

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

# H. R. 6218

To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Bay Area Regional Water Recycling Program projects, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2006

Mr. GEORGE MILLER of California introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Bay Area Regional Water Recycling Program projects, 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 “Bay Area Regional  
5       Water Recycling Program Projects Authorization Act of  
6       2006”.

7       **SEC. 2. DEFINITIONS.**

8       In this Act:

1           (1) FEASIBLE.—The term “feasible” means a  
2 project for which—

3           (A) the planning and environmental stud-  
4 ies, together with supporting materials and doc-  
5 umentation, have been prepared consistent with  
6 Bureau of Reclamation procedures for projects  
7 under consideration for financial assistance  
8 under the Reclamation Wastewater and  
9 Groundwater Study and Facilities Act (title  
10 XVI of Public Law 102–575, as amended, and  
11 section 103(d)(3)(F) of the Water Supply, Reli-  
12 ability, and Environmental Improvement Act  
13 (Public Law 108–361); and

14           (B) the planning and environmental stud-  
15 ies, together with supporting materials and doc-  
16 umentation, demonstrate that the project meets  
17 the requirements of section 1604 of the Rec-  
18 lamation Wastewater and Groundwater Study  
19 and Facilities Act (title XVI of Public Law  
20 102–575), as amended.

21           (2) FINANCIALLY CAPABLE PROJECT SPON-  
22 SOR.—The term “financially capable project spon-  
23 sor” means a non-Federal project sponsor that is ca-  
24 pable of providing—

1 (A) the non-Federal share of the project  
2 costs; and

3 (B) 100 percent of the operations and  
4 maintenance costs of the project.

5 (3) NON-FEDERAL PROJECT SPONSOR.—The  
6 term “non-Federal project sponsor” means a State,  
7 regional, or local authority or other qualifying entity,  
8 such as a water conservation district, water conser-  
9 vancy district, or rural water district or association.

10 (4) TECHNICALLY AND FINANCIALLY VIABLE  
11 PROJECT.—The term “technically and financially  
12 viable project” means a project that—

13 (A) is a technically viable project; and

14 (B) has a financially capable project spon-  
15 sor.

16 (5) TECHNICALLY VIABLE PROJECT.—The term  
17 “technically viable project” means a project that—

18 (A) meets generally acceptable engineering,  
19 public health, and environmental standards; and

20 (B) has obtained or is expected to obtain  
21 approval of all Federal, State, and local permits  
22 necessary for implementation of the project.

1 **SEC. 3. BAY AREA REGIONAL WATER RECYCLING PROGRAM**  
2 **PROJECTS.**

3 (a) FEASIBLE AND VIABLE.—The Bay Area Regional  
4 Water Recycling Program projects described in the  
5 amendments made by section 4(a) are hereby—

6 (1) determined to be feasible and eligible for fi-  
7 nancial assistance under the Reclamation Waste-  
8 water and Groundwater Study and Facilities Act  
9 (Public Law 102–575, title XVI; 43 U.S.C. 390h et  
10 seq.); and

11 (2) confirmed as technically and financially via-  
12 ble projects.

13 (b) STATUTORY CONSTRUCTION.—Nothing in this  
14 section shall be construed to affect the applicability of the  
15 National Environmental Policy Act of 1969, or any other  
16 Federal or State law, with regard to the Bay Area Re-  
17 gional Water Recycling Program projects described in the  
18 amendments made by section 4(a).

19 **SEC. 4. PROJECT AUTHORIZATIONS.**

20 (a) IN GENERAL.—The Reclamation Wastewater and  
21 Groundwater Study and Facilities Act (Public Law 102–  
22 575, title XVI; 43 U.S.C. 390h et seq.) is amended by  
23 adding at the end the following:

24 **“SEC. 16xx. CITY OF PALO ALTO WATER REUSE PROJECT.**

25 “(a) AUTHORIZATION.—The Secretary, in coopera-  
26 tion with the City of Palo Alto, California, is authorized

1 to participate in the design, planning, and construction of  
2 recycled water distribution systems.

3 “(b) COST SHARE.—The Federal share of the cost  
4 of the project authorized by this section shall not exceed  
5 25 percent of the total cost of the project.

6 “(c) LIMITATION.—The Secretary shall not provide  
7 funds for the operation and maintenance of the project  
8 authorized by this section.

9 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
10 is authorized to be appropriated to carry out this section  
11 \$5,000,000.

12 “(e) SUNSET.—The authority of the Secretary to  
13 carry out any provisions of this section shall terminate 10  
14 years after the date of the enactment of this section.

15 **“SEC. 16xx. PITTSBURG RECYCLED WATER PROJECT.**

16 “(a) AUTHORIZATION.—The Secretary, in coopera-  
17 tion with the City of Pittsburg, California, and the Delta  
18 Diablo Sanitation District, is authorized to participate in  
19 the design, planning, and construction of recycled water  
20 system facilities.

