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# **SPECIAL REPORT:** **House Energy & Water** **Appropriations and California** **Implications - July 2, 2001**

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On Thursday, June 28, by a vote of 405 to 15, the House passed the Energy and Water Development Appropriations for Fiscal Year 2002, H.R. 2311. The following is a quick analysis of the bill from a California perspective as prepared by the California Institute. We apologize for any errors or omissions in our discussion of these documents, and would appreciate any input/feedback on how to make improving corrections. The ordering of items generally reflects their presence in the bill does not mean to imply any relative importance.

## **GENERAL PROVISIONS**

The bill provides a total of \$23.7 billion in funding for the Bureau of Reclamation, the Army Corps of Engineers, the Department of Energy, and several other agencies. The bill is \$147.7 million above fiscal year 2001 and \$1.2 billion above the President's budget request.

For the Bureau of Reclamation, the bill provides funding of \$842.9 million, an increase of \$23.2 million over the President's request and \$26.3 million over last year.

The recommendation of \$18.7 billion for the Department of Energy is \$640.8 million over the President's request and \$444.2 million above fiscal year 2001. DOE science programs are funded at \$3.166 billion, an increase of \$6.5 million over the budget request and \$13.9 million below fiscal year 2001. High energy physics is funded at the request level of \$716.1 million. Nuclear physics is funded at \$361.5 million, an increase of \$1 million over the President's request level. Biological and environmental research is funded at \$445.9 million, an increase of \$2.9 million over the request. Funding for basic energy sciences is \$1 billion, an increase of \$2 million over the request level. The Advanced Scientific Computing Research initiative is funded at \$163 million, the same as the President's request. Fusion is funded at \$248.5 million, the same as the President's request.

## **CALFED BAY-DELTA ECOSYSTEM RESTORATION**

The bill does not provide any FY02 funding for the Bay-Delta project. The report contains the following language:

"The California Bay-Delta Ecosystem Restoration account funds the Federal share of ecosystem restoration and other activities being developed for the San Francisco Bay/Sacramento-San Joaquin Delta by a State and Federal partnership (CALFED). Federal participation in this program was authorized in the California Bay-Delta Environmental and Water Security Act enacted in the fall of 1996. That Act authorized the appropriation of \$143,300,000 for ecosystem restoration activities in each of fiscal years 1998, 1999, and 2000. Attempts to reauthorize the program last year were unsuccessful. Accordingly, no funds were provided in fiscal year 2001. The Committee remains very supportive of the efforts that have been taken in the State of California to develop this program, which will provide a safe, clean, and reliable water system for millions of people while improving the environment. However, for fiscal year 2002, the Committee has again recommended no funding in the absence of authorizing legislation for this multi-year, multi-billion dollar effort. The Committee is aware that authorizing legislation has been

introduced in the House and the Senate and will reconsider funding for the program as the bill moves through the appropriations process.”

