

Calendar No. 756

108TH CONGRESS
2^D SESSION

H. R. 4606

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2004

Received

SEPTEMBER 30, 2004

Read the first time

OCTOBER 1, 2004

Read the second time and placed on the calendar

AN ACT

To authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, 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 “Southern California
5 Groundwater Remediation Act”.

6 **SEC. 2. DEFINITIONS.**

7 For the purposes of this Act:

8 (1) GROUNDWATER REMEDIATION.—The term
9 “groundwater remediation” means actions that are
10 necessary to prevent, minimize, clean up, or mitigate
11 damage to groundwater.

12 (2) LOCAL WATER AUTHORITY.—The term
13 “local water authority” means a currently existing
14 (on the date of the enactment of this Act) public
15 water district, public water utility, public water plan-
16 ning agency, municipality, or Indian Tribe located
17 within the natural watershed of the Santa Ana River
18 in the State of California.

19 (3) REMEDIATION FUND.—The term “Remedi-
20 ation Fund” means the Southern California Ground-
21 water Remediation Fund established pursuant to
22 section 3(a).

23 (4) SECRETARY.—The term “Secretary” means
24 the Secretary of the Interior.

1 **SEC. 3. SOUTHERN CALIFORNIA GROUNDWATER REMEDI-**
2 **ATION.**

3 (a) SOUTHERN CALIFORNIA GROUNDWATER REME-
4 DIATION.—

5 (1) ESTABLISHMENT OF REMEDIATION
6 FUND.—There shall be established within the Treas-
7 ury of the United States an interest bearing account
8 to be known as the “Southern California Ground-
9 water Remediation Fund”.

10 (2) ADMINISTRATION OF REMEDIATION
11 FUND.—The Remediation Fund shall be adminis-
12 tered by the Secretary, acting through the Bureau of
13 Reclamation. The Secretary shall administer the Re-
14 mediation Fund in cooperation with the local water
15 authority.

16 (3) PURPOSES OF REMEDIATION FUND.—

17 (A) IN GENERAL.—Subject to subpara-
18 graph (B), the amounts in the Remediation
19 Fund, including interest accrued, shall be used
20 by the Secretary to provide grants to the local
21 water authority to reimburse the local water au-
22 thority for the Federal share of the costs associ-
23 ated with designing and constructing ground-
24 water remediation projects to be administered
25 by the local water authority.

26 (B) COST-SHARING LIMITATION.—

1 (i) IN GENERAL.—The Secretary may
2 not obligate any funds appropriated to the
3 Remediation Fund in a fiscal year until
4 the Secretary has deposited into the Reme-
5 diation Fund an amount provided by non-
6 Federal interests sufficient to ensure that
7 at least 35 percent of any funds obligated
8 by the Secretary for a groundwater reme-
9 diation project are from funds provided to
10 the Secretary for that project by the non-
11 Federal interests.

12 (ii) NON-FEDERAL RESPONSI-
13 BILITY.—Each local water authority shall
14 be responsible for providing the non-Fed-
15 eral amount required by clause (i) for
16 projects under that local water authority.
17 The State of California, local government
18 agencies, and private entities may provide
19 all or any portion of the non-Federal
20 amount.

21 (iii) CREDITS TOWARD NON-FEDERAL
22 SHARE.—For purposes of clause (ii), the
23 Secretary shall credit the appropriate local
24 water authority with the value of all prior
25 expenditures by non-Federal interests

1 made after January 1, 2000, that are com-
2 patible with the purposes of this section,
3 including—

4 (I) all expenditures made by non-
5 Federal interests to design and con-
6 struct groundwater remediation
7 projects, including expenditures asso-
8 ciated with environmental analyses,
9 and public involvement activities that
10 were required to implement the
11 groundwater remediation projects in
12 compliance with applicable Federal
13 and State laws; and

14 (II) all expenditures made by
15 non-Federal interests to acquire lands,
16 easements, rights-of-way, relocations,
17 disposal areas, and water rights that
18 were required to implement a ground-
19 water remediation project.

20 (b) COMPLIANCE WITH APPLICABLE LAW.—In car-
21 rying out the activities described in this section, the Sec-
22 retary shall comply with any applicable Federal and State
23 laws.

24 (c) RELATIONSHIP TO OTHER ACTIVITIES.—Nothing
25 in this section shall be construed to affect other Federal

1 or State authorities that are being used or may be used
2 to facilitate remediation and protection of the groundwater
3 the natural watershed of the Santa Ana River in the State
4 of California. In carrying out the activities described in
5 this section, the Secretary shall integrate such activities
6 with ongoing Federal and State projects and activities.
7 None of the funds made available for such activities pursu-
8 ant to this section shall be counted against any Federal
9 authorization ceiling established for any previously author-
10 ized Federal projects or activities.

11 (d) FINANCIAL STATEMENTS AND AUDITS.—The
12 Secretary shall ensure that all funds obligated and dis-
13 bursed under this Act and expended by a local water au-
14 thority, are accounted for in accordance with generally ac-
15 cepted accounting principles and are subjected to regular
16 audits in accordance with applicable procedures, manuals,
17 and circulars of the Department of the Interior and the
18 Office of Management and Budget.

19 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated to the Remediation Fund
21 \$50,000,000. Such funds shall remain available until ex-
22 pended.

Passed the House of Representatives September 28,
2004.

Attest:

JEFF TRANDAHL,
Clerk.

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A BILL

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