21 “(b) COST SHARE.—The Federal share of the cost  
22 of the project authorized by this section shall not exceed  
23 25 percent of the total cost of the project.

1       “(c) LIMITATION.—The Secretary shall not provide  
2 funds for the operation and maintenance of the project  
3 authorized by this section.

4       “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
5 is authorized to be appropriated to carry out this section  
6 \$1,300,000.

7       “(e) SUNSET.—The authority of the Secretary to  
8 carry out any provisions of this section shall terminate 10  
9 years after the date of the enactment of this section.

10 **“SEC. 16xx. ANTIOCH RECYCLED WATER PROJECT.**

11       “(a) AUTHORIZATION.—The Secretary, in coopera-  
12 tion with the City of Antioch, California, and the Delta  
13 Diablo Sanitation District, is authorized to participate in  
14 the design, planning, and construction of recycled water  
15 system facilities.

16       “(b) COST SHARE.—The Federal share of the cost  
17 of the project authorized by this section shall not exceed  
18 25 percent of the total cost of the project.

19       “(c) LIMITATION.—The Secretary shall not provide  
20 funds for the operation and maintenance of the project  
21 authorized by this section.

22       “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
23 is authorized to be appropriated to carry out this section  
24 \$2,250,000.

1       “(e) SUNSET.—The authority of the Secretary to  
2 carry out any provisions of this section shall terminate 10  
3 years after the date of the enactment of this section.

4       **“SEC. 16xx. PACIFICA RECYCLED WATER PROJECT.**

5       “(a) AUTHORIZATION.—The Secretary, in coopera-  
6 tion with the City of Pacifica, California, and the North  
7 Coast County Water District, is authorized to participate  
8 in the design, planning, and construction of recycled water  
9 system facilities.

10       “(b) COST SHARE.—The Federal share of the cost  
11 of the project authorized by this section shall not exceed  
12 25 percent of the total cost of the project.

13       “(c) LIMITATION.—The Secretary shall not provide  
14 funds for the operation and maintenance of the project  
15 authorized by this section.

16       “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
17 is authorized to be appropriated to carry out this section  
18 \$1,400,000.

19       “(e) SUNSET.—The authority of the Secretary to  
20 carry out any provisions of this section shall terminate 10  
21 years after the date of the enactment of this section.

22       **“SEC. 16xx. REDWOOD CITY RECYCLED WATER PROJECT.**

23       “(a) AUTHORIZATION.—The Secretary, in coopera-  
24 tion with the City of Redwood City, California, is author-

1 ized to participate in the design, planning, and construc-  
2 tion of recycled water system facilities.

3 “(b) COST SHARE.—The Federal share of the cost  
4 of the project authorized by this section shall not exceed  
5 25 percent of the total cost of the project.

6 “(c) LIMITATION.—The Secretary shall not provide  
7 funds for the operation and maintenance of the project  
8 authorized by this section.

9 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
10 is authorized to be appropriated to carry out this section  
11 \$1,100,000.

12 “(e) SUNSET.—The authority of the Secretary to  
13 carry out any provisions of this section shall terminate 10  
14 years after the date of the enactment of this section.

15 **“SEC. 16xx. SOUTH SANTA CLARA COUNTY RECYCLED**  
16 **WATER PROJECT.**

17 “(a) AUTHORIZATION.—The Secretary, in coopera-  
18 tion with the City of Gilroy, California, and the Santa  
19 Clara Valley Water District, is authorized to participate  
20 in the design, planning, and construction of recycled water  
21 system distribution facilities.

22 “(b) COST SHARE.—The Federal share of the cost  
23 of the project authorized by this section shall not exceed  
24 25 percent of the total cost of the project.



1       “(c) LIMITATION.—The Secretary shall not provide  
2 funds for the operation and maintenance of the project  
3 authorized by this section.

4       “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
5 is authorized to be appropriated to carry out this section  
6 \$7,000,000.

7       “(e) SUNSET.—The authority of the Secretary to  
8 carry out any provisions of this section shall terminate 10  
9 years after the date of the enactment of this section.”.

10       (b) CONFORMING AMENDMENTS.—The table of sec-  
11 tions in section 2 of Public Law 102–575 is amended by  
12 inserting after the item relating to section 16xx the fol-  
13 lowing:

“Sec. 16xx. Palo Alto Water Reuse Project.

“Sec. 16xx. Pittsburg Recycled Water Project.

“Sec. 16xx. Antioch Recycled Water Project.

“Sec. 16xx. Pacifica Recycled Water Project.

“Sec. 16xx. Redwood City Recycled Water Project.

“Sec. 16xx. South Santa Clara County Recycled Water Project.”.

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