

CITY OF OXNARD WATER RECYCLING AND
DESALINATION ACT OF 2006

SEPTEMBER 6, 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. 2334]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 2334) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of permanent facilities for the GREAT project to reclaim, reuse, and treat impaired water in the area of Oxnard, California, 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 “City of Oxnard Water Recycling and Desalination Act of 2006”.

SEC. 2. OXNARD, CALIFORNIA, WATER RECLAMATION, REUSE, AND TREATMENT PROJECT.

(a) **IN GENERAL.**—The Reclamation Wastewater and Groundwater Study and Facilities Act (title XVI of Public Law 102-575; 43 U.S.C. 390h et seq.) is amended by adding at the end the following:

“SEC. ____ . OXNARD, CALIFORNIA, WATER RECLAMATION, REUSE, AND TREATMENT PROJECT.

“(a) **AUTHORIZATION.**—The Secretary, in cooperation with the City of Oxnard, California, may participate in the design, planning, and construction of Phase I permanent facilities for the GREAT project to reclaim, reuse, and treat impaired water in the area of Oxnard, California.

“(b) **COST SHARE.**—The Federal share of the costs of the project described in subsection (a) shall not exceed 25 percent of the total cost.

“(c) **LIMITATION.**—The Secretary shall not provide funds for the following:

“(1) The operations and maintenance of the project described in subsection (a).

“(2) The construction, operations, and maintenance of the visitor’s center related to the project described in subsection (a).
 “(d) SUNSET OF AUTHORITY.—The authority of the Secretary to carry out any provisions of this section shall terminate 10 years after the date of the enactment of this section.”
 (b) CLERICAL AMENDMENT.—The table of sections in section 2 of the Reclamation Projects Authorization and Adjustment Act of 1992 is amended by inserting after the last item the following:
 “Sec. _____. Oxnard, California, water reclamation, reuse, and treatment project.”

PURPOSE OF THE BILL

The purpose of H.R. 2334 is to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of permanent facilities for the GREAT project to reclaim, reuse, and treat impaired waters in the area of Oxnard, California.

BACKGROUND AND NEED FOR LEGISLATION

The City of Oxnard, California, located 60 miles north of Los Angeles in western Ventura County, owns and operates a water supply system that provides water to most of its 200,000 citizens. In addition to a growing population, this area in Ventura County has large agricultural and industrial sectors which need reliable sources of water. The Groundwater Recovery Enhancement and Treatment (GREAT) project would use a groundwater desalination facility and recycled water system to provide additional reliable water supplies to municipal and agricultural users throughout the region. In addition, this project would also help alleviate depressed groundwater levels.

The City of Oxnard has worked with other local water providers, including Ocean View Municipal Water District, United Water Conservation District, Calleguas Municipal Water District and Fox Canyon Groundwater Management Agency, to develop the GREAT project. The desalination facility would desalt 15 million gallons of brackish groundwater per day for municipal consumption. In addition to providing needed water to the community, the brine byproducts from the desalination process would be used in the restoration of a local saltwater wetland. The water recycling portion of the GREAT program would treat wastewater for use in irrigation and groundwater injection.

Phase one of the GREAT project includes design, planning and construction of both facilities as currently planned. Future phases may expand the service area of the project. As amended, H.R. 2334 authorizes federal assistance for phase one of the GREAT project. Phase I is expected to cost around \$55 million, making the federal share of 25 percent just under \$14 million. The City of Oxnard has already spent \$15 million of local funds on conceptual design, environmental review and initial construction of the groundwater desalter.

COMMITTEE ACTION

H.R. 2334 was introduced on May 12, 2005, by Congresswoman Lois Capps (D-CA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Water and Power. On December 7, 2005, the Subcommittee held a hearing

on the bill. On July 19, 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. Congressman George Radanovich (R-CA) offered an amendment in the nature of a substitute to clarify that federal funding is limited to only Phase I of the project and prevents federal funds from being used on the project's visitor's center. The amendment also placed a 10-year sunset on the bill's authorization. The amendment was adopted by unanimous consent. The bill, as amended, was then ordered favorably reported to the House of Representatives by unanimous consent.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This section cites the bill as the "City of Oxnard Water Recycling and Desalination Act of 2006."

