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METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

FILED by order
of the Board of Directors of 9-24 29571
The Metropolitan Water District
of Southern California
at its meeting held APR. 14 1992

Dennis E. Duff
Executive Secretary

March 31, 1992

to: Board of Directors (Special Committee on Legislation--Information)
(Executive Committee--Information)
(Water Problems Committee--Information)
from: General Manager
Subject: H.R. 429 "Reclamation Projects Authorization and Adjustment
Act of 1991"

Report

At its June 1991 meeting, your Board gave the General Manager authority to support and seek passage of U.S. Senate Bill 485 (S. 485) "Reclamation Wastewater and Groundwater Study Act". S. 485 would authorize federal funding for water reclamation and reuse appraisal investigations and feasibility studies and for an analysis of the impacts of existing U.S. Bureau of Reclamation projects on groundwater resources.

On March 19, 1992, the Senate Committee on Energy and Natural Resources added the provisions of S. 485 to H.R. 429, the "Reclamation Projects Authorization and Adjustment Act of 1991" as Title XIX. These substitute amendments to H.R. 429 authorize feasibility studies of a comprehensive water reclamation and reuse system for Southern California (Section 1906) and of water reclamation in the San Diego metropolitan area (Section 1912). They also authorize federal funding for the planning, design, and construction of water reclamation projects using effluent from the City of Los Angeles' Hyperion Treatment Plant (Section 1913); and participation by the Secretary of the Interior in the design, planning, and construction of a conjunctive-use facility to improve water quality in the San Gabriel groundwater basin (Section 1914). This legislation is pending Senate floor action whereupon it will go to conference with the House of Representatives.

Because H.R. 429 is over 400 pages long, only Title XIX is attached to this Board letter. A copy of H.R. 429 as amended by the Senate Committee will be available for reference with the Executive Secretary as soon as it is published. H.R. 429 also contains Central Valley Project reform legislation (Title XXXIV) which your Board previously discussed.

Board Committee Assignments

This letter was referred for information to:

The Special Committee on Legislation because the letter concerns proposals for Federal legislation pursuant to Administrative Code Section 2581(a).

The Executive Committee because the letter is in regard to public information for governmental and other entities and officials, and the Executive Committee has jurisdiction to study and advise in such matters, pursuant to Administrative Code Section 2417(b).

The Water Problems Committee because the letter proposes potential programs which may have an affect on Metropolitan's policies regarding reclamation and reuse pursuant to Administrative Code Section 2481(i).

Recommendation

For information only.


for Carl Boronkay

JMB:gn

Attachment

1 SEC. 1803. DEFINITIONS.

2 As used in this title--

3 (1) the term "District" means the Conejos Water
4 Conservancy District of the State of Colorado;

5 (2) the term "Federal reclamation laws" means the Act
6 of June 17, 1902 (32 Stat. 388), and Acts supplementary
7 thereto and amendatory thereof;

8 (3) the term "Platoro Reservoir" means the Platoro Dam
9 and Reservoir of the Platoro Unit of the Conejos Division of
10 the San Luis Valley Project; and

11 (4) the term "Secretary" means the Secretary of the
12 Interior.

13
14 TITLE XIX - RECLAMATION WASTEWATER AND GROUNDWATER STUDIES

15 SEC. 1901. SHORT TITLE.

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

18 SEC. 1902. GENERAL AUTHORITY.

19 (a) The Secretary of the Interior (hereafter "Secretary"),
20 acting pursuant to the Reclamation Act of 1902 (Act of June 17,
21 1902, 32 Stat. 388) and Acts amendatory thereof and supplementary
22 thereto (hereafter "Federal reclamation laws"), is directed to
23 undertake a program to investigate and identify opportunities for
24 reclamation and reuse of municipal, industrial, domestic, and
25 agricultural wastewater, and naturally impaired ground and
26 surface waters, for the design and construction of demonstration

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1 and permanent facilities to reclaim and reuse wastewater, and to
2 conduct research, including desalting, for the reclamation of
3 wastewater and naturally impaired ground and surface waters.

4 (b) Such program shall be limited to the States and areas
5 referred to in section 1 of the Reclamation Act of 1902 (Act of
6 June 17, 1902, 32 Stat. 388) as amended.

