

TITLE 43 - PUBLIC LANDS
CHAPTER 12 - RECLAMATION AND IRRIGATION OF LANDS BY FEDERAL GOVERNMENT
SUBCHAPTER I - GENERAL PROVISIONS

§ 390h–4. Southern California comprehensive water reclamation and reuse study

(a) General authority

The Secretary is authorized to conduct a study to assess the feasibility of a comprehensive water reclamation and reuse system for Southern California. For the purpose of sections 390h to 390h–31 of this title, the term “Southern California” means those portions of the counties of Imperial, Los Angeles, Orange, San Bernadino,¹ Riverside, San Diego, and Ventura within the south coast and Colorado River hydrologic regions as defined by the California Department of Water Resources.

(b) Cooperation with State; Federal share

The Secretary shall conduct the study authorized by this section in cooperation with the State of California and appropriate local and regional entities. The Federal share of the costs associated with this study shall not exceed 50 per centum of the total.

(c) Report

The Secretary shall submit the report authorized by this section to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives not later than six years after appropriation of funds authorized by sections 390h to 390h–31 of this title.

Footnotes

¹ So in original. Probably should be “San Bernardino.”

(Pub. L. 102–575, title XVI, § 1606, Oct. 30, 1992, 106 Stat. 4665; Pub. L. 103–437, § 16(a)(2), Nov. 2, 1994, 108 Stat. 4594.)

Amendments

1994—Subsec. (c). Pub. L. 103–437 substituted “Natural Resources” for “Interior and Insular Affairs” before “of the House”.

Reuse of Waste Water

Pub. L. 102–580, title II, § 217, Oct. 31, 1992, 106 Stat. 4833, provided that:

“(a) In General.—The Secretary is authorized to provide assistance to non-Federal interests for carrying out projects described in subsection (c) for the beneficial reuse of waste water. Such assistance may be in the form of technical and planning and design assistance. If the Secretary is to provide any design or engineering assistance to carry out a project under this section, the Secretary shall obtain by procurement from private sources all services necessary for the Secretary to provide such assistance, unless the Secretary finds that—

“(1) the service would require the use of a new technology unavailable in the private sector; or

“(2) a solicitation or request for proposal has failed to attract 2 or more bids or proposals.

“(b) Non-Federal Share.—The non-Federal share of the cost of assistance provided under this section shall not be less than 25 percent, except that such share shall be subject to the ability of the non-Federal interest to pay, including the procedures and regulations relating to ability to pay established under section 103(m) of the Water Resources Development Act of 1986 [33 U.S.C. 2213 (m)].

“(c) Project Descriptions.—The projects for which the Secretary is authorized to provide assistance under subsection (a) are as follows:

“(1) Southern california comprehensive water reuse system.—

NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscpri.html>).

“(A) Description.—A regional water reuse system for Southern California to treat, store, and transfer water in order to provide a new increment of water supply for agricultural, municipal, industrial, and environmental needs of Southern California.

“(B) Cooperation.—The Secretary shall carry out this paragraph in cooperation with the State of California and appropriate local and regional entities.

“(C) Southern California defined.—For purposes of this paragraph, the term ‘Southern California’ means those portions of the counties of Imperial, Los Angeles, Orange, San Bernardino, Riverside, San Diego, Ventura, Santa Barbara, and San Luis Obispo, California, within the south coast, central coast, and Colorado River hydrologic regions as defined by the California Department of Water Resources.

“(2) San Diego area water reuse demonstration facilities.—Water reuse facilities (which are not inconsistent with facilities mandated by the United States District Court in San Diego, California) to develop advance technology for economically and environmentally sound alternative water supplies for the San Diego metropolitan area.

“(3) Santa Rosa water reuse projects.—

“(A) Description.—Water reuse projects for the city of Santa Rosa, California, to treat waste water and store such treated water for the purposes of providing new water supplies for agriculture, municipal, environmental, and other purposes and reducing the use of potable water supplies for purposes where treated waste water is a viable substitute.

“(B) Cooperation.—The Secretary shall carry out this paragraph in cooperation with the city of Santa Rosa, California, and other appropriate authorities.

“(4) Monterey County, California.—

“(A) Description.—Reduction of salt water intrusion into aquifers in the vicinity of Castroville, California, for the purposes of improving the water quality of Monterey Bay and enhancing long-term water supply in the area.

“(B) Cooperation.—The Secretary shall carry out this paragraph in cooperation with the Monterey Regional Water Pollution Control Agency and the Monterey County Water Resources Agency.

“(d) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section \$5,000,000. Such sums shall remain available until expended.”