

Calendar No. 857

106TH CONGRESS }
2d Session }

SENATE

{ REPORT
{ 106-435

INCREASED AUTHORIZATION FOR MINIDOKA PROJECT, IDAHO

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

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

REPORT

[To accompany H.R. 3577]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 3577) to increase the amount authorized to be appropriated for the north side pumping division of the Minidoka reclamation project, Idaho, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 3577 is to increase the amount authorized to be appropriated for the north side pumping division of the Minidoka reclamation project, Idaho. The cost ceiling is being increased by \$2.8 million in order to complete work begun to address drain water management.

BACKGROUND AND NEED

Due to the lack of natural surface drainage outlets to the Snake River and constraints associated with drainage onto the lower lying Minidoka Irrigation District, most irrigation return flow and storm water runoff is injected into drain wells (part of the original project design), which pass water directly into the underlying aquifer.

In October 1991, the Environmental Protection Agency designated the eastern Snake River Plain Aquifer a sole source of drinking water under the Safe Drinking Water Act. A plan, identified as the "Framework Plan for Drain Water Management," was developed by the Bureau of Reclamation and the Minidoka Irrigation District in 1993 to implement an alternate to the current prac-

tice of untreated agricultural return flow and storm water entering drain wells directly into the Snake River Plain Aquifer.

H.R. 3577 would increase an earlier appropriations ceiling by \$2.8 million to complete the remaining work of the Minidoka Project in Idaho. The remaining work consists of constructing passive treatment, abandoning a number of wells, and reuse systems at an estimated cost of \$2.8 million (60 percent Federal/40 percent local), of which up to \$1.3 million would be reimbursable to the District under a cost sharing arrangement.

LEGISLATIVE HISTORY

H.R. 3577 passed the House of Representatives on May 8, 2000 by a vote of 385–6. 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 H.R. 3577 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 of a quorum present, recommends that the Senate pass H.R. 3577 as described herein.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office.

H.R. 3577—A bill to increase the amount authorized to be appropriated for the north side pumping division of the Minidoka reclamation project, Idaho

H.R. 3577 would increase, by \$2.8 million, the total amount authorized to be appropriated to the Bureau of Reclamation to complete the north side pumping division of the Minidoka reclamation project in Idaho. That amount includes \$250,000 that has already been provided for the current year. Based on information from the agency, CBO estimates that implementing this bill would increase discretionary spending by about \$2.5 million over the 2001–2005 period, assuming appropriation of the authorized amount. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 3577 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. Enacting this bill would authorize the bureau to reimburse the affected irrigation district in the state of Idaho for the federal share of the district's costs to complete the Minidoka project.

The CBO staff contact is Megan Carroll. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

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

H.R. 3577. 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 H.R. 3577, 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 H.R. 3577. These reports had not been received at the time the report on H.R. 3577 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 for 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 present the views of the Department of the Interior on H.R. 3577, a bill to increase the authorized appropriations ceiling for the Northside Pumping Division of the Minidoka Project by \$2,805,000. This increase in authorization ceiling would allow work already begun under the Minidoka Northside Drainwater Management Plan to be completed.

The Administration supports this legislation. The President's Budget for Fiscal Year 2001 proposed an identical increase in the Minidoka Project's appropriations ceiling. Completion of the Minidoka Northside Drainwater Management Plan will result in closure of several agricultural drainage injection wells, protection of the Snake River Plain aquifer, compliance with the Clean Water Act, and continued irrigation of project lands. I look forward to working with the members of the Subcommittee toward these goals.

A brief review of the Project sets the context for Reclamation's support of H.R. 3577. The 77,000-acre North Side Pumping Division of the Minidoka Project, located on the southern portion of the Snake River Plain in south-central Idaho, was authorized for irrigation purposes by Public Law 81-864 (the Act of September 30, 1950; 64 Stat. 1083). Reclamation finished construction of the Division in 1959; operations and maintenance responsibilities were transferred to the A&B Irrigation District in 1966.

This area of the Snake River Plain lacks natural surface drainage outlets to the Snake River. Current practice, true to the original Project design, is to dispose of agricultural drainwater by injecting it into drain wells that flow directly to the underlying Snake River Plain aquifer. However, injection of untreated agricultural drainwater places

the aquifer at risk of contamination from high levels of coliform bacteria and turbidity and from inadvertent spills of hazardous material into project drainage facilities.

The Snake River Plain aquifer was designated in 1991 as the area's sole source of drinking water under the Safe Drinking Water Act, meaning that contamination of the aquifer would present a significant public health hazard. The risk of contamination posed by the practice of disposal of untreated agricultural drainwater through the injection well system (into wells that drain directly into the Snake River Plain aquifer) became unacceptable.

In 1994, Reclamation completed the North Side Drainwater Management Plan, which proposed alternative ways to dispose of agricultural drainwater. The Plan recommended we close as many injection wells as possible, and replace existing drainage/injection facilities with construction of passive wetlands and pumpback/reuse systems for the treatment and disposal of agricultural drainwater.

Reclamation and the A&B Irrigation District are working cooperatively to implement the Plan's recommendations. By May, 1999, of the 78 original wells, 38 had been abandoned and 5 had been capped, leaving 35 wells still active and taking irrigation drainwater.

The Plan also recommended we take steps to significantly reduce excess agricultural runoff; to this end, Reclamation and the District are considering use of variable-speed pumps on the production wells that supply water for irrigation.

Costs to implement the Plan have exceeded the \$11,395,000 authorized appropriations ceiling in Public Law 81-864 by about \$2.8 million. H.R. 3577 would increase the present authorized project ceiling from \$11,395,000 (64 Stat. 1085) to \$14,200,000. This additional authority would permit work on construction of passive wetlands and pumpback/reuse systems for the treatment and disposal of agricultural drainwater to be completed.

This concludes my prepared statement and I would be glad to answer any questions.

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 Act H.R. 3577, as ordered reported.