7 (c) The Secretary is authorized to enter into such
8 agreements and promulgate such regulations as may be necessary to
9 carry out the purposes and provisions of this title.

10 (d) The Secretary shall not investigate, promote or
11 implement, pursuant to this title, any project intended to
12 reclaim and reuse agricultural wastewater generated in the
13 service area of the San Luis Unit of the Central Valley Project,
14 California, except those measures recommended for action by the
15 San Joaquin Valley Drainage Program in the report entitled A
16 Management Plan for Agricultural Subsurface Drainage and Related
17 Problems on the Westside San Joaquin Valley (September 1990).

18 SEC. 1903. APPRAISAL INVESTIGATIONS.

19 (a) The Secretary shall undertake appraisal investigations
20 to identify opportunities for water reclamation and reuse. Each
21 such investigation shall take into account environmental
22 considerations as provided by the National Environmental Policy
23 Act of 1969 (42 U.S.C. 4321 et seq.) and regulations issued to
24 implement the provisions thereof, and shall include
25 recommendations as to the preparation of a feasibility study of
26 the potential reclamation and reuse measures.

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1 (b) Appraisal investigations undertaken pursuant to this
2 title shall consider, among other things--

3 (1) all potential uses of reclaimed water, including,
4 but not limited to, environmental restoration, fish and
5 wildlife, groundwater recharge, municipal, domestic,
6 industrial, agricultural, power generation, and recreation;

7 (2) the current status of water reclamation technology
8 and opportunities for development of improved technologies;

9 (3) measures to stimulate demand for and
10 eliminate obstacles to use of reclaimed water, including
11 pricing;

12 (4) measures to coordinate and streamline local, state
13 and Federal permitting procedures required for the
14 implementation of reclamation projects; and

15 (5) measures to identify basic research needs required
16 to expand the uses of reclaimed water in a safe and
17 environmentally sound manner.

18 (c) The Secretary shall consult and cooperate with
19 appropriate State, regional, and local authorities during the
20 conduct of each appraisal investigation conducted pursuant to
21 this title.

22 (d) Costs of such appraisal investigations shall be
23 nonreimbursable.

24 **SEC. 1904. FEASIBILITY STUDIES.**

25 (a) The Secretary is authorized to participate with
26 appropriate Federal, State, regional, and local authorities in

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1 studies to determine the feasibility of water reclamation and
2 reuse projects recommended for such study pursuant to section
3 1903 of this title. The Federal share of the costs of such
4 feasibility studies shall not exceed 50 per centum of the total,
5 except that the Secretary may increase the Federal share of the
6 costs of such feasibility study if the Secretary determines,
7 based upon a demonstration of financial hardship on the part of
8 the non-Federal participant, that the non-Federal participant is
9 unable to contribute at least 50 per centum of the costs of such
10 study. The Secretary may accept as part of the non-Federal cost
11 share the contribution of such in-kind services by the
12 non-Federal participant that the Secretary determines will
13 contribute substantially toward the conduct and completion of the
14 study.

15 (b) The Federal share of feasibility studies, including
16 those described in sections 1906 through 1910 of this title,
17 shall be considered as project costs and shall be reimbursed in
18 accordance with the Federal reclamation laws, if the project
19 studied is implemented.

20 (c) In addition to the requirements of other Federal laws,
21 feasibility studies authorized under this title shall consider,
22 among other things--

23 (1) near- and long-term water demand and supplies in
24 the study area;

25 (2) all potential uses for reclaimed water;

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1 (3) measures and technologies available for water
2 reclamation, distribution, and reuse;

3 (4) public health and environmental quality issues
4 associated with use of reclaimed water; and,

5 (5) whether development of the water reclamation and
6 reuse measures under study would--

7 (A) reduce, postpone, or eliminate development of
8 new or expanded water supplies, or

9 (B) reduce or eliminate the use of existing
10 diversions from natural watercourses or withdrawals
11 from aquifers.

