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107TH CONGRESS, *1st Session* | SENATE | REPORT 107–22

BURNT, MALHEUR, OWYHEE, AND POWDER RIVER BASIN WATER OPTIMIZATION FEASIBILITY STUDY ACT OF 2001

JUNE 5, 2001.—Ordered to be printed

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

REPORT

[To accompany S. 238]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 238) to authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE MEASURE

The purpose of S. 238 is to authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt, Malheur, Owyhee, and Powder River basins, in northeastern Oregon.

BACKGROUND AND NEED

Watershed Councils (Councils) in the Malheur, Owyhee, Powder, and Burnt River basins bring together local farmers, ranchers, and other landowners; organized agricultural, industrial, environmental interests; and resource management agencies to develop action plans to implement measures that will improve the health of streams and make improvements to the overall environment of the areas while maintaining a viable economy.

Multi-purpose irrigation facilities located in the Malheur, Owyhee, Powder, and Burnt River basins were developed by the Bureau of Reclamation but are now operated by the local water users. Reclamation is involved with the Councils in these basins to help develop, review, and update action plans; perform construction design and survey work; conduct congressionally authorized feasi-

bility analysis for structural action plan items; and participate in public involvement activities.

The Councils are interested in involving Reclamation with small-scale construction projects to address resource management issues they tackle on a regular basis. Congressional authorization is necessary for Reclamation to participate and develop the feasibility reports necessary to submit to Congress for any work that would require construction authorization for federal assistance with these projects.

LEGISLATIVE HISTORY

S. 238 was introduced by Senators Wyden and Smith on February 1, 2001. S. 238 is identical to S. 2877, as it passed the Senate in the 106th Congress. A Subcommittee hearing was held last Congress on S. 2877, the bill was reported by the Full Committee with a technical amendment and the measure passed the Senate as amended on October 13, 2000. At the business meeting on May 16, 2001, the Committee on Energy and Natural Resources ordered S. 238, as amended, favorably reported.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on May 16, 2001, by a unanimous voice vote of a quorum present, recommends that the Senate pass S. 238, if amended as described herein.

COST AND BUDGETARY CONSIDERATIONS

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 22, 2001.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 238, the Burnt, Malheur, Owyhee, and Powder River Basin Water Optimization Feasibility Study Act of 2001.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Rachel Milberg.

Sincerely,

STEVEN M. LIEBERMAN,
(For Dan L. Crippen, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 238—Burnt, Malheur, Owyhee, and Powder River Basin Water Optimization Feasibility Study Act of 2001

S. 238 would authorize the Secretary of the Interior to conduct studies on the use of water in the basins of the Burnt River, Malheur River, Owyhee River, and Powder River in Oregon. CBO

estimates these studies would cost about $500,000. Based on information from the Bureau of Reclamation, CBO expects the federal government would share this cost with the state of Oregon, local counties, and certain irrigation districts. Assuming appropriation of the necessary amounts, implementing S. 238 would cost $250,000 over the 2002–2003 period. Enacting S. 238 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

S. 238 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 CBO staff contact is Rachel Milberg. 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 S. 238. 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. 238, as ordered reported.

EXECUTIVE COMMUNICATIONS

On May 25, 2001, 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. 238. These reports had not been received at the time the report on S. 238 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. At the hearing on S. 2387 in the 106th Congress, the Administration testified in support of the legislation.

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. 238, as ordered reported.