## **DEPARTMENT OF DEFENSE - CIVIL**

### **CORPS OF ENGINEERS PROJECTS:**

- **Arroyo Seco Watershed** - \$100,000 for the Corps of Engineers to evaluate non-structural flood control management, opportunities for water quality improvement, and habitat restoration in the Arroyo Seco Watershed.
- **City of San Bernardino** - \$250,000 for the Corps of Engineers to initiate a feasibility study of flooding problems and environmental restoration opportunities in the City of San Bernardino, California.
- **City of Santa Clarita** - \$100,000 for the Corps to undertake a reconnaissance study of flood control improvements and environmental restoration opportunities in the City of Santa Clarita, California.
- **Coast of California, Los Angeles County** - \$400,000 for the Corps of Engineers to continue the feasibility phase of the study of long-term shoreline changes, as well as coastal processes information needed to plan and design future shore protection projects.
- **Huntington Beach, Coastal Bluff Erosion** - \$400,000 for preconstruction engineering and design for a project to correct a serious erosion problem of the coastal bluff adjacent to the Pacific Coast Highway in Huntington Beach.
- **Murrieta Creek** - The bill has included language in the bill which directs the Secretary of the Army to proceed with the Murrieta Creek project in accordance with the cost sharing established for the project in Public Law 106-377.
- **Newport Bay (LA-3 Site Designation Study)** - \$300,000 for the Corps of Engineers to complete monitoring studies to secure a permanent designation of the LA-3 Ocean Disposal Site.
- **Regional Conservation/Conjunctive Use Project** - \$200,000 for the Corps of Engineers to complete the reconnaissance and feasibility studies for the regional water conservation and recycling project within Placer County, El Dorado County, and the service area of the San Juan Water District.
- **Riverside County Special Area Management Plan** - \$2,000,000 for the Corps of Engineers to continue work on Special Area Management Plans for the San Jacinto and Santa Margarita watersheds.
- **Rock Creek-Keefer Slough Flood Control Project** - The Bill includes language which directs the Corps of Engineers to use the feasibility report prepared under the authority of section 205 of the Flood Control Act of 1948, as the basis for the Rock Creek-Keefer Slough Flood Control Project in Butte County, California, and provides \$200,000 for preconstruction engineering and design of the project.
- **San Diego County Special Area Management Plan** - \$1,000,000 for completion of the Otay River Watershed Special Area Management Plan and initiation of the San Luis Rey River Watershed plan.
- **San Diego County Shoreline** - \$750,000 to continue the study of the erosion of the City of Oceanside's beaches.
- **Santa Ana River and Tributaries, Big Bear Lake** - \$100,000 for the Corps of Engineers to undertake a reconnaissance study of environmental restoration, water quality, and related issues at Big Bear Lake, California.
- **Santa Barbara and Ventura County Shoreline** - \$100,000 for the Corps of Engineers to undertake a reconnaissance study of shoreline erosion problems in Santa Barbara and Ventura Counties.
- **Coastal Field Data Collection** - an additional \$1,000,000 for the Southern California Beach Process Study.
- **City of Santa Clarita** - \$2,000,000 for the Corps of Engineers to continue the study of perchlorate contamination and the planning for its removal within the Eastern Santa Clara River Basin in the City of Santa Clarita.
- **Kaweah River** - an additional \$2,000,000 for the Kaweah River project. The report also notes that the Committee is aware that the project sponsors have appropriated all their required funds for the entire project.
- **Lower Walnut Creek** - \$250,000 for the Corps of Engineers to conduct a General Reevaluation Report which will detail a new project alternative that incorporates riparian restoration goals with flood control objectives.

- **Petaluma River** - \$8,000,000 for the Corps of Engineers to continue construction of the Petaluma River, California, project, and reimburse the local sponsor for expenses in excess of the required cost sharing.

- **Sacramento River Deep Water Ship Channel** - The bill provides \$300,000 for the Corps of Engineers to continue the Limited Reevaluation Report for the Sacramento River Deep Water Ship Channel project.

- **Santa Ana River Mainstem** - \$10,000,000 for the Corps of Engineers to continue construction of Reach 3B of the San Timoteo Creek feature of the Santa Ana River Mainstem project.

- **San Lorenzo River** - \$3,490,000 to continue work on the San Lorenzo River project. The Committee report also states: "When the project authorization was modified in the Water Resources Development Act of 1999, it was the intent of Congress that the Corps of Engineers treat the modification as a seamless part of the original project, and that the bank erosion control portion of the project not be treated as a separate project subject to a separate new start decision."

- **Surfside-Sunset and Newport Beach** - \$3,800,000 to continue the stage 11 nourishment at Surfside-Sunset beach.

**SMALL NAVIGATION PROJECTS.** The Bill provides \$15,000,000 for the Section 107 program. Within the amount provided, the recommendation includes:

- \$250,000 to complete the feasibility phase for Pillar Point Harbor, California;
- \$330,000 for the project at Oyster Point Marina, California;
- \$1,500,000 to initiate construction of the Port Hueneme, California, project;
- \$1,500,000 to initiate and complete plans and specifications and initiate construction of the San Diego Bay Harbor Deepening project.

