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AUTHORITY TO CONDUCT FEASIBILITY STUDIES

JUNE 28, 2007.—Ordered to be printed

Mr. BINGAMAN, from the Committee on Energy and Natural Resources, submitted the following

R E P O R T

[To accompany S. 542]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 542) to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in the State of Idaho, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE MEASURE

The purpose of S. 542 is to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in the State of Idaho, and for other purposes.

BACKGROUND AND NEED

The State of Idaho continues to experience the effects of a prolonged drought as well as tremendous growth and urbanization in the Boise and Payette River basins. Projected population growth will eventually over-extend existing groundwater supplies for these rapidly growing areas. In light of this and other water resource issues in the State, the Idaho House of Representatives issued Joint Memorial No. 24 in 2004, which "recognizes the need for additional water to meet Idaho's emerging needs and encourages Federal and State agencies to cooperate with Idaho in identifying and developing such water supply projects."

Under existing authorities, Reclamation initiated an assessment level water supply study specifically in the Boise and Payette ba-

sins. Stakeholders with wide representation from the State, Federal, agricultural, environmental, and municipal sectors participated in that study. The Boise/Payette Water Storage Assessment Report was completed in July 2006 and distributed to local, State, Federal, agricultural, environmental, and municipal parties. A feasibility study is now needed to complete a more in-depth analysis of the water supply alternatives necessary to meet future demands in Idaho.

LEGISLATIVE HISTORY

S. 542 was introduced by Senator Craig on February 8, 2007, and referred to the Committee on Energy and Natural Resources. The Subcommittee on Water and Power held a hearing on S. 542 on April 25, 2007. At its business meeting on May 23, 2007, the Committee on Energy and Natural Resources ordered S. 542 to be favorably reported.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on May 23, 2007, by voice vote of a quorum present, recommends that the Senate pass S. 542.

SECTION-BY-SECTION ANALYSIS

Section 1(a) authorizes the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct feasibility studies on appropriate projects that address water shortages within the Snake, Boise, and Payette River systems in Idaho.

Section 1(b) requires the studies to comply with Bureau of Reclamation policy standards and guidelines.

Section 1(c) authorizes $3,000,000 in appropriations to carry out the Act.

Section 1(d) terminates the authority contained in the Act on the date that is 10 years after the date of enactment.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

MAY 31, 2007.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 542, a bill to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in the state of Idaho, and for other purposes.

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

Sincerely,

PETER R. ORSZAG.

Enclosure.

S. 542—A bill to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in the state of Idaho, and for other purposes

S. 542 would authorize the Bureau of Reclamation to conduct feasibility studies to address water shortages within the Snake, Boise, and Payette River systems in Idaho. Assuming appropriation of the specified amount, CBO estimates that implementing S. 542 would cost $3 million over the 2008–2012 period. Enacting the bill would not affect direct spending or revenues.

S. 542 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandate Reform Act and would impose no costs on state, local, or tribal governments. The bill would authorize funding for studies that would benefit water agencies along river systems in the state of Idaho. Any costs they might incur to provide matching funds would result from complying with conditions of federal assistance.

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

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 542. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 542, as ordered reported.

EXECUTIVE COMMUNICATIONS

The testimony provided by the Bureau of Reclamation at the Subcommittee hearing on April 25, 2007 on S. 542 follows:

STATEMENT OF ROBERT JOHNSON, COMMISSIONER, BUREAU OF RECLAMATION, U.S. DEPARTMENT OF THE INTERIOR

I am Robert Johnson, Commissioner for the Bureau of Reclamation. I am pleased to be here today to provide the Department of the Interior's views on S. 542, legislation to authorize the Secretary to conduct feasibility studies to address water shortages within the Snake, Boise, and Payette River systems in Idaho.

Reclamation previously provided testimony on September 21, 2006, regarding the Administration's views on H.R. 2563 as referred to the Senate Energy and Natural Resources Committee, a bill equivalent to S. 542 introduced this Congress. Consistent with our testimony in the last Congress, we support S. 542.

The State of Idaho continues to experience the effects of a prolonged drought as well as tremendous growth and urbanization in the Boise and Payette River basins. Pro-

jected population growth will eventually over-extend existing ground water supplies for these rapidly growing areas. In light of this and other water resource issues elsewhere in the state, the Idaho State House of Representatives issued Joint Memorial No. 24 in 2004, which "recognizes the need for additional water to meet Idaho's emerging needs and encourages Federal and State agencies to cooperate with Idaho in identifying and developing such water supply projects."

Under existing authorities, Reclamation initiated an assessment level water supply study specifically in the Boise and Payette basins. Stakeholders with wide representation from the State, Federal, agricultural, environmental and municipal sectors participated in that study. The Final Boise/Payette Water Storage Assessment Report was completed in July 2006 and was distributed to local State, Federal, agricultural, environmental and municipal parties.

S. 542 would go the next step by authorizing Reclamation to conduct feasibility studies within the Snake, Boise, and Payette River systems. However, while the legislation provides authority for feasibility studies in the Snake River system, Reclamation's assessment report referenced in the legislation solely evaluated and identified projects for further consideration in the Boise and Payette River systems, thus limiting the scope of the bill's authorization.

Reclamation supports focused, basin-by-basin water resource studies with input and local involvement from the State and the stakeholder communities. We recognize the need to address projected water supply shortages in the Boise and Payette River systems, and look forward to doing so in partnership with future beneficiaries. We would welcome the opportunity to be an active partner in addressing these water supply issues with the State of Idaho and its water users. However, any studies conducted under this new authority would still need to compete with other needs within the Reclamation program for funding priority in the President's Budget.

This concludes my testimony. I am pleased to answer any questions.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 542, as ordered reported.

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