12 **SEC. 1905. RESEARCH AND DEMONSTRATION PROJECTS.**

13 The Secretary is authorized to conduct research and to
14 construct, operate, and maintain cooperative demonstration
15 projects for the development and demonstration of appropriate
16 treatment technologies for the reclamation of municipal,
17 industrial, domestic, and agricultural wastewater, and naturally
18 impaired ground and surface waters. The Federal share of the
19 costs of demonstration projects shall not exceed 50 percent of
20 the total cost including operation and maintenance. Rights to
21 inventions developed pursuant to this section shall be governed
22 by the provisions of the Stevenson-Wydler Technology Innovation
23 Act of 1980 (Pub. L. 96-480) as amended by the Technology
24 Transfer Act of 1986 (Pub. L. 99-502).

25 **SEC. 1906. SOUTHERN CALIFORNIA COMPREHENSIVE WATER RECLAMATION**
26 **AND REUSE STUDY.**

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1 (a) The Secretary is authorized to conduct a study to
2 assess the feasibility of a comprehensive water reclamation and
3 reuse system for Southern California. For the purpose of this
4 title, the term "Southern California" means those portions of the
5 counties of Imperial, Los Angeles, Orange, San Bernadino,
6 Riverside, San Diego, and Ventura within the south coast and
7 Colorado River hydrologic regions as defined by the California
8 Department of Water Resources.

9 (b) The Secretary shall conduct the study authorized by
10 this section in cooperation with the State of California and
11 appropriate local and regional entities. The Federal share of
12 the costs associated with this study shall not exceed 50 per
13 centum of the total.

14 (c) The Secretary shall submit the report authorized by
15 this section to the Committee on Energy and Natural Resources of
16 the Senate and the Committee on Interior and Insular Affairs of
17 the House of Representatives not later than six years after
18 appropriation of funds authorized by this title.

19 **SEC. 1907. SAN JOSE AREA WATER RECLAMATION STUDY.**

20 (a) The Secretary, in cooperation with the city of San
21 Jose, California, and the Santa Clara Valley Water District, and
22 local water suppliers, shall conduct a feasibility study of the
23 potential for development of demonstration and permanent
24 facilities and related programs to reclaim and reuse water in the
25 San Jose metropolitan service area.

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1 (b) The Federal share of the costs of the study authorized
2 by this section shall not exceed 50 per centum of the total.

3 (c) The Secretary shall submit the report authorized by
4 this section to the Committee on Energy and Natural Resources of
5 the Senate and the Committee on Interior and Insular Affairs of
6 the House of Representatives not later than two years after
7 appropriation of funds authorized by this title.

8 SEC. 1908. PHOENIX METROPOLITAN WATER RECLAMATION STUDY AND
9 PROGRAM.

10 (a) The Secretary, in cooperation with the city of Phoenix,
11 Arizona, shall conduct a feasibility study of the potential for
12 development of facilities to utilize fully wastewater from the
13 regional wastewater treatment plant for direct municipal,
14 industrial, agricultural, and environmental purposes, groundwater
15 recharge and direct potable reuse in the Phoenix metropolitan
16 area, and in cooperation with the City of Phoenix design and
17 construct facilities for environmental purposes, ground water
18 recharge and direct potable reuse.

19 (b) The Federal share of the costs of the study authorized
20 by this section shall not exceed 50 per centum of the total. The
21 Federal share of the costs associated with the project described
22 in subsection (a) shall not exceed 25 per centum of the total.
23 The Secretary shall not provide funds for operation or
24 maintenance of the project.

25 (c) The Secretary shall submit the report authorized by
26 this section to the Committee on Energy and Natural Resources of

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1 the Senate and the Committee on Interior and Insular Affairs of
2 the House of Representatives not later than two years after
3 appropriation of funds authorized by this title.

4 SEC. 1909. TUCSON AREA WATER RECLAMATION STUDY.

5 (a) The Secretary, in cooperation with the State of Arizona
6 and appropriate local and regional entities, shall conduct a
7 feasibility study of comprehensive water reclamation and reuse
8 system for Southern Arizona. For the purpose of this section,
9 the term "Southern Arizona" means those portions of the counties
10 of Pima, Santa Cruz, and Pinal within the Tucson Active
11 Management Hydrologic Area as defined by the Arizona Department
12 of Water Resources.

