



H.R. 29 – To authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, California, and for other purposes

FLOOR SITUATION

H.R. 29 is being considered on the House floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Darrell Issa (R-CA) on January 4, 2007. The bill was referred to the House Committee on Natural Resources, and was approved by unanimous consent on October 10, 2007.

H.R. 29 is expected to be considered on the House floor on February 12, 2008.

SUMMARY

H.R. 29 authorizes the Secretary of the Interior to construct a facility for the purpose of extracting water from the underground river basin located on Camp Pendleton. The facility would provide both Camp Pendleton and the Fallbrook Public Utility District (the District) with a sufficient supply of usable water.

H.R. 29 provides that the Secretary of the Interior may construct the facilities only after determining that:

- the Fallbrook Public Utility District and the Department of the Navy have entered into contracts to repay to the United States Treasury;
- the authorized California officer or agency has granted water use permits to the Bureau of Reclamation;
- the District has agreed that it will not assert against the United States any prior right to water in excess of the quantity deliverable under this Act and will share water based on equal priority and a specified ratio; and
- the Secretary has determined that the Project has economic, environmental, and engineering feasibility.

H.R. 29 provides that, upon project completion, the Department of the Navy will be responsible to repay only that portion of costs that the Secretary of the Interior and the Navy Secretary determine reflects the extent to which the Department benefits from the project.

The bill sets provisions governing the distribution of all water, as well as for the sale and delivery of excess water.

The bill authorizes the Secretary of the Interior to transfer the operation of the project to the District or a mutually agreed upon third party, and provides the terms of such a transfer.

The bill prohibits the project from being administered or operated in any way that would impair or deplete the quantities of water the United States would have been entitled to use under California law had the project not been built, unless otherwise agreed by the Navy Secretary.

The Secretary of the Interior and the Navy Secretary are required to report to Congress within one year of the enactment of this bill regarding whether the conditions specified by H.R. 29 have been met.



BACKGROUND

The proposed project authorized by H.R. 29 includes the construction of enhanced groundwater recharge facilities that contain a new collapsible diversion weir and 46 acres of new recharge ponds. The enhanced recharge potential is 14,000 acre-feet per year, in addition to the naturally occurring recharge.

The system would provide 9,600 acre-feet of water for use by Camp Pendleton, and 6,400 acre-feet of water to the District. The project will also include the construction of eight or more new production wells, monitoring wells, and a collection system to provide a total of 18,000 acre-feet of water annually.

The water will be distributed to the existing Camp Pendleton and the District distribution systems through construction of two pump stations and approximately thirteen miles of transmission pipeline. The pipeline will also connect Camp Pendleton to the regional water delivery system for emergency supply purposes.

The water recovery system is intended to provide a safe, reliable, drought and earthquake-proof water supply for 35,000 families. The project would provide Camp Pendleton with better quality water, and in quantities that would be sufficient to meet the water needs up to their optimum plan of utilization.

COST

CBO estimates that implementing H.R. 29 would cost \$61 million over the 2008-2012 period, and an additional \$3 million after that period.

STAFF CONTACT

For questions or further information contact Justin Hanson at (202) 226-2302.