**PROJECT MODIFICATIONS FOR THE IMPROVEMENT OF THE ENVIRONMENT.** The Bill provides \$25,000,000 for the Section 1135 program. Within the amount provided, the recommendation includes:

- \$650,000 to initiate and complete plans and specifications and construction on the Bull Creek Channel Ecosystem Restoration, Sepulveda Flood Control Basin Restoration;
- \$1,745,000 for the Gunnerson Pond, Lake Elsinore project;
- \$100,000 to complete the preliminary restoration plan and initiate the feasibility study on Pillar Point Harbor;
- \$1,000,000 to initiate the feasibility study of the San Gabriel River Basin, Los Cerritos Wetlands Environmental Restoration;

**SMALL FLOOD CONTROL PROJECTS.** The Bill provides \$40,000,000 for the Section 205 program. Within the amount provided, the recommendation includes:

- \$113,000 to complete the detailed project report and initiate the feasibility study for Coyote Creek at Rock Springs, California;
- \$2,000,000 to initiate construction on the Magpie Creek, Sacramento project;
- \$200,000 to continue the detailed project report of Magpie Creek on McClellan Air Force Base;
- \$100,000 to continue the feasibility study of the City of Santa Clarita, Castaic Creek, Old Road Bridges project ;
- \$400,000 for the feasibility study of Anaverde Creek, Palmdale;
- \$375,000 for the City of Whittier project;
- \$300,000 for the City of Norwalk project;
- \$100,000 to initiate a feasibility study for flood control at Huntington Beach;
- \$200,000 to initiate the detailed project report for Contra Costa Canal (Rock Slough), Oakley and Knightsen;
- \$200,000 to initiate the detailed project report for Mallard Slough, Pittsburg;
- \$650,000 to determine Federal interest, design, and reconstruct the Santa Venetia Pump Replacement, California, project;

**AQUATIC ECOSYSTEM RESTORATION.** The Bill provides \$20,000,000 for the Section 206 program. Within the amount provided, the recommendation includes:

- \$225,000 to initiate the feasibility study for the Santa Clara Basin Watershed Management Initiative;
- \$100,000 for the Arundo Donax, Santa Clara River, Santa Clarita project;
- \$450,000 for the Delta Science Center, California; and
- \$500,000 for the Huntington Beach Aquatic Restoration project.

**AQUATIC PLANT CONTROL PROGRAM.** Within the amount provided for the Aquatic Plant Control Program \$150,000 is for the eradication of aquatic weeds in Clear Lake, California.

#### GENERAL INVESTIGATIONS

Project Title	House Allowance	
	Investigations	Planning
Aliso Creek Mainstem	\$200,000	
American River Watershed		\$2,500,000
Arroyo Pasajero		20,000
Arroyo Pasajero	480,000	
Arroyo Seco Watershed	100,000	
Balinas Lagoon Ecosystem Restoration		750,000
City of San Bernardino	250,000	
City of Santa Clarita	100,000	
City of Westminster Flood Control Drainage Study	100,000	
Coast of CA, Los Angeles County	400,000	
Huntington Beach Coastal Bluff Erosion		400,000
Laguna De Santa Rosa	200,000	
Llagas Creek		500,000\
Los Angeles County	350,000	
Los Angeles Harbor Main Channel Deepening		2,600,000
Los Angeles River Watercourse Improvement	100,000	
Lower Mission Creek		150,000
Malibu Creek Watershed	200,000	
Marin County Shoreline, San Clemente Creek	50,000	
Marina del Ray and Ballona Creek	400,000	
Matilija Dam	523,000	
Middle Creek		300,000
Mojave River Forks Dam	200,000	
Morro Bay Estuary	400,000	
Mugu Lagoon	250,000	
Murrieta Creek		1,000,000
No.CA Streams, Dry Creek, Middletown	150,000	
No.CA Streams, Lower Cache Creek, Yolo County	568,000	
No.CA Streams, Lower Sacto River Riparian Revegetation	100,000	
Napa River, Salt Marsh Restoration	300,000	
Napa Valley Watershed Mgmt	250,000	
Newport Bay Harbor		600,000
Newport Bay (LA-3 Site Designation Study)	300,000	
Newport Bay/San Diego Creek Watershed	450,000	
Orange County, Santa Ana River Basin	200,000	
Orange County, Coast Beach Erosion	400,000	
Orange County Special Area Mgmt Plan	139,000	
Pajaro River at Watsonville		1,000,000
Pajaro River Basin Study	50,000	
Peninsula Beach City of Long Beach	200,000	
Pine Flat Dam, Fish & Wildlife Habitat Restoration		400,000
Port of Stockton	200,000	