13 (b) The Federal share of the costs of the study authorized
14 by this section shall not exceed 50 per centum of the total.

15 (c) The Secretary shall submit the report authorized by
16 this section to the Committee on Energy and Natural Resources of
17 the Senate and the Committee on Interior and Insular Affairs of
18 the House of Representatives not later than four years after
19 appropriation of funds authorized by this title.

20 SEC. 1910. LAKE CHERAW WATER RECLAMATION AND REUSE
21 STUDY.

22 (a) The Secretary is authorized, in cooperation with the
23 State of Colorado and appropriate local and regional entities, to
24 conduct a study to assess and develop means of reclaiming the
25 waters of Lake Cheraw, Colorado, or otherwise ameliorating,
26 controlling and mitigating potential negative impacts of

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1 pollution in the waters of Lake Cheraw on groundwater resources
2 or the waters of the Arkansas River.

3 (b) The Federal share of the costs of the study authorized
4 by this section shall not exceed 50 per centum of the total.

5 (c) The Secretary shall submit the report authorized by
6 this section to the Committee on Energy and Natural Resources of
7 the Senate and the Committee on Interior and Insular Affairs of
8 the House of Representatives not later than two years after
9 appropriation of funds authorized by this title.

10 **SEC. 1911. SAN DIEGO AREA WATER RECLAMATION PROGRAM.**

11 (a) The Secretary, in cooperation with the city of San
12 Diego, California or its successor agency in the management of
13 the San Diego Area Wastewater Management District, shall
14 participate in the planning, design and construction of
15 demonstration and permanent facilities to reclaim and reuse water
16 in the San Diego metropolitan service area.

17 (b) The Federal share of the costs of the facilities
18 authorized by subsection (a) shall not exceed 25 per centum of
19 the total. The Secretary shall not provide funds for the
20 operation or maintenance of the project.

21 **SEC. 1912. LOS ANGELES AREA WATER RECLAMATION AND REUSE PROJECT.**

22 (a) The Secretary is authorized to participate with the
23 city and county of Los Angeles, State of California, West Basin
24 Municipal Water District, and other appropriate authorities, in
25 the design, planning, and construction of water reclamation and
26 reuse projects to treat approximately one hundred and twenty

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1 thousand acre-feet per year of effluent from the city and county
2 of Los Angeles, in order to provide new water supplies for
3 industrial, environmental, and other beneficial purposes, to
4 reduce the demand for imported water, and to reduce sewage
5 effluent discharged into Santa Monica Bay.

6 (b) The Secretary's share of costs associated with the
7 project described in subsection (a) shall not exceed 25 per
8 centum of the total. The Secretary shall not provide funds for
9 operation or maintenance of the project.

10 SEC. 1913. SAN GABRIEL BASIN DEMONSTRATION PROJECT.

11 (a) The Secretary, in cooperation with the Metropolitan
12 Water District of Southern California and the Main San Gabriel
13 Water Quality Authority or a successor public agency, is
14 authorized to participate in the design, planning and
15 construction of a conjunctive-use facility designed to improve
16 the water quality in the San Gabriel groundwater basin and allow
17 the utilization of the basin as a water storage facility;
18 *Provided*, That this authority shall not be construed to limit the
19 authority of the United States under any other Federal statute to
20 pursue remedial actions or recovery of costs for work performed
21 pursuant to this subsection.

22 (b) The Secretary's share of costs associated with the
23 project described in subsection (a) shall not exceed 25 per
24 centum of the total. The Secretary shall not provide funds for
25 the operation or maintenance of the project.

26 SEC. 1914. AUTHORIZATION OF APPROPRIATIONS.

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1 There are authorized to be appropriated such sums as may be
2 necessary to carry out the purposes and provisions of sections
3 1901 through 1913 of this title.

