

111TH CONGRESS
1ST SESSION

S. 1138

To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 21, 2009

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

A BILL

To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, 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 “Bay Area Regional
5 Water Recycling Program Expansion Act of 2009”.

6 **SEC. 2. PROJECT AUTHORIZATIONS.**

7 (a) IN GENERAL.—The Reclamation Wastewater and
8 Groundwater Study and Facilities Act (43 U.S.C. 390h
9 et seq.) (as amended by section 512(a) of the Consolidated

1 Natural Resources Act of 2008) is amended by adding at
 2 the end the following:

3 **“SEC. 1649. CCCSD-CONCORD RECYCLED WATER PROJECT.**

4 “(a) AUTHORIZATION.—The Secretary, in coopera-
 5 tion with the Central Contra Costa Sanitary District, Cali-
 6 fornia, is authorized to participate in the design, planning,
 7 and construction of recycled water distribution systems.

8 “(b) COST SHARE.—The Federal share of the cost
 9 of the project authorized by this section shall not exceed
 10 25 percent of the total cost of the project.

11 “(c) LIMITATION.—The Secretary shall not provide
 12 funds for the operation and maintenance of the project
 13 authorized by this section.

14 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
 15 is authorized to be appropriated to carry out this section
 16 \$1,800,000.

17 **“SEC. 1650. CENTRAL DUBLIN RECYCLED WATER DISTRIBU-**
 18 **TION AND RETROFIT PROJECT.**

19 “(a) AUTHORIZATION.—The Secretary, in coopera-
 20 tion with the Dublin San Ramon Services District, Cali-
 21 fornia, is authorized to participate in the design, planning,
 22 and construction of recycled water system facilities.

23 “(b) COST SHARE.—The Federal share of the cost
 24 of the project authorized by this section shall not exceed
 25 25 percent of the total cost of the project.

1 “(c) LIMITATION.—The Secretary shall not provide
 2 funds for the operation and maintenance of the project
 3 authorized by this section.

4 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
 5 is authorized to be appropriated to carry out this section
 6 \$1,150,000.

7 **“SEC. 1651. PETALUMA RECYCLED WATER PROJECT,**
 8 **PHASES 2A, 2B, AND 3.**

9 “(a) AUTHORIZATION.—The Secretary, in coopera-
 10 tion with the City of Petaluma, California, is authorized
 11 to participate in the design, planning, and construction of
 12 recycled water system facilities.

13 “(b) COST SHARE.—The Federal share of the cost
 14 of the project authorized by this section shall not exceed
 15 25 percent of the total cost of the project.

16 “(c) LIMITATION.—The Secretary shall not provide
 17 funds for the operation and maintenance of the project
 18 authorized by this section.

19 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
 20 is authorized to be appropriated to carry out this section
 21 \$6,000,000.

22 **“SEC. 1652. CENTRAL REDWOOD CITY RECYCLED WATER**
 23 **PROJECT.**

24 “(a) AUTHORIZATION.—The Secretary, in coopera-
 25 tion with the City of Redwood City, California, is author-

1 ized to participate in the design, planning, and construc-
 2 tion of recycled water system facilities.

3 “(b) COST SHARE.—The Federal share of the cost
 4 of the project authorized by this section shall not exceed
 5 25 percent of the total cost of the project.

6 “(c) LIMITATION.—The Secretary shall not provide
 7 funds for the operation and maintenance of the project
 8 authorized by this section.

9 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
 10 is authorized to be appropriated to carry out this section
 11 \$8,000,000.

12 **“SEC. 1653. PALO ALTO RECYCLED WATER PIPELINE**
 13 **PROJECT.**

14 “(a) AUTHORIZATION.—The Secretary, in coopera-
 15 tion with the City of Palo Alto, California, is authorized
 16 to participate in the design, planning, and construction of
 17 recycled water system facilities.

18 “(b) COST SHARE.—The Federal share of the cost
 19 of the project authorized by this section shall not exceed
 20 25 percent of the total cost of the project.

21 “(c) LIMITATION.—The Secretary shall not provide
 22 funds for the operation and maintenance of the project
 23 authorized by this section.

1 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
 2 is authorized to be appropriated to carry out this section
 3 \$8,250,000.

4 **“SEC. 1654. IRONHOUSE SANITARY DISTRICT (ISD) ANTIOCH**
 5 **RECYCLED WATER PROJECT.**

6 “(a) AUTHORIZATION.—The Secretary, in coopera-
 7 tion with the Ironhouse Sanitary District (ISD), Cali-
 8 fornia, is authorized to participate in the design, planning,
 9 and construction of recycled water distribution systems.

10 “(b) COST SHARE.—The Federal share of the cost
 11 of the project authorized by this section shall not exceed
 12 25 percent of the total cost of the project.

13 “(c) LIMITATION.—The Secretary shall not provide
 14 funds for the operation and maintenance of the project
 15 authorized by this section.

16 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
 17 is authorized to be appropriated to carry out this section
 18 \$7,000,000.”.

19 (b) PROJECT IMPLEMENTATION.—In carrying out
 20 sections 1642 through 1648 of the Reclamation Waste-
 21 water and Groundwater Study and Facilities Act, and sec-
 22 tions 1649 through 1654 of such Act, as added by sub-
 23 section (a), the Secretary shall enter into individual agree-
 24 ments with the San Francisco Bay Area Regional Water
 25 Recycling implementing agencies to fund the projects

1 through the Bay Area Clean Water Agencies (BACWA)
 2 or its successor, and shall include in such agreements a
 3 provision for the reimbursement of construction costs, in-
 4 cluding those construction costs incurred prior to the en-
 5 actment of this Act.

6 (c) CLERICAL AMENDMENTS.—The table of contents
 7 of the Reclamation Projects Authorization and Adjust-
 8 ment Act of 1992 (43 U.S.C. prec. 371) (as amended by
 9 section 512(a) of the Consolidated Natural Resources Act
 10 of 2008) is amended by inserting after the item relating
 11 to section 1648 the following new items:

“Sec. 1649. CCCSD-Concord recycled water project.

“Sec. 1650. Central Dublin recycled water distribution and retrofit project.

“Sec. 1651. Petaluma recycled water project, phases 2a, 2b, and 3.

“Sec. 1652. Central Redwood City recycled water project.

“Sec. 1653. Palo Alto recycled water pipeline project.

“Sec. 1654. Ironhouse Sanitary District (ISD) Antioch recycled water
 project.”.

12 **SEC. 3. MODIFICATION TO AUTHORIZED PROJECTS.**

13 (a) ANTIOCH RECYCLED WATER PROJECT.—Section
 14 1644(d) of the Reclamation Wastewater and Groundwater
 15 Study and Facilities Act (43 U.S.C. 390h–27) (as amend-
 16 ed by section 512(a) of the Consolidated Natural Re-
 17 sources Act of 2008) is amended by striking “\$2,250,000”
 18 and inserting “\$3,125,000”.

19 (b) SOUTH BAY ADVANCED RECYCLED WATER
 20 TREATMENT FACILITY.—Section 1648(d) of the Reclama-
 21 tion Wastewater and Groundwater Study and Facilities
 22 Act (43 U.S.C. 390h–31) (as amended by section 512(a)

1 of the Consolidated Natural Resources Act of 2008) is
2 amended by striking “\$8,250,000” and inserting
3 “\$13,250,000”.