Poso Creek	200,000	
Rancho Palos Verdes		100,000
Regional Conservation/Conjunctive Use Project	200,000	
Riverside County Special Area Mgmt Plan	2,000,000	
Rock Creek - Keefer Slough		200,000
Russian River Ecosystem Restoration	300,000	
Sacramento-San Joaquin Delta	300,000	
Sacramento and San Joaquin Comprehensive Basin Study	5,500,000	
San Bernardino County	200,000	
San Clemente Shoreline	400,000	
San Diego County Special Area Mgmt Plan	1,000,000	
San Diego County Shoreline	750,000	
San Francisco Bay	300,000	
San Gabriel River to Newport Bay	400,000	
San Jacinto River	300,000	
San Joaquin River Basin, Stockton Metro Area, Farmington		200,000`
San Joaquin River Basin, Consumnes & Mokelumne Rivers	350,000	
San Joaquin River Basin, Frazier Creek	100,000	
San Joaquin River Basin, Stockton Metro Area		100,000
San Joaquin River Basin, Stockton Metro Area	50,000	
San Joaquin River Basin, Tuolumne River	350,000	
San Joaquin River Basin, West Stanislaus County	500,000	
San Juan Creek, South Orange County	100,000	
San Luis Obispo	100,000	
San Pablo Bay Watershed	300,000	
Santa Ana River and Tribs., Big Bear Lake	100,000	
Santa Barbara and Ventura County Shoreline	100,000	
Santa Rosa Creek Watershed	300,000	
Santa Ynez River	100,000	
Solono Beach - Encinitas	400,000	
Sonoma Creek & Tributaries	300,000	
South Sacramento County Streams		100,000
Strong and Chicken Ranch Sloughs	75,000	
Sutter County	300,000	
Tijuana River Environmental Restoration	200,000	
Tule River		770,000
Upper Guadalupe River	300,000	
Upper Penitencia Creek	400,000	
Upper Santa Ana River Watershed	200,000	
Ventura Harbor Sand Bypass	400,000	
Westminster	300,000	
Westside Tributaries to Yolo Bypass		50,000
White River and Deep Creek	25,000	
Whitewater River Basin		1,000,000
Yuba River Basin		780,000

#### OPERATIONS AND MAINTENANCE

**Bodega Bay, California** - \$1,800,000 for the preparation of an upland disposal site for the dredging of the Bodega Bay project.

**Isabella Lake** - The report states that the Committee expects the Corps of Engineers to use funds appropriated in the Act to conduct the measures required by the June 14, 2000, Biological Opinion issued by the U.S. Fish and Wildlife Service, with respect to long-term operation

of Isabella Reservoir, Kern County, California. The Committee further expects the Corps of Engineers to identify the least costly actions available, including, whenever possible, the utilization of partnerships with other Federal and non-Federal agencies and organizations, so that the Corps can continue to operate and maintain Isabella Dam and Reservoir for flood control and water conservation purposes as provided in the October 23, 1964, contract among the United States of America and various public agencies.

**Los Angeles County Drainage Area** - an additional \$2,000,000 to grade and maintain the basin within Hansen Dam to enhance and maintain flood capacity and to provide for future use of the basin for compatible purposes consistent with the Master Plan, including recreation and environmental restoration on the Los Angeles County Drainage Area project.

**Moss Landing Harbor** - \$2,500,000 for maintenance dredging of the Federal channel in Moss Landing Harbor, California.