4 SEC. 1915. GROUNDWATER STUDY.

5 (a) In furtherance of the High Plains Groundwater
6 Demonstration Program Act of 1983 (98 Stat. 1575), the Secretary
7 of the Interior, acting through the Bureau of Reclamation and the
8 Geological Survey, shall conduct an investigation and analysis of
9 the impacts of existing Bureau of Reclamation projects on the
10 quality and quantity of groundwater resources. Based on such
11 investigation and analysis, the Secretary shall prepare a
12 reclamation groundwater management and technical assistance
13 report which shall include--

14 (1) a description of the findings of the investigation
15 and analysis, including the methodology employed;

16 (2) a description of methods for optimizing Bureau of
17 Reclamation project operations to ameliorate adverse impacts
18 on groundwater, and

19 (3) the Secretary's recommendations, along with the
20 recommendations of the Governors of the affected States,
21 concerning the establishment of a groundwater management and
22 technical assistance program in the Department of the
23 Interior in order to assist Federal and non-Federal entity
24 development and implementation of groundwater management
25 plans and activities.

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1 (b) In conducting the investigation and analysis, and in
2 preparation of the report referred to in this section, the
3 Secretary shall consult with the Governors of the affected
4 States.

5 (c) The report shall be submitted to the Committees on
6 Appropriations and Interior and Insular Affairs of the House of
7 Representatives and the Committees on Appropriations and Energy
8 and Natural Resources of the Senate within three years of the
9 appropriation of funds authorized by section 1916.

10 SEC. 1916. AUTHORIZATION OF APPROPRIATIONS.

11 There is authorized to be appropriated for fiscal years
12 beginning after September 30, 1992, \$4,000,000 to carry out the
13 study authorized by section 1915.

14
15 TITLE XX - SALTON SEA RESEARCH PROJECT

16 SEC. 2001. RESEARCH PROJECT TO CONTROL SALINITY.

17 (a) RESEARCH PROJECT.--The Secretary of the Interior,
18 acting through the Bureau of Reclamation, shall conduct a
19 research project for the development of a method or combination
20 of methods to reduce and control salinity in inland water bodies.
21 Such research shall include testing an enhanced evaporation
22 system for treatment of saline waters, and studies regarding in-
23 water segregation of saline waters and of dilution from other
24 sources. The project shall be located in the area of the Salton
25 Sea of Southern California.

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BUSINESS MEETING
COMMITTEE ON ENERGY AND NATURAL RESOURCES

March 19, 1992

Final Version

Passed
1. Cleared by joint staff -- the following titles of H.R. 429, as amended by the Bradley substitute with the indicated additional amendments:

(refer to side-by-side comparison)

- Now Title 19* [
- (a) X. Miscellaneous Provisions, Central Valley Project (deleted in the Bradley substitute)
 - (b) XVI. Water Reclamation and Reuse (with Seymour/Cranston amendments for a demonstration program in San Jose, California and a feasibility study in San Francisco, California)] ***
 - (c) XVII. Reclamation Reform Act of 1982 (deleted, with both the Bradley substitute and the Burns amendment withdrawn)
 - (f) XXIV. Sly Park Unit, Central Valley Project (deleted in the Bradley substitute)
 - (g) XXVIII. Desalination (deleted in the Bradley substitute)
 - (h) Reclamation Recreation Management Act (Title XXX of the Bradley Substitute as modified and agreed to last week with a Hatfield clarifying amendment to the Bradley substitute on nonreimbursability)
 - (i) Redwood Valley County Water District (Title XXII of the Bradley substitute)
 - (j) United Water Conservation District, California (Title XXIII of the Bradley substitute)

Passed
2. Cleared by joint staff -- new provisions:

- (a) Conrad -- Clarifying amendment for the Mni Wiconi Project Act of 1988
- (b) Seymour -- Long-term water contract for the San Joaquin National Veterans Cemetery, California

3. Additional titles to be considered with the following amendments:

- adopted* (a) VIII. Lake Meredith Salinity Control Project, Texas and New Mexico (Burns amendment to delete the wetland inventory)
- adopted* (b) Central Valley Project Improvement (Title XXXIV of the Bradley substitute -- adopting the text of S. 2016 (Seymour bill) as a substitute)
- Modified* (c) Mountain Park Master Conservancy District, Oklahoma (Title XXXII of the Bradley substitute -- Nickles substitute amendment)

4. New provisions to be offered:

Withdrawn Craig -- S. 106, modified to be prospective only, as a new title of the Bradley substitute of H.R. 429