

Statement of Jack Garner  
Acting Deputy Commissioner and Deputy Director of Operations  
Bureau of Reclamation  
on H.R. 3418  
before the  
Subcommittee on Water and Power  
Committee on Resources  
House of Representatives

October 6, 2005

Mr. Chairman, my name is Jack Garner and I am Acting Deputy Commissioner of the Bureau of Reclamation. I am pleased to present the views of the Department of the Interior on H.R. 3418, concerning the Central Texas Water Recycling and Reuse Project in the State of Texas. The Administration cannot support this bill.

H.R. 3418 would amend the Reclamation Wastewater and Groundwater Study and Facilities Act (Public Law 102-575), to authorize the Secretary of the Interior, in cooperation with the City of Waco and other participating communities, to participate in the design, planning, and construction of permanent facilities to reclaim and reuse water in McLennan County, Texas.

In 1992, the Reclamation Projects Authorization and Adjustment Act (Public Law 102-575) became law. Title XVI of this Act, the Reclamation Wastewater and Groundwater Study and Facilities Act, authorized the construction of five water reclamation and reuse projects. Four of these projects are in California and the fifth is in Arizona. In addition, the Secretary was authorized to conduct research and to construct, operate, and maintain demonstration projects. The Bureau of Reclamation has been administering a cost-share program to fund these Title XVI activities since FY 1994.

In 1996, Public Law 104-266, the Reclamation Recycling and Water Conservation Act, was enacted. This Act amended Title XVI and authorized the Secretary to participate in the planning, design, and construction of 18 additional projects, including two desalination research and development projects. Since 1996, Title XVI has been amended several times and other specific pieces of legislation have been enacted such that there now are 29 projects authorized for construction in eight states, not including newly authorized projects in the Hawaii Water Resources Act of 2005.

While the Department strongly encourages local water recycling efforts, we oppose authorizing this additional water recycling project for the reasons described below.

The Department opposes authorizing additional construction projects prior to completion of feasibility studies to determine whether these particular projects warrant Federal funding. In general, Reclamation places priority on funding new projects that: (1) are economically justified and environmentally acceptable in a watershed context; (2) are not eligible for funding under another Federal program; and (3) directly address Administration priorities for the Reclamation program, such as reducing the demand on existing Federal water supply facilities.

The city of Waco has developed conceptual plans for this project. However, Reclamation has not reviewed this proposal, nor conducted an appraisal study. An appraisal study will be needed to determine if the preliminary work initiated by the city meets Reclamation's requirements and to evaluate the potential for a feasibility study according to Title XVI criteria. In that respect, until we have more information, we cannot comment on the merits of the project itself and therefore cannot support H.R. 3418.

The Department also opposes enactment of this legislation because authorizing new construction projects is likely to further burden on Reclamation's already strained budget. At current funding levels, it will take Reclamation more than 10 years to complete funding of the currently Title XVI authorized projects.

Finally, the Administration opposes the authorization of additional Title XVI projects because they go beyond the original purpose of the law, which was to support development of projects that demonstrated the feasibility of water reuse and recycling. Since the viability of this technology has been demonstrated, additional water reuse and recycling infrastructure clearly falls within the purview of state and local governments.

In summary, the Department encourages local water recycling efforts. However, for the reasons provided above, the Department cannot, at this time, support authorizing this new construction request.

Thank you for the opportunity to comment on H.R. 3418. This concludes my statement and I would be happy to answer any questions.