**Redwood City Harbor** - \$2,000,000 for maintenance dredging of Redwood City Harbor.

**San Francisco Bay, Long Term Management Strategy** - \$200,000 to continue the development of a long term strategy for the disposal of dredged material for the San Francisco Bay area.

**San Francisco Harbor and Bay (Drift Removal)** - An additional \$134,000 for debris removal activities in San Francisco Bay and Harbor.

**San Francisco Harbor** - An additional \$199,000 for maintenance dredging of San Francisco Harbor.

**San Joaquin River** - An additional \$2,802,000 for maintenance dredging on the San Joaquin River project.

**Ventura Harbor** - An additional \$1,165,000 for repairs of the South Beach Groin on the Ventura Harbor project.

#### **OPERATIONS AND MAINTENANCE, GENERAL**

<b>Project Title</b>	<b>House Allowance</b>
Black Butte Lake	\$1,952,000
Bodega Bay	1,800,000
Buchanan Dam, HV Eastman Lake	1,725,000
Channel Islands Harbor	40,000
Coyote Valley Dam, Lake Mendocino	3,537,000
Dry Creek (Warm Springs) Lake and Channel	4,604,000
Farmington Dam	299,000
Hidden Dam, Hensley Lake	1,687,000
Humboldt Harbor and Bay	3,516,000
Inspection of Completed Works, CA	1,171,000
Isabella Lake	1,476,000
Los Angeles - Long Beach Harbor Model	170,000
Los Angeles - Long Beach Harbors	3,200,000
Los Angeles County Drainage Area	6,691,000
Marina del Ray	40,000
Merced County Streams	314,000
Mojave River Dam	273,000
Morro Bay Harbor	3,860,000
Moss Landing Harbor	2,500,000
New Hogan Lake	1,922,000
New Melones Lake, Downstream Channel	1,573,000
Newport Bay Harbor	40,000
Oakland Harbor	10,127,000
Oceanside Harbor	1,270,000
Petaluma River	2,500,000
Pillar Point Harbor	200,000
Pine Flat Lake	2,443,000
Port Hueneme	40,000
Project Condition Surveys, CA	1,224,000

Redwood City Harbor	2,000,000
Richmond Harbor	4,389,000
Sacramento River (30 Foot Project)	1,964,000
Sacramento River & Tribs Debris Control	1,766,000
Sacramento River Shallow Draft Channel	132,000
San Diego Harbor	140,000
San Diego River and Mission Bay	40,000
San Francisco Bay, Delta Model Structure	1,700,000
San Francisco Bay Long Term Mgmt Strategy	200,000
San Francisco Harbor and Bay (Drift Removal)	2,500,000
San Francisco Harbor	2,700,000
San Joaquin River	3,800,000
San Rafael Creek	1,800,000
Santa Ana River Basin	3,537,000
Santa Barbara Harbor	2,020,000
Scheduling Reservoir Operations, CA	1,504,000
Success Lake	1,969,000
Suisun Bay Channel	1,635,000
Terminus Dam, Lake Kaweah	1,747,000
Ventura Harbor	4,145,000
Yuba River	102,000

#### GENERAL PROVISIONS - CORPS OF ENGINEERS

- The Committee has included language which amends the authorization for the San Gabriel Basin Restoration program so that the San Gabriel Water Authority shall receive credit for prior expenditures.

- Initially, the bill as reported by the Appropriations Committee included language which directed the Secretary of the Army to include an alternatives analysis of a multipurpose Auburn Dam as part of the American River watershed long-term study. The Rules Committee adopted a rule, prior to floor consideration, stripping the bill of this provision.

#### DEPARTMENT OF THE INTERIOR - BUREAU OF RECLAMATION

##### WATER AND RELATED RESOURCES

- **Central Valley Project, American River Division** - The bill includes \$3,500,000 for the Bureau of Reclamation to reimburse the City of Folsom, California, for costs associated with the replacement of the Natoma Pipeline System, which is owned and operated by the Bureau of Reclamation, and is the single water supply source for the City.

