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REPORT
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CONJUNCTIVE USE OF SURFACE AND GROUNDWATER IN JUAB COUNTY, UTAH

APRIL 27, 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. 4013]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 4013) to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to provide for conjunctive use of surface and groundwater in Juab County, Utah, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 4013 is to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to provide for conjunctive use of surface and groundwater in Juab County, Utah.

BACKGROUND AND NEED FOR LEGISLATION

The federal Central Utah Project has enabled the State of Utah to beneficially use a substantial portion of its allotted share of Colorado River water under the Colorado River Compact. During initial Project feasibility studies, planners had envisioned developing water supplies in the northern mountainous region and delivering them through a series of reservoirs, tunnels and pipelines to the southern basin areas, including Juab County. That plan never materialized because it was initially determined that the water would stay north to meet the growing population demands of the northern counties rather than agricultural needs in the southern counties. Although Juab County continues to pay into the Project, it is not receiving benefits.

As local water demands grow, Juab County is seeking to more effectively use its existing water supplies through conjunctive use of surface and groundwater sources. H.R. 4013 amends Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102–575) by adding Juab County to the list of Utah counties eligible to receive federal funds for this conjunctive use purpose.

COMMITTEE ACTION

H.R. 4013 was introduced on October 7, 2005, by Congressman Chris Cannon (R–UT). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Water and Power. On February 8, 2006, 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. No amendments were offered, and the bill was ordered favorably reported to the House of Representatives by unanimous consent.

SECTION-BY-SECTION ANALYSIS

Section 1. Conjunctive use of surface and groundwater in Juab County, Utah

This section amends section 202(a)(2) of the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102–575) to make Juab County, Utah, eligible to receive federal grants to study conjunctive use of surface and groundwater resources.

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. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

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. 4013—A bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to provide for conjunctive use of surface and groundwater in Juab County, Utah

CBO estimates that enacting H.R. 4013 would not affect direct spending or revenues, but would increase spending subject to appropriation from amounts previously authorized. This bill would add the county of Juab, Utah, to a list of counties that are eligible to receive federal funding for a type of water distribution system that stores water runoff from the surface in groundwater aquifers. Such systems are known as conjunctive use projects. The Central Utah Project Completion Act authorized the appropriation of $10 million for these conjunctive use projects. To date, the Congress has appropriated $2.5 million for a project in Salt Lake County.

Based on information from the East Juab Water Conservancy District, CBO estimates that the federal share of a conjunctive use project in that county would be $5 million.

H.R. 4013 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. The bill would benefit Juab County by authorizing the county to use surface and ground water as part of the Utah Division of Water Resources Project.

The CBO staff contact for this estimate is Julie Middleton. This estimate was 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):

SECTION 202 OF THE RECLAMATION PROJECTS AUTHORIZATION AND ADJUSTMENT ACT OF 1992

SEC. 202. BONNEVILLE UNIT WATER DEVELOPMENT.

(a) Of the amounts authorized to be appropriated in section 201, the following amounts shall be available only for the following features of the Bonneville Unit of the Central Utah Project:

(1) * * *

(2) CONJUNCTIVE USE OF SURFACE AND GROUND WATER.—$10,000,000 for a feasibility study and development, with public involvement, by the Utah Division of Water Resources of systems to allow ground water recharge, management, and the conjunctive use of surface water resources with ground water resources in Salt Lake, Utah, Davis, *Juab,* Wasatch, and Weber Counties, Utah.

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