

ARTHUR V. WATKINS DAM ENLARGEMENT ACT OF 2005

DECEMBER 13, 2005.—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. 3626]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3626) to authorize the Secretary of the Interior to study the feasibility of enlarging the Arthur V. Watkins Dam Weber Basin Project, Utah, to provide additional water for the Weber Basin Project to fulfill the purposes for which that project was authorized, 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:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Arthur V. Watkins Dam Enlargement Act of 2005”.

SEC. 2. FINDINGS.

Congress finds the following:

- (1) Arthur V. Watkins Dam is a feature of the Weber Basin Project, which was authorized by law on August 29, 1949.
- (2) Increasing the height of Arthur V. Watkins Dam and construction of pertinent facilities may provide additional storage capacity for the development of additional water supply for the Weber Basin Project for uses of municipal and industrial water supply, flood control, fish and wildlife, and recreation.

SEC. 3. AUTHORIZATION OF FEASIBILITY STUDY.

The Secretary of the Interior, acting through the Bureau of Reclamation, is authorized to conduct a feasibility study on raising the height of Arthur V. Watkins Dam for the development of additional storage to meet water supply needs within the Weber Basin Project area and the Wasatch Front. The feasibility study shall include such environmental evaluation as required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and a cost allocation as required under the Reclamation Project Act of 1939 (43 U.S.C. 485 et seq.).

SEC. 4. COST SHARES.

(a) **FEDERAL SHARE.**—The Federal share of the costs of the study authorized in section 3 shall not exceed 50 percent of the total cost of the study.

(b) **IN-KIND CONTRIBUTIONS.**—The Secretary shall accept, as appropriate, in-kind contributions of goods or services from the Weber Basin Water Conservancy District. Such goods and services accepted under this section shall be counted as part of the non-Federal cost share for the study.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary \$1,000,000 for the Federal cost share of the study authorized in section 3.

SEC. 6. SUNSET.

The authority of the Secretary to carry out any provisions of this Act shall terminate 10 years after the date of the enactment of this Act.

PURPOSE OF THE BILL

The purpose of H.R. 3626 is to authorize the Secretary of the Interior to study the feasibility of enlarging the Arthur V. Watkins Dam Weber Basin Project, Utah, to provide additional water for the Weber Basin Project to fulfill the purposes for which that project was authorized.

BACKGROUND AND NEED FOR LEGISLATION

The Bureau of Reclamation's Weber Basin Project, located in northern Utah, stores and delivers water from the Weber River and its tributaries. Arthur V. Watkins Dam, part of the Weber Basin Project, is an off-stream reservoir on the northeastern edge of the Great Salt Lake. It is formed by a roughly rectangular-shaped perimeter dam about 14.5 miles long. Water from the Weber River near its outlet to the Great Salt Lake is diverted into the reservoir via the Willard Canal, and pumped from the reservoir via the same canal for multiple uses. In addition to providing water supply, the reservoir is a popular recreation facility.

Recent drought and a growing population in Utah have highlighted the need for additional water storage. As a result, the Weber Basin Water Conservancy District, a water user which manages Arthur V. Watkins Dam and Reservoir, desires the Bureau of Reclamation's assistance in determining the feasibility of adding water storage capacity to the Reservoir. H.R. 3626 authorizes such assistance.

COMMITTEE ACTION

H.R. 3626 was introduced on July 29, 2005, by Congressman Rob Bishop (R-UT). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Water and Power. On November 9, 2005, the Subcommittee held a hearing on the bill. On November 16, 2005, 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 in the nature of a substitute to specify that up to \$1 million is authorized for the bill's purpose and is subject to a 50 percent federal cost-share. The amendment also limited the bill's authorization to ten years. 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 bill as the “Arthur V. Watkins Dam Enlargement Act of 2005.”

Section 2. Findings

This section contains findings relevant to the bill.

Section 3. Authorization of feasibility study

This section authorizes the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a feasibility study on raising the height of Arthur V. Watkins Dam to provide additional water storage. The feasibility study shall include any environmental evaluation as required under the National Environmental Policy Act and a cost allocation required under the Reclamation Project Act of 1939.

Section 4. cost shares

This section directs the federal share of the cost of the study to be no more than 50 percent. In-kind goods or services provided by the Weber Basin Water Conservancy District may be counted as part of the non-federal cost share.

Section 5. Authorization of appropriations

This section authorizes federal appropriations of \$1 million for the feasibility study.

Section 6. Sunset

This section limits the federal authorization to ten years after the date of enactment.

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 authorize the Secretary of the Interior to study the feasibility of enlarging the Arthur V. Watkins Dam, Weber Basin Project, Utah, to provide additional water for the Weber Basin Project to fulfill the purposes for which that project was authorized.

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:

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H.R. 3626 would authorize the Bureau of Reclamation to participate in a water management feasibility study of the Arthur V. Watkins Dam in northern Utah. The study would consider increasing the height of the Dam in order to increase the water storage capacity of the Watkins Reservoir and the water supply to the Weber Basin Project area and Wasatch Front. H.R. 3626 would authorize the appropriation of \$1 million for the federal share of the cost of this study, which could not exceed 50 percent of the total cost.

Assuming appropriation of the specified amount, CBO estimates that implementing H.R. 3626 would cost \$1 million over the 2006–2007 period. Enacting H.R. 3626 would not affect direct spending or revenues.

H.R. 3626 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments. Funds authorized in the bill to conduct a study of the Arthur V. Watkins Dam would benefit the Weber Basin Water Conservancy District. Any costs it might incur would result from complying with conditions for receiving federal assistance.

The CBO staff contact for this estimate is Gregory Waring. This estimate was approved by Robert A. Sunshine, 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

If enacted, this bill would make no changes in existing law.