- **Central Valley Project, East Side Division** - An additional \$2,400,000 for water and sewer system up-grades and a visitor capacity study at New Melones Lake.

- **Central Valley Project, Miscellaneous Project Programs** - Within the amounts provided for the Central Valley Project, Miscellaneous Project Program, and the Central Valley Project Restoration Fund, the report states that the Committee expects the Bureau of Reclamation to completely fulfill its obligations under the San Joaquin River Agreement, including "the timely payment to non-Federal parties to the Agreement."

**Central Valley Project, Sacramento River Division** - \$7,371,000 for the Resources Management activity of the Sacramento River Division of the Central Valley Project, \$3,300,000 above the budget request. Of the amount provided:

- \$2,000,000 is for the Glenn-Colusa Irrigation District (GCID) Fish Screen Improvement Project;

- \$1,000,000 is for detailed, site-specific environmental assessment and permitting work associated with Sites Reservoir, including an evaluation of both the GCID Main Canal and the Tehama-Colusa Canal as a means to convey water to the proposed reservoir; and

- \$300,000 is for the Colusa Basin Drainage District's Integrated Resources Management Plan for critical flood control, conjunctive use, and waterfowl habitat activities.

**Groundwater Replenishment System Project, California** - An additional \$1,200,000 for the Groundwater Replenishment System project. This project was previously known as the Orange County Regional Water Reclamation project.

**Lake Tahoe Regional Wetlands Development** - \$2,000,000 for the Tahoe Airport Stream restoration project and \$1,500,000 for the project to restore Third and Incline Creeks.

**Los Angeles Area Water Reclamation and Reuse Project** - The bill includes \$740,000 to continue the Los Angeles Area Water Reclamation and Reuse project.

**Mission Basin Brackish Groundwater Desalting Demonstration Project** - \$400,000 for the Bureau of Reclamation to continue work on the Mission Basin Brackish Groundwater Desalting Demonstration project.

**CENTRAL VALLEY PROJECT RESTORATION FUND**

Appropriation, 2001 .....	\$38,360,000
Budget Estimate, 2002 .....	55,039,000
Recommended, 2002 .....	55,039,000

The Central Valley Project Restoration Fund was authorized in Title 34 of Public Law 102– 575, the Central Valley Project Improvement Act. This Fund was established to provide funding from project beneficiaries for habitat restoration, improvement and acquisition, and other fish and wildlife restoration activities in the Central Valley Project area of California. Revenues are derived from payments by project beneficiaries and from donations. Payments from project beneficiaries include several required by the Act (Friant Division surcharges, higher charges on water transferred to non-CVP users, and tiered water prices) and, to the extent required in appropriations Acts, additional annual mitigation and restoration payments. For fiscal year 2002, the bill provides \$55,039,000, the same as the budget request.

- **Glenn-Colusa Irrigation District Fish Screen Improvement Project.** In addition to the funds provided under the Central Valley Project, Sacramento River Division, the bill provides \$2,000,000 from within funds made available through the Central Valley Project Restoration Fund for the Bureau of Reclamation to continue work on the Glenn-Colusa Irrigation District Fish Screen Improvement Project.

- **Anadromous Fish Screen Program.** The report states that the Committee expects the Bureau of Reclamation to use up to \$12,000,000 for the Anadromous Fish Screen program to continue work on the American Basin Fish Screen and Habitat Improvement Project (Natoma Mutual Water Company) as well as the fish screen projects being undertaken by the Setter Mutual Water Company and Reclamation District 108.

- **San Joaquin River Restoration Program.** The report states that the Committee intends that within the funds provided through the Central Valley Project Restoration Fund in fiscal year 2001, the \$5,000,000 made available to the San Joaquin River Restoration Program remains available for that purpose until expended.

