

AMENDMENT OF CENTRAL UTAH PROJECT COMPLETION
ACT

OCTOBER 27, 1999.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 2889]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 2889) to amend the Central Utah Project Completion Act to provide for acquisition of water and water rights for Central Utah Project purposes, completion of Central Utah Project facilities, and implementation of water conservation measures, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 2889 is to amend the Central Utah Project Completion Act to provide for acquisition of water and water rights for Central Utah Project purposes, completion of Central Utah project facilities, and implementation of water conservation measures.

BACKGROUND AND NEED FOR LEGISLATION

The Central Utah Project (CUP) is located in the central and the east central part of the State of Utah. The project provides Utah with the majority of its share of Colorado River water. Water developed by the Central Utah Project has been used for municipal, industrial, irrigation, hydroelectric power, fish, wildlife, conservation, and recreation purposes. After the 1992 enactment of the CUP Completion Act, a Department of the Interior Program office was set up in Provo, Utah, to coordinate the implementation of the Act with the Central Utah Water Conservancy District and the Utah

Reclamation Mitigation and Conservation Commission. Since that time issues regarding endangered species, water conservation and minimum flows in the lower Provo River have arisen that need to be adequately addressed and funded. During the completion of the CUP, changes and modifications to project features resulted in excess funds in some accounts and shortages in others. H.R. 2889 allows the Secretary of the Interior to use up to \$60 million in unexpended budget authority to meet these needs.

COMMITTEE ACTION

H.R. 2889 was introduced on September 21, 1999, by Congressman Chris Cannon (R-UT). H.R. 2889 was referred to the Committee on Resources and within the Committee to the Subcommittee on Water and Power. A legislative hearing was held on the bill on October 7, 1999, by the Subcommittee on Water and Power. On October 20, 1999, the Full Resources Committee met to consider the bill. The Subcommittee was discharged from further consideration of the measure by unanimous consent. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by voice vote.

SECTION-BY-SECTION ANALYSIS

Section 1. Amendment of Central Utah Project Completion Act

This section amends section 202(c) of the Central Utah Project Completion Act (Public Law 102-575, 106 Stat. 4600, 4611) to authorize the Secretary of Interior to use up to \$60 million in unexpended budget authority to acquire water and water rights, complete project facilities, and implement water conservation measures.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not

contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. Government Reform Oversight Findings. Under clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform on this bill.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 26, 1999.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2889, a bill to amend the Central Utah Project Completion Act to provide for acquisition of water and water rights for Central Utah Project purposes, completion of Central Utah Project facilities, and implementation of water conservation measures.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 2889—A bill to amend the Central Utah Project Completion Act to provide for acquisition of water and water rights for Central Utah Project purposes, completion of Central Utah Project facilities, and implementation of water conservation measures

CBO estimates that enacting H.R. 2889 would have no impact on the federal budget. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

H.R. 2889 would authorize the appropriation of up to \$60 million for the Secretary of the Interior to acquire water rights for instream flows and to complete certain other projects, if such funds are not needed for the projects currently authorized by the Central Utah Project Completion Act. Based on information from the Department of the Interior, CBO expects that the department will use all available funds for purposes authorized under current law, assuming appropriation of such amounts. Thus, the bill would neither affect funds already appropriated nor increase the total amount of funds authorized to be appropriated for the Central Utah Project.

On October 6, 1999, CBO prepared a cost estimate for S. 1377, as ordered reported by the Senate Committee on Energy and Natural Resources on September 22, 1999. The two bills are similar, and the cost estimates are the same.

The CBO staff contact is Megan Carroll. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 202 OF THE CENTRAL UTAH PROJECT COMPLETION ACT

SEC. 202. BONNEVILLE UNIT WATER DEVELOPMENT.

(a) * * *

* * * * *

(c) [The Secretary is authorized to utilize any unexpended budget authority provided in title II and such funds as may be provided by the Commission for fish and wildlife purposes, to provide 65 percent Federal share pursuant to section 204, of engineering, design, and construction of Hatchtown dam in Garfield County and associated facilities to deliver supplemental project water from Hatchtown dam.] *The Secretary is authorized to utilize any unexpended budget authority provided in this title up to \$60,000,000 and such funds as may be provided by the Commission for fish and wildlife purposes, to provide 65 percent Federal share pursuant to section 204, to acquire water and water rights for project purposes including instream flows, to complete project facilities authorized in this title and title III, to implement water conservation measures, and for the engineering, design, and construction of Hatchtown Dam in Garfield County and associated facilities to deliver supplemental project water from Hatchtown Dam.* The District shall establish a viable minimum conservation pool in Hatchtown dam and shall ensure maintenance of viable instream flows in the Sevier River between Hatchtown dam and the Piute dam with the concurrence of the Commission and in consultation with the Division of Wildlife Resources of the State of Utah. The District shall comply with the provisions of section 202(a)(1) with respect to the features to be provided for in this subsection.