

EASTERN MUNICIPAL WATER DISTRICT RECYCLED
WATER SYSTEM PRESSURIZATION AND EXPANSION
PROJECT

APRIL 25, 2006.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. POMBO, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 122]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 122) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SEC. 1. SHORT TITLE.

This Act may be cited as the “Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project”.

SEC. 2. PROJECT AUTHORIZATION.

(a) **IN GENERAL.**—The Reclamation Wastewater and Groundwater Study and Facilities Act (Public Law 102–575, title XVI; 43 U.S.C. 390h et seq.) is amended by adding after section 16 ____ the following:

“SEC. 16 ____ . EASTERN MUNICIPAL WATER DISTRICT RECYCLED WATER SYSTEM PRESSURIZATION AND EXPANSION PROJECT, CALIFORNIA.

“(a) **AUTHORIZATION.**—The Secretary, in cooperation with the Eastern Municipal Water District, California, may participate in the design, planning, and construction of permanent facilities needed to establish operation pressure zones that will be used to provide recycled water in the district.

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

“(c) **LIMITATION.**—Funds provided by the Secretary shall not be used for operation or maintenance of the project described in subsection (a).

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$12,000,000.

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

(b) CLERICAL AMENDMENT.—the table of sections in section 2 of Public Law 102–575 is amended by inserting after the item relating to section 16____ the following: “Sec. 16____. Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project, California.”.

PURPOSE OF THE BILL

The purpose of H.R. 122 is to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project.

BACKGROUND AND NEED FOR LEGISLATION

Located in arid southern California, the Eastern Municipal Water District (EMWD) provides water service to a rapidly growing population of more than 500,000, including the cities of Moreno Valley, Perris, San Jacinto, Hemet, Murrieta, and Temecula, and unincorporated areas of southwest Riverside County. Like many water districts in the region, EMWD relies heavily on imported water from the Sacramento/San Joaquin Bay-Delta and the Colorado River. In light of growing demand, EMWD has invested in developing and managing local water resources, including groundwater recharge, brackish groundwater desalination, and water recycling.

Currently, EMWD uses over 100 miles of pipeline to deliver 24,000 acre feet (one acre foot equals approximately 326,000 gallons of water) of recycled water per year. While nearly 70% of the recycled water goes to agricultural customers, municipal and industrial demands for this supply are rapidly increasing. As this transition from agricultural use to urban use progresses, water recycling system infrastructure investments in operational storage, flow-control, and pressure zones are needed. H.R. 122 will provide limited funding to assist EMWD in upgrading and expanding its water recycling system.

COMMITTEE ACTION

H.R. 122 was introduced on January 4, 2005, by Congressman Darrell Issa (R–CA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Water and Power. On October 6, 2005, the Subcommittee held a hearing on the bill. On March 29, 2006, the Full Resources Committee met to consider the bill. The Subcommittee on Water and Power was discharged from further consideration of the bill by unanimous consent. Congressman George Radanovich (R–CA) offered an amendment to place a 10-year sunset on the bill’s authorization. The amendment was adopted by unanimous consent. The bill, as amended, was then ordered favorably reported to the House of Representatives by unanimous consent.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This Section cites the short title of this bill as the “Eastern Municipal Water District Recycled Water System Pressurization and Expansion Act.”

Section 2. Project authorization

This Section amends the Reclamation Wastewater and Groundwater Study and Facilities Act (Public Law 102–575) to authorize the Secretary of the Interior to participate with the Eastern Municipal Water District, California, in the design, planning, and construction of permanent recycled water facilities. It authorizes up to \$12 million of federal funds for this purpose, limits the federal cost share to 25 percent of the total project costs and prohibits federal funds for facility operations and maintenance. As amended, this section limits the federal authorization for this project to ten years.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources’ oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 122—Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project

Summary: H.R. 122 would authorize the Secretary of the Interior to participate in the design, planning, and construction of facilities to recycle water in southern California. The bill would authorize the appropriation of \$12 million for the federal share of the project and would limit the federal share of the project to 25 percent of the total cost.

Assuming appropriation of the necessary funds, CBO estimates that implementing H.R. 122 would cost \$5 million over the 2007–2011 period and \$7 million after 2011. Enacting this legislation would not affect direct spending or revenues. H.R. 122 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 122 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—				
	2007	2008	2009	2010	2011
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Estimated Authorization Level	1	1	1	1	1
Estimated Outlays	1	1	1	1	1

Basis of estimate: For this estimate, CBO assumes that H.R. 122 will be enacted near the start of fiscal year 2007 and that the necessary amounts will be appropriated in equal installments over the 2007–2016 period.

The Bureau of Reclamation estimates that the project will cost \$48 million. In addition, it expects the project to take 10 to 15 years to build. For this estimated, CBO expects that about \$1 million a year would be needed to meet the federal share (25 percent) of the project costs. Based on historical spending patterns of similar projects, CBO estimates that implementing this bill would cost about \$5 million over 2007–2011 period and \$7 million after that period.

Intergovernmental and private-sector impact: H.R. 122 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. Funds authorized in the bill to design, plan, and construct a system for recycling water would benefit the Eastern Municipal Water District. Any costs they might incur would result from complying with conditions for receiving federal assistance.

Estimate prepared by: Federal Costs: Julie Middleton. Impact on State, Local and Tribal Governments: Lisa Ramirez-Branum.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

**RECLAMATION PROJECTS AUTHORIZATION AND
ADJUSTMENT ACT OF 1992**

(PUBLIC LAW 102-575)

SECTION 1. SHORT TITLE.

This Act may be cited as the "Reclamation Projects Authorization and Adjustment Act of 1992".

SEC. 2. DEFINITION AND TABLE OF CONTENTS.

For purposes of this Act, the term "Secretary" means the Secretary of the Interior.

TABLE OF CONTENTS

Sec. 1. Short title.

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TITLE XVI—RECLAMATION WASTEWATER AND GROUND WATER STUDIES

Sec. 1601. Short title.

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Sec. 16 ____ . Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project, California.

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**TITLE XVI—RECLAMATION WASTEWATER AND
GROUNDWATER STUDIES**

SEC. 1601. SHORT TITLE.

This title may be referred to as the "Reclamation Wastewater and Groundwater Study and Facilities Act".

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SEC. 16 ____ . EASTERN MUNICIPAL WATER DISTRICT RECYCLED WATER SYSTEM PRESSURIZATION AND EXPANSION PROJECT, CALIFORNIA.

(a) *AUTHORIZATION.*—The Secretary, in cooperation with the Eastern Municipal Water District, California, may participate in the design, planning, and construction of permanent facilities needed to establish operational pressure zones that will be used to provide recycled water in the district.

(b) *COST SHARING.*—The Federal share of the cost of the project described in subsection (a) shall not exceed 25 percent of the total cost of the project.

(c) *LIMITATION.*—Funds provided by the Secretary shall not be used for operation or maintenance of the project described in subsection (a).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$12,000,000.

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

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