South Unit, Central Valley Project.

11 (b) CALCULATION OF AMOUNT OF DEFERRED  
12 USE.—The Secretary shall calculate the amount to be as-  
13 signed to deferred use as soon as practical and such shall  
14 be reflected in future years’ water rates.

15 (c) CALCULATION OF CAPITAL COSTS.—For the pur-  
16 pose of calculating the excluded reimbursable cost for the  
17 Folsom South Canal facility, the Secretary shall multiply  
18 the existing total reimbursable cost for the facility by a  
19 factor, to be determined by dividing the current minimum  
20 unused conveyance capacity of the canal by the original  
21 design conveyance capacity of the canal. The minimum un-  
22 used conveyance capacity of the canal shall—

23 (1) be determined by the Secretary;

24 (2) be based upon actual historic measured  
25 flows in the canal and planned future flows; and

1           (3) include the amount of Central Valley  
2 Project water that was originally conveyed or was  
3 historically projected to be conveyed through the  
4 Folsom South Canal which may have been contrac-  
5 tually assigned to another entity.

6           (d) REVIEW AND ADJUSTMENT.—The Secretary shall  
7 review and adjust—

8           (1) the amount described in subsection (b)(3)  
9 as appropriate and recalculate the amount of such  
10 unused capacity of the Folsom South Canal; and

11           (2) the amount of reimbursable capital costs of  
12 the Folsom South Canal.

13           (e) CONVEYANCE OF CERTAIN WATER.—So long as  
14 an entity that is allocated and that pays capital, interest,  
15 and operation and maintenance costs associated with an  
16 amount of Central Valley Project water historically as-  
17 signed to the Folsom South Canal does not use the Folsom  
18 South Canal for the conveyance of Central Valley Project  
19 water, that entity shall be entitled, without additional cost,  
20 to convey up to an equivalent amount of non-Central Val-  
21 ley Project water through the Folsom South Canal.

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