

## Calendar No. 853

106TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
{ 106-431

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### WATER RESOURCES IN THE SALMON CREEK WATERSHED

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SEPTEMBER 28 (legislative day, SEPTEMBER 22), 2000.—Ordered to be printed

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Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

### REPORT

[To accompany S. 2951]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2951) to authorize the Commissioner of Reclamation to conduct a study to investigate opportunities to better manage the water resources in the Salmon Creek watershed of the upper Columbia River, having considered the same, reports favorably thereon with amendments and an amendment to the title and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. In section 1(a), strike “The Commissioner of Reclamation” and replace with “The Secretary of the Interior”.
2. After section (b), add the following:

(c) COST SHARE.—The Federal government’s cost share for the feasibility study shall not exceed 50 percent.

3. Amend the title so as to read: “To authorize the Secretary of the Interior to conduct a study to investigate opportunities to better manage the water resources in the Salmon Creek watershed of the upper Columbia River.”.

#### PURPOSE OF THE MEASURE

The purpose of S. 2951 is to authorize the Secretary of the Interior to conduct a study to investigate opportunities to better manage the water resources in the Salmon Creek watershed of the upper Columbia River. The purpose of the study is to derive the benefits of and further the objectives of a study done by the Confederated Tribes of the Colville Reservation and the Okanagan Irrigation District. The Federal Government’s share for the cost of the study shall be 50 percent.

## BACKGROUND AND NEED

Salmon Creek, a tributary to the Okanogan River, is part of the Okanogan River Basin in north central Washington, on the eastern slope of the North Cascade Range. Draining about 167 square miles, the Salmon Creek watershed contains about 66 miles of perennial streams. The 119 square mile upper Salmon watershed is drained by North Fork, West Fork, and South Fork of Salmon Creek, which flow into Conconully Reservoir.

Large differences occur in maximum, average, and median monthly flows in the creek, indicating how variable flow is from year to year. Water is released from the reservoirs during the irrigation season to accommodate the Okanogan Irrigation District water users' needs. The District's diversion of the creek waters into its water delivery system during the later months of the irrigation season completely dewateres the lower 4.3 mile reach of Salmon Creek. The natural runoff of the creek water in the spring has built up a large rock barrier at its confluence with the Okanogan River creating a barrier to natural fish migration.

The 12 miles between Conconully Reservoir and the District's diversion have been documented as excellent spawning and rearing habitat for salmon. The upper reaches of Salmon Creek, above the district's diversion, have also been identified as favorable rearing habitat for fish. In light of the national focus on fish restoration, the District in conjunction with the Confederated Tribes of the Colville Reservation have joined in a collaborative effort to study, and if sufficient funding can be obtained, implement a series of projects to restore natural fish runs in Salmon Creek.

The Colville Tribes' interest in pursuing restoration of fish runs in the Okanogan and Columbia Rivers led them to consider Salmon Creek, tributary to the Okanogan River, as a viable project. Because the District depends almost entirely on Salmon Creek water, including dewatering of the lower reaches in the summer months, the District became keenly interested in the Colville Tribes' activities. After an in-depth study, the Tribes and District agreed on 7 projects that would conserve water in the District, allocate water for instream flow for fish enhancement, and provide the District with the water necessary to meet its water users' needs. Implementing these projects is very important to the District. The District's continued assurance of water delivery service while facilitating fish restoration is essential to the economic stability of the mid-Okanogan Valley area, including Omak and Okanogan, Washington.

## LEGISLATIVE HISTORY

S. 2951 was introduced by Senator Gorton on July 27, 2000. The Subcommittee on Water and Power held a hearing on the bill on September 19, 2000. At the business meeting on September 20, 2000, the Committee on Energy and Natural Resources ordered S. 2951, as amended, favorably reported.

## COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Committee on Energy and Natural Resources, in open business session on September 20, 2000, by a unanimous voice vote

with a quorum present, recommends that the Senate pass S. 2951 if amended as described herein.

#### COMMITTEE AMENDMENTS

During the consideration of S. 2951, the committee adopted (1) an amendment that authorized the Secretary of the Interior, rather than the Commissioner of Reclamation, to conduct the feasibility study, an amendment that limited the Federal Government's cost share for the study to 50 percent of the total cost and an amendment to the title.

#### COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimate of the costs of this measure has been requested but was not received at the time the report was filed. When the report is available, the Chairman will request it to be printed in the Congressional Record for the advice of the Senate.

#### REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2951. The bill is not a regulatory measure in the sense of imposing government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 2951, as ordered reported.

#### EXECUTIVE COMMUNICATIONS

On, September 14, 2000, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on S. 2951. These reports had not been received at the time the report on S. 2951 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the Acting Chief of Staff of the Bureau of Reclamation at the Subcommittee hearing follows:

#### STATEMENT OF ROBERT J. QUINT, ACTING CHIEF OF STAFF, BUREAU OF RECLAMATION, DEPARTMENT OF THE INTERIOR

Thank you for the opportunity to provide the views of the Department of the Interior on S. 2951. This bill would authorize the Commissioner of the Bureau of Reclamation to study water management in the Salmon Creek Watershed in Washington. The Okanogan Irrigation District and the Colville Confederated Tribes are very interested in identifying opportunities to restore salmon and steelhead populations, and maintaining water deliveries to irrigators in this watershed.

The Administration could support the bill if amended to address two technical concerns. First, the Secretary of the

Interior as opposed to the Commissioner of the Bureau of Reclamation is the appropriate official to conduct the study, given the breadth of fish, tribal and water issues involved. Section 1 should be amended accordingly.

Second, Section 1 should also clarify that the study will be cost shared 50–50 which is the appropriate cost share for a feasibility study such as this.

Thank you for holding this hearing. I would be happy to answer any questions you may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 2951, as ordered reported.