**BUREAU OF RECLAMATION PROJECTS**

Water Project Title	House Allowance	
	Resources Mgmt	Facilities
Cachuma Project	\$ 640,000	\$ 426,000
California Investigations Programs	1,000,000	
Calleguas Municipal Water District Recycling Plant	1,800,000	
Central Valley Project:		
American River Division	5,887,000	10,996,000
Auburn-Folsom South Unit	1,947,000	
Delta Division	12,182,000	5,053,000
East Side Division	604,000	6,030,000
Friant Division	2,103,000	2,923,000
Misc. Project Programs	12,637,000	879,000



Replacements, Additions, & Extraordinary Maint.		11,000,000
Sacramento River Division	7,371,000	1,682,000
San Felipe Division	447,000	
San Joaquin Division	1,280,000	
Shasta Division	2,456,000	7,025,000
Trinity River Division	7,751,000	5,380,000
Water and Power Operations	900,000	7,322,000
West San Joaquin Division, San Luis Unit	4,375,000	6,417,000
Yield Feasibility Investigation	1,500,000	
Lake Tahoe Regional Wetlands Development	3,500,000	
Long Beach Area Water Reclamation & Reuse Project	1,800,000	
Long Beach Desalination Project	2,000,000	
Los Angeles Area Water Reclamation & Reuse Project	740,000	
Mission Basin Brackish Groundwater Desalting Demo	400,000	
No. San Diego County Area Water Recycling Project	3,000,000	
North Sonoma County Water Reuse Study	500,000	
Groundwater Replenishment System	3,000,000	
Orland Project		410,000
Salton Sea Research Project	3,500,000	
Sacramento River Diversion Study	5,000,000	
San Diego Area Water Recycling Program	6,000,000	
San Gabriel Basin Project	1,800,000	
San Jose Water Reclamation and Reuse Program	4,500,000	
Solano Project	1,210,000	1,149,000
Southern California Investigations Program	875,000	

#### MISCELLANEOUS PROVISIONS

Language has been provided under General Provisions in section 201 which provides that none of the funds appropriated in this Act may be used by the Bureau of Reclamation to issue permits, either directly or by making funds available to an entity under a contract, for commercial rafting activities within the Auburn State Recreation Area, California, until the requirements of the National Environmental Policy Act and the Federal Water Pollution Control Act are met. The Committee has included language in section 202 which amends the authorization for the American and Sacramento Rivers project.

Language has been included under General Provisions prohibiting the use of funds to determine the point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of Interior and the State of California of a plan to minimize the impact of drainage waters, and directing the Secretary of Interior to classify the costs of the Kesterson Reservoir Cleanup program and San Joaquin Valley Drainage Program as reimbursable or nonreimbursable.

Language has been included stating that the San Gabriel Basin Water Quality Authority shall be responsible for providing the required non-Federal amount. The State of California, local government agencies, and private entities may provide all or any portion of such amount: "Provided, That the Secretary shall credit the San Gabriel Water Quality Authority with the value of all prior expenditures by the non-Federal interests that are compatible with the purposes of this Act."

#### DEPARTMENT OF ENERGY

Overall, the \$23.7 billion bill was funded at \$147.7 million above the FY01 level. The lion's share of the additional funding in the bill has been directed toward DOE defense nuclear programs, including an additional \$42 million to address infrastructure issues at the Department's science labs and nuclear weapons complex. Corps of Engineers projects are funded substantially below the FY01 levels and Bureau of Reclamation projects are funded slightly above the FY01 levels.

### **DOE Science**

DOE science programs were funded at \$3.166 billion, a \$6.5 million increase over FY 01 funding levels. High energy physics, and Advanced Scientific Computing were also funded at the President's requested level while Nuclear Physics, Biological and Environmental research and Basic Energy Sciences were each funded at a million or two above the President's request. California receives a significant portion of DOE Science funding.

### **High Energy Physics**

The House bill recommends \$716 million for high energy physics, the same as the President's budget request and \$10 million less than FY2001. For research and technology in high energy physics, the bill includes the requested level of \$247.9 million, an increase of \$13.2 million from FY 2001. The \$456.8 million for facility operations includes \$125,078,000 for the Stanford Linear Accelerator Center.

