

106TH CONGRESS
2D SESSION

S. 2091

To amend the Act that authorized construction of the San Luis Unit of the Central Valley Project, California, to facilitate water transfers in the Central Valley Project.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 24, 2000

Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Act that authorized construction of the San Luis Unit of the Central Valley Project, California, to facilitate water transfers in the Central Valley Project.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ELIMINATION OF RESTRICTIONS ON USE OF**
4 **SAN LUIS UNIT FACILITIES FOR WATER**
5 **TRANSFERS IN THE CENTRAL VALLEY**
6 **PROJECT.**

7 (a) ELIMINATION OF STATUTORY RESTRICTIONS.—

8 (1) USE OF ADDITIONAL CAPACITY.—Section 2
9 of Public Law 86–488 (74 Stat. 157) is amended in

1 the last sentence by striking “and the use of the ad-
 2 ditional capacity for water service shall be limited to
 3 service outside of the Federal San Luis unit service
 4 area”.

5 (2) AREA OF SERVICE.—Section 3 of Public
 6 Law 86–488 (74 Stat. 158) is amended—

7 (A) in paragraph (h), by adding “and” at
 8 the end;

9 (B) in paragraph (i), by striking the semi-
 10 colon at the end and inserting a period; and

11 (C) by striking paragraph (j).

12 (b) REQUIREMENTS FOR DELIVERY INSIDE FED-
 13 ERAL SERVICE AREA.—

14 (1) IN GENERAL.—Section 2 of Public Law 86–
 15 488 (74 Stat. 157) is amended in the last sentence
 16 by inserting “(subject to section 9)” after “a per-
 17 petual right to the use of such additional capacity”.

18 (2) USE OF ADDITIONAL CAPACITY.—Public
 19 Law 86–488 (74 Stat. 156) is amended by adding
 20 at the end the following:

21 **“SEC. 9. USE OF ADDITIONAL CAPACITY.**

22 “Under section 2, the State of California may not use
 23 additional capacity for the delivery of water inside the
 24 Federal San Luis unit service area unless—

1 “(1) the delivery is managed so as to ensure
2 that—

3 “(A) agricultural drainage discharges aris-
4 ing from use of the delivered water—

5 “(i) comply with any waste discharge
6 requirements issued for such discharges; or

7 “(ii) if there are no such waste dis-
8 charge requirements, do not cause water
9 quality conditions in the San Joaquin
10 River and the Sacramento-San Joaquin
11 Delta and San Francisco Bay to be de-
12 graded or otherwise adversely affected; and

13 “(B) use of the delivered water for irriga-
14 tion does not frustrate or interfere with efforts
15 by the United States and the State of Cali-
16 fornia to manage agricultural subsurface drain-
17 age discharges from the San Luis unit; and

18 “(2) the delivery is consistent with the provi-
19 sions of operating agreements between the Secretary
20 and the Department of Water Resources of the
21 State of California that are consistent with this
22 Act.”.

23 (c) AMENDMENT OF AGREEMENTS.—The Secretary
24 of the Interior—

1 (1) shall offer to amend each agreement entered
2 into by the United States and the State of California
3 under section 2 of Public Law 86–488 (74 Stat.
4 157) before the date of enactment of this Act, as
5 necessary to delete from the agreement each restric-
6 tion on use of additional capacity for water service
7 for land in the Federal San Luis unit service area
8 that is not consistent with the amendments made by
9 this Act; and

10 (2) pending an amendment of an agreement
11 under paragraph (1), shall not enforce any such re-
12 striction in the agreement.

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