

Statement of Jack Garner
Acting Deputy Commissioner and Deputy Director of Operations
U.S. Bureau of Reclamation

Department of the Interior

On

H.R. 2925

Before the
Committee on Resources
Subcommittee on Water & Power
U.S. House of Representatives

September 27, 2005

Mr. Chairman, I am Jack Garner, Acting Deputy Commissioner and Deputy Director of Operations for the Bureau of Reclamation. I am pleased to appear for the Department of the Interior in support of H.R. 2925 which extends Title I of the Reclamation States Emergency Drought Relief Act of 1991 until the year 2010.

Title I provides authority for construction, management, and conservation measures to alleviate the adverse impacts of drought, including mitigation of fish and wildlife impacts. However, it must be recognized that groundwater wells are the only permanent construction authorized under the Act. All other Title I work must be of a temporary nature. No new Reclamation projects are authorized under Title I; Reclamation does not own, operate, or maintain projects funded under it. H. R. 2925 would simply extend the expiration date. The \$90 million ceiling in the law, initially authorized in 1991, is adequate for the foreseeable future.

Title I also provides Reclamation with the flexibility to meet contractual water deliveries by allowing acquisition of water to meet requirements under the Endangered Species Act, benefiting contractors at a time when they are financially challenged. Additionally, Title I authorizes Reclamation to participate in water banks established under state law; facilitate water acquisitions between willing buyers and willing sellers; acquire conserved water for use under temporary contracts; make facilities available for storage and conveyance of project and nonproject water; make project and nonproject water available for nonproject uses; and, acquire water for fish and wildlife purposes on a nonreimbursable basis.

Title I often helps smaller entities (towns, counties, and tribes) that do not have the financial capability to deal with the impacts of drought. In many cases, Reclamation is the "last resort" for these communities.

The Bureau of Reclamation has a long history of effective and responsive water management in good times and bad. While we consider ideas to make drought relief even more effective through improved interagency cooperation and other changes, we believe reauthorization of Title I is necessary. H.R. 2925 allows Reclamation the flexibility to continue delivering water to meet project purposes and environmental requirements, respect state water rights, and respond to stakeholders. This is why Reclamation supports H.R. 2925.

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