### **Fusion**

The House bill includes \$248.5 million for fusion energy sciences, a decrease of \$6.5 million from the FY 2001 level. The following language is included: "The Committee concurs with the National Energy Policy's assessment of the potential for fusion energy, but funding constraints prevent additional research funding at this time. The Committee has also provided \$25,000,000 in the inertial confinement fusion program for high average power lasers which is complementary to the work performed in fusion energy sciences." Later the bill notes that, "The Committee is disappointed that the Department has not yet supported this activity despite recommendations by the Fusion Energy Science Advisory Committee and the Secretary of Energy's Advisory Board and the continuing progress of the research."

Under a separate account, the House bill recommends \$492,943,000 for the inertial confinement fusion program, an increase of \$25,000,000 over the budget request. California receives a substantial share of DOE science and fusion funding.

### **National Ignition Facility**

The bill provides the President's requested level of \$245 million for the National Ignition Facility, which is currently under construction at the Lawrence Livermore National Laboratory. The NIF uses ultra high-powered lasers to concentrate energy in a manner which replicates the energy in the sun or in an atomic weapon, permitting scientists to maintain the nation's nuclear stockpile without violating the nuclear test ban treaty.

The report notes that the Department of Energy considers the NIF project to be "back on track." Report language states that, "While the Department has stated that the NIF is back on track, a recent General Accounting Office (GAO) follow-up review of NIF expressed some continuing concerns. GAO notes that, while past internal reviewers have concluded that NIF's mile-stones are challenging but doable, most major performance mile-stones will not occur until 2004, and some reviewers have recommended that more near-term milestones be added to assess laser performance. Other issues that GAO believes continue to place NIF at risk are: persistent DOE oversight problems (i.e., the same people have performed oversight since 1999 when NIF's cost and schedule grew unnoticed); the NIF project does not manage about \$700 million in research and development that directly support NIF; and NIF still lacks an independent external review process. The Committee expects the Department to address these concerns in an expeditious manner."

On June 28, 2001, by a vote of 91 to 331, the House rejected an amendment proposed by Rep. Dennis Kucinich (OH) to sharply reduce funding for NIF.

### **National Energy Policy**

The report contains the following language:

"The Secretary should place priority on those actions that can alleviate the electricity shortage that is especially acute in the West. In particular, the Secretary should expedite reviews of Path 15 in California and other transmission constraints, the projected financing needs of the Bonneville Power Administration, and projected needs of the other Federal power marketing administrations."

### **National Lab Safety**

The House report specifies that ten DOE laboratories, including Lawrence Berkeley Lab and the Stanford Linear Accelerator Center, should switch from internal self-regulation to external regulation respect to nuclear safety and worker safety.

**RENEWABLE ENERGY TECHNOLOGIES**

- **Geothermal technology development** - \$27,000,000 for geothermal technology development, an increase of \$13,100,000 over the budget request and the same as the fiscal year 2001 funding level. The report states that: the Committee “is particularly concerned about preserving a strong knowledge base on geothermal energy in the university community. The budget request, however, proposed to reduce university research on geothermal technologies by over 80 percent. Therefore, the Committee recommendation includes sufficient funding in the geothermal technology development account to maintain university research on geothermal technologies at the fiscal year 2001 funding level of \$2,600,000. The Committee recommendation also includes \$2,000,000 in final funding for the Lake County Basin geothermal project in California.”

**NON-DEFENSE ENVIRONMENTAL MANAGEMENT**

The recommendation for post 2006 completion is \$115,753,000, a decrease of \$4,300,000 from the budget request of \$120,053,000. Additional funding of \$3,700,000 has been provided to maintain the cleanup activities at the Energy Technology Engineering Center in California consistent with fiscal year 2001.

**DOE - OFFICE OF THE ADMINISTRATOR OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION (NNSA)** - provides corporate planning and oversight for Defense Programs, Defense Nuclear Nonproliferation, and Naval Reactors, including the NNSA field offices in New Mexico, Nevada, and California. The Committee recommendation is \$10,000,000, a reduction of \$5,000,000 from the budget request, and \$22,000 more than fiscal year 2001.