Section 2. Oxnard, California, water reclamation, reuse, and treatment project

This section amends the Reclamation Wastewater and Groundwater Study and Facilities Act (Title XVI of Public Law 102-575) to authorize the Secretary of the Interior, in cooperation with the City of Oxnard, California, to participate in the design, planning, and construction of Phase I of the GREAT project to reclaim, reuse, and treat impaired water in the Oxnard area. The federal share of the costs shall not exceed 25% of the total cost. As ordered reported, this section also specifies that federal funding is limited to only Phase I, prevents federal funds from being used on the project's visitor's center, and includes a 10-year sunset on the bill's authorization.

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, clause 3 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 design, planning, and construction of permanent facilities for the GREAT project to reclaim, reuse, and treat impaired waters in the area of Oxnard, California.

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. 2334—City of Oxnard Water Recycling and Desalination Act of 2006

Summary: H.R. 2334 would authorize the Secretary of the Interior to participate in the design, planning, and construction of the first phase of a project to reclaim, reuse, and treat water near Oxnard, California, known as the GREAT project. The bill would limit the federal cost share of the project to 25 percent. In addition, H.R. 2334 would prohibit the Secretary from providing funds for the operation and maintenance of the project. The authority to implement this bill would terminate 10 years after the date of enactment.

Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 2334 would cost \$15 million over the 2007–2011 period. Enacting the legislation would not affect direct spending or revenues.

H.R. 2334 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). The city of Oxnard, California, would benefit from the water projects authorized in the bill. Any costs it might incur, including matching funds, would result from complying with conditions for receiving federal assistance.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 2334 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

For this estimate, CBO assumes that H.R. 2334 will be enacted near the end of fiscal year 2006 and that the necessary amounts will be appropriated in installments over the 2007–2011 period. According to the Bureau of Reclamation, the estimated cost of the first phase of the GREAT project is \$57 million (at 2006 prices). Based on the historical spending pattern for similar activities, CBO estimates that the federal government's cost for implementing this bill would be \$15 million over the 2007–2011 period, including adjustment for anticipated inflation.

	By fiscal year in millions of dollars—				
	2007	2008	2009	2010	2011
CHANGES IN SPENDING SUBJECT TO APPROPRIATIONS					
Estimated authorization level	3	3	3	3	4
Estimated outlays	2	3	3	3	4

Intergovernmental and private-sector impact: H.R. 2334 contains no intergovernmental or private-sector mandates as defined in UMRA. The city of Oxnard, California, would benefit from the water projects authorized in the bill. Any costs it might incur, including matching funds, would result from complying with conditions for receiving federal assistance.

Estimate prepared by: Federal costs: Julie Middleton; Impact on state, local, and tribal governments: Lisa Ramirez-Branum; Impact on the private sector: Amy Petz.

Estimate 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):

RECLAMATION PROJECTS AUTHORIZATION AND ADJUSTMENT ACT OF 1992

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.

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TITLE XVI—RECLAMATION WASTEWATER AND GROUNDWATER STUDIES

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Sec. _____. Oxnard, California, water reclamation, reuse, and treatment project.

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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”.

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SEC. ____ . OXNARD, CALIFORNIA, WATER RECLAMATION, REUSE, AND TREATMENT PROJECT.

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(b) COST SHARE.—The Federal share of the costs of the project described in subsection (a) shall not exceed 25 percent of the total cost.

(c) LIMITATION.—The Secretary shall not provide funds for the following:

(1) The operations and maintenance of the project described in subsection (a).

(2) The construction, operations, and maintenance of the visitor's center related to the project described in subsection (a).

(d) SUNSET OF AUTHORITY.—The authority of the Secretary to carry out any provisions of this section shall terminate 10 years after the date of the enactment of this section.

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