

HR 125

To authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, California, and for other purposes.

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Water Resources Development

Introduced: Jan 4, 2005

Current Status: Referred to the Committee on Energy and Natural Resources.

Latest Action: Referred to the Committee on Energy and Natural Resources. (Jul 17, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/125>

Sponsor

Name: Rep. Issa, Darrell E. [R-CA-49]

Party: Republican • **State:** CA • **Chamber:** House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Calvert, Ken [R-CA-44]	R · CA		Jan 4, 2005

Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	House	Referred to	Jan 27, 2005
Energy and Natural Resources Committee	Senate	Referred To	Jul 18, 2006
Environment and Public Works Committee	Senate	Discharged From	Jul 18, 2006
Natural Resources Committee	House	Discharged from	May 18, 2005

Subjects & Policy Tags

Policy Area:

Water Resources Development

Related Bills

No related bills are listed.

(Sec. 2) Authorizes the Secretary of the Interior (the Secretary) to construct, operate, and maintain the Santa Margarita River Project in accordance with the final feasibility report and this Act.

Authorizes Project construction only after the Secretary determines that: (1) the Fallbrook Public Utility District, San Diego County (District), has entered into a contract to repay to the United States appropriate portions of the costs of constructing, operating, and maintaining the Project, with interest; (2) the authorized California officer or agency has granted water use permits to the Bureau of Reclamation for the benefit of the Department of the Navy and the District; (3) the District has agreed that it will not assert against the United States any prior right to water in excess of the quantity deliverable under this Act and will share water based on equal priority and a specified ratio; and (4) the Secretary has determined that the Project has economic, environmental, and engineering feasibility.

(Sec. 3) Shields the Department of the Navy (the Department) from responsibility for any costs in connection with the Project, except upon completion and then in reasonable proportion to its use of the Project under regulations agreed upon by the Secretary and the Secretary of the Navy.

(Sec. 4) Permits operation of the Project by the Secretary, the District, or a third party consistent with this Act.

Requires the Department and the District to participate in the Project yield on the basis of equal priority, with 60% of the Project's yield allotted to the Navy Secretary and 40% allotted to the District. Provides that if the Navy Secretary certifies that the Department does not have immediate need for its portion, the administering official may enter into temporary contracts for the sale and delivery of excess water. Allows the rights and obligations of the United States and the District regarding the ratio or amounts of Project yield delivered to be modified by agreement between the parties. Requires moneys paid to the United States under such a contract to be deposited in the special account established for the Department.

(Sec. 5) Requires the District's general repayment obligation to be determined by the Secretary consistent with the Water Supply Act of 1958. Provides that there shall be no repayment obligation for water delivered to the District under a contract for delivery of excess water.

(Sec. 6) Authorizes the Secretary to transfer to the District or a mutually agreed upon third party the care, operation, and maintenance of the Project under conditions satisfactory to the Secretary and the District (and the Navy Secretary with respect to the portion located within the boundaries of Camp Pendleton). Entitles the District, if such a transfer takes place, to an equitable credit for the costs associated with the Secretary's proportionate share of the Project's operation and maintenance.

(Sec. 7) Provides that the basis, measure, and limit of all U.S. rights pertaining to the use of water shall be California law.

(Sec. 8) Requires, unless otherwise agreed by the Navy Secretary, that the Project be operated in a manner which: (1) allows the free passage of all of the water the United States is entitled to use under California law either as a result of its acquisition of the lands comprising Camp Joseph H. Pendleton and adjoining naval installations or through actual use or prescription; and (2) does not impair or deplete the quantities of water the United States would be entitled to use had the Project not been built.

(Sec. 9) Authorizes appropriations to construct, operate, and maintain the Project.

(Sec. 10) Directs the Secretary and the Navy Secretary to each report to Congress periodically regarding if and how the conditions for Project construction have been met.

(Sec. 11) Terminates the Secretary's authority to complete Project construction 10 years after this Act's enactment.

Actions Timeline

- **Jul 17, 2006:** Senate Committee on Environment and Public Works discharged by Unanimous Consent.(consideration: CR S7626)
- **Jul 17, 2006:** Senate Committee on Environment and Public Works discharged by Unanimous Consent. (consideration: CR S7626)
- **Jul 17, 2006:** Referred to the Committee on Energy and Natural Resources.
- **Dec 14, 2005:** Received in the Senate and Read twice and referred to the Committee on Environment and Public Works.
- **Dec 13, 2005:** Mrs. Drake moved to suspend the rules and pass the bill, as amended.
- **Dec 13, 2005:** Considered under suspension of the rules. (consideration: CR H11441-11442)
- **Dec 13, 2005:** DEBATE - The House proceeded with forty minutes of debate on H.R. 125.
- **Dec 13, 2005:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H11441-11442)
- **Dec 13, 2005:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H11441-11442)
- **Dec 13, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 16, 2005:** Reported (Amended) by the Committee on Resources. H. Rept. 109-297, Part I.
- **Nov 16, 2005:** Reported (Amended) by the Committee on Resources. H. Rept. 109-297, Part I.
- **Nov 16, 2005:** Committee on Armed Services discharged.
- **Nov 16, 2005:** Committee on Armed Services discharged.
- **Nov 16, 2005:** Placed on the Union Calendar, Calendar No. 164.
- **May 18, 2005:** Committee Consideration and Mark-up Session Held.
- **May 18, 2005:** Ordered to be Reported in the Nature of a Substitute (Amended) by Unanimous Consent.
- **May 18, 2005:** Subcommittee on Water and Power Discharged.
- **Feb 3, 2005:** Referred to the Subcommittee on Water and Power.
- **Jan 27, 2005:** Executive Comment Requested from DOD.
- **Jan 27, 2005:** Referred to the Subcommittee on Readiness.
- **Jan 4, 2005:** Introduced in House
- **Jan 4, 2005:** Introduced in House
- **Jan 4, 2005:** Referred to the Committee on Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
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