

106TH CONGRESS  
1ST SESSION

# S. 968

To authorize the Administrator of the Environmental Protection Agency to make grants to State agencies with responsibility for water source development, for the purposes of maximizing the available water supply and protecting the environment through the development of alternative water sources, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 5, 1999

Mr. GRAHAM (for himself, Mr. MACK, Mr. CLELAND, Mrs. LINCOLN, and Mr. ROBB), introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To authorize the Administrator of the Environmental Protection Agency to make grants to State agencies with responsibility for water source development, for the purposes of maximizing the available water supply and protecting the environment through the development of alternative water sources, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Alternative Water  
5 Sources Act of 1999”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ADMINISTRATOR.—The term “Adminis-  
4 trator” means the Administrator of the Environ-  
5 mental Protection Agency.

6 (2) ALTERNATIVE WATER SOURCE PROJECT.—  
7 The term “alternative water source project” means  
8 a project designed to provide municipal, industrial,  
9 or agricultural water supplies in an environmentally  
10 sustainable manner by conserving, managing, treat-  
11 ing, reclaiming, or reusing water or wastewater.

12 (3) CRITICAL WATER SUPPLY NEEDS.—The  
13 term “critical water supply needs” means water sup-  
14 ply needs, including reasonably anticipated future  
15 water supply needs, that cannot be met by available  
16 water supplies—

17 (A) as projected over a planning period of  
18 at least 20 years; and

19 (B) as identified in a comprehensive State-  
20 wide or regional water supply plan or assess-  
21 ment.

22 **SEC. 3. GRANTS FOR ALTERNATIVE WATER SOURCE**  
23 **PROJECTS.**

24 (a) IN GENERAL.—The Administrator shall make  
25 grants to develop alternative water source projects to—

1           (1) State, interstate, and intrastate water re-  
2           source development agencies (including water man-  
3           agement districts and water supply authorities);

4           (2) local government agencies;

5           (3) nonprofit entities; and

6           (4) private utilities.

7           (b) ELIGIBILITY.—To be eligible to receive a grant  
8           under this section, an agency, entity, or utility described  
9           in subsection (a) shall have authority under State law to  
10          provide water or develop water resources for municipal,  
11          industrial, or agricultural uses in an area of the State  
12          that is experiencing critical water supply needs.

13          (c) ELIGIBLE PROJECT.—

14               (1) IN GENERAL.—A grant under this section  
15               may only be used to carry out an alternative water  
16               source project that is designed to meet critical water  
17               supply needs.

18               (2) LIMITATION.—A grant under this section  
19               shall not be used to carry out an alternative water  
20               source project if the project is located in a State or  
21               area that—

22                       (A) is referred to in Federal reclamation  
23                       law (the Act of June 17, 1902 (32 Stat. 388,  
24                       chapter 1093), and Acts supplemental to and

1           amendatory of that Act (43 U.S.C. 371 et  
2           seq.)); and

3           (B) is within the geographic scope of the  
4           reclamation and reuse program established  
5           under the Wastewater and Groundwater Study  
6           and Facilities Act (43 U.S.C. 390h et seq.).

7           (3) ELIGIBILITY FOR OTHER FEDERAL  
8           GRANTS.—An alternative water source project that  
9           is funded by a grant under this section shall be ineli-  
10          gible to receive funds under any other Federal pro-  
11          gram.

12          (d) USES OF GRANT.—

13           (1) IN GENERAL.—Amounts from grants re-  
14           ceived under this section may be used, with respect  
15           to alternative water source projects designed to meet  
16           critical water supply needs, for—

- 17                   (A) engineering;
- 18                   (B) design;
- 19                   (C) construction; and
- 20                   (D) final testing.

21           (2) PROHIBITED USES.—Amounts from grants  
22           received under this section shall not be used, with  
23           respect to alternative water source projects, for—

- 24                   (A) planning;
- 25                   (B) feasibility studies;

- 1 (C) operation;
- 2 (D) maintenance;
- 3 (E) replacement;
- 4 (F) repair; or
- 5 (G) rehabilitation.

6 (e) COST SHARING.—The Federal share of the eligi-  
7 ble costs of an alternative water source project carried out  
8 using assistance made available under this section shall  
9 not exceed 50 percent.

10 **SEC. 4. REPORTS.**

11 (a) REPORTS TO ADMINISTRATOR.—Not later than  
12 1 year and 180 days after the date of receipt of a grant  
13 under section 3, and every 2 years thereafter until comple-  
14 tion of the project funded by the grant, the recipient of  
15 the grant shall submit to the Administrator a report on  
16 eligible activities carried out by the grant recipient using  
17 grant funds.

18 (b) REPORT TO CONGRESS.—Not later than Sep-  
19 tember 30, 2005, the Administrator shall submit to Con-  
20 gress a report on the progress made toward meeting the  
21 critical water supply needs of the grant recipients under  
22 section 3.

1 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

2       There is authorized to be appropriated to carry out  
3 this Act \$75,000,000 for each of fiscal years 2000 through  
4 2004, to remain available until expended.

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