

## SANTA ROSA URBAN WATER REUSE PLAN ACT

---

JULY 23, 2007.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

---

Mr. RAHALL, from the Committee on Natural Resources,  
submitted the following

### R E P O R T

[To accompany H.R. 716]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 716) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Santa Rosa Urban Water Reuse Plan, 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 “Santa Rosa Urban Water Reuse Plan Act”.

#### 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 at the end the following new section:

##### “SEC. 16 \_\_\_\_ . CITY OF SANTA ROSA, CALIFORNIA, URBAN WATER REUSE PLAN.

“(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Santa Rosa, California, is authorized to participate in the design, planning, and construction of projects to implement the plan titled ‘Santa Rosa Urban Water Reuse Plan’.

“(b) COST SHARE.—The Federal share of the costs of the projects authorized by this section shall not exceed 25 percent of the total cost. The Secretary shall credit the City of Santa Rosa with the value of all expenditures made before the date of the enactment of this section that are used toward completion of projects that are compatible with this section.

##### “(c) LIMITATIONS.—

“(1) Federal funds shall not be used for the operation or maintenance of a project authorized by this section.

“(2) Funds authorized by this legislation shall not be used for the development of new wetland areas.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$20,000,000.”.

(b) CONFORMING AMENDMENT.—The table of sections in section 2 of Public Law 102–575 is amended by inserting after the last item relating to title XVI the following:

“Sec. 16 \_\_\_\_\_. City of Santa Rosa, California, Urban Water Reuse Plan.”.

#### PURPOSE OF THE BILL

The purpose of H.R. 716 is to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Santa Rosa Urban Water Reuse Plan.

#### BACKGROUND AND NEED FOR LEGISLATION

H.R. 716 amends the Reclamation Wastewater and Ground Water Study and Facilities Act (Title XVI of P.L. 102–575) to authorize limited federal financial assistance for the design and construction of a water recycling and water reuse plant in Santa Rosa, California.

The projects authorized by H.R. 716, when completed, will provide 3,000 acre-feet of recycled water per year to irrigate parks, median strips, new developments, business parks and other urban areas in Santa Rosa. The recycled water is expected to result in reduced fresh water withdrawals and treated wastewater discharges into the Russian River.

#### COMMITTEE ACTION

H.R. 716 was introduced on January 29, 2007 by Rep. Lynn Woolsey (R–CA–6). Similar legislation was introduced by Rep. Woolsey in the 109th Congress (H.R. 6059), but no action was taken on that bill. There is no Senate companion bill, nor are there any cosponsors.

The bill was referred to the Committee on Natural Resources, Subcommittee on Water and Power. A hearing was held on H.R. 716 on May 17, 2007. On June 12, 2007, the Subcommittee met to mark up the bill. One non-controversial amendment was adopted, to prohibit the use of federal funds for the development of new wetlands. H.R. 716, as amended, was adopted by unanimous consent and then forwarded to the Full Committee. On June 27, 2007 the Full Natural Resources Committee met to consider the bill. The bill was agreed to by unanimous consent and ordered favorably reported to the House of Representatives.

#### SECTION-BY-SECTION ANALYSIS

##### *Section 1. Short title*

Section 1 designates the short title as the “Santa Rosa Urban Water Reuse Plan Act”.

##### *Section 2. Project authorizations*

Section 2 amends the Reclamation Wastewater and Groundwater Study and Facilities Act (Public Law 102–575, title XVI; 43 U.S.C. 390h et seq.) by authorizing the Secretary of the Interior to participate in the design and construction of a recycled water system and treatment facility in the city of Santa Rosa, California.

The legislation specifies that the federal government is responsible for 25 percent of the total cost of the project, but that federal funds may not be used for the operation and maintenance of the facility or for the development (including construction) of new wetland areas. The bill sets the federal cost-share at 25 percent of the total cost of the projects described in the “Santa Rosa Urban Water Reuse Plan,” and authorizes appropriations of \$20,000,000.

#### 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 Natural 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 Santa Rosa Urban Water Reuse Plan.

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. 716—Santa Rosa Urban Water Reuse Plan Act*

Summary: H.R. 716 would authorize the Bureau of Reclamation (BOR) to participate in the design, planning, and construction of projects to implement the Santa Rosa Urban Water Reuse Plan. The bill would authorize the appropriation of \$20 million for that purpose.

Assuming appropriation of the authorized amount, CBO estimates that implementing the legislation would cost \$20 million over the 2008–2012 period. Enacting the legislation would not affect direct spending or revenues.

H.R. 716 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 716 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—				
	2008	2009	2010	2011	2012
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Estimated Authorization Level .....	5	10	5	0	0
Estimated Outlays .....	3	5	6	3	3

Basis of estimate: For this estimate, CBO assumes that the legislation will be enacted near the end of fiscal year 2007 and that the necessary amounts will be appropriated for each year.

H.R. 716 would authorize BOR to cooperate with the city of Santa Rosa, California, on projects to implement the city's plans to expand water recycling facilities to meet increasing demand for water. The city estimates the projects would cost \$317 million. H.R. 716 would authorize the appropriation of the lesser of \$20 million or 25 percent of total project costs. Because 25 percent of the project's cost would exceed \$20 million, CBO estimates that implementing H.R. 716 would cost \$20 million over the 2008–2012 period.

Intergovernmental and private-sector impact: H.R. 716 contains no intergovernmental or private-sector mandates as defined in UMRA. The city of Santa Rosa would benefit from federal assistance authorized by the bill for the design, planning, and construction of water projects.

Estimate prepared by: Federal Costs: Tyler Kruzich and David Reynolds; Impact on State, Local, and Tribal Governments: Leo Lex; Impact on the Private Sector: Amy Petz (226–2940).

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

#### COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

#### EARMARK STATEMENT

H.R. 716 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or (f) of rule XXI.

#### 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.

\* \* \* \* \*

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

Sec. 1601. Short title.

\* \* \* \* \*

Sec. 16\_\_\_\_. *City of Santa Rosa, California, Urban Water Reuse Plan.*

\* \* \* \* \*

## 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”.

\* \* \* \* \*

### SEC. 16\_\_\_\_. **CITY OF SANTA ROSA, CALIFORNIA, URBAN WATER REUSE PLAN.**

(a) *AUTHORIZATION.*—The Secretary, in cooperation with the City of Santa Rosa, California, is authorized to participate in the design, planning, and construction of projects to implement the plan titled “Santa Rosa Urban Water Reuse Plan”.

(b) *COST SHARE.*—The Federal share of the costs of the projects authorized by this section shall not exceed 25 percent of the total cost. The Secretary shall credit the City of Santa Rosa with the value of all expenditures made before the date of the enactment of this section that are used toward completion of projects that are compatible with this section.

(c) *LIMITATIONS.*—

(1) *Federal funds shall not be used for the operation or maintenance of a project authorized by this section.*

(2) *Funds authorized by this legislation shall not be used for the development of new wetland areas.*

(d) *AUTHORIZATION OF APPROPRIATIONS.*—There is authorized to be appropriated to carry out this section \$20,000,000.

\* \* \* \* \*