

BASES FOR DETERMINING SPECIFIC LEGISLATIVE AUTHORITIES

The San Luis Act of June 3, 1960, Public Law 86-488, 74 Stat. 156, provides authority for the construction of the San Luis Unit of the Central Valley project. It states in section 1 that the Secretary of the Interior:

"... is authorized to construct, operate, and maintain the San Luis unit as an integral part of the Central Valley project. The principal engineering features of said unit shall be a dam and reservoir at or near the San Luis site, a forebay and afterbay, the San Luis Canal, the Pleasant Valley Canal, and necessary pumping plants, distribution systems, drains, channels, levees, floodworks, and related facilities. . . ."

Section 1 of the Act also states that:

"Construction of the San Luis unit shall not be commenced until the Secretary has . . . received satisfactory assurance from the State of California that it will make provision for a master drainage outlet and disposal channel for the San Joaquin Valley, as generally outlined in the California water plan, Bulletin Numbered 3, of the California Department of Water Resources, which will adequately serve, by connection therewith, the drainage system for the San Luis unit, or has made provision for constructing the San Luis interceptor drain to the delta designed to meet the drainage requirements of the San Luis unit as generally outlined in the report of the Department of the Interior, entitled 'San Luis Unit Central Valley Project,' dated December 17, 1956."

Section 8 of the Act states that there is:

"... authorized to be appropriated for construction of the works of the San Luis unit, including joint-use facilities, authorized by this Act, other than distribution systems and drains, the sum of \$290,430,000, plus such additional amount, if any, as may be required by reason of changes in costs of construction of the types involved in the San Luis unit as shown by engineering indexes. . . . There are also authorized to be appropriated, in addition thereto, such amounts as are required (a) for construction of such distribution systems and drains as are not constructed by local interests, but not to exceed in total cost the sum of \$192,650,000, . . ."

Section 8 of the Act also requires that the contract for the construction of distribution systems and drains shall provide "for complete

repayment of the distribution systems and drains within a period of forty years from the date such works are placed in service."

When a law is in some respect unclear, it is necessary to examine its legislative history for guidance as to congressional intent. This includes congressional committee reports, committee hearings, and floor debates in each House of the Congress. Where an administrative report is considered by the Congress in its deliberations on proposed legislation, it may be used to reveal the meaning of the provisions or terms in question.

A "Report On The Feasibility Of Water Supply Development, San Luis Unit, Central Valley Project, California," was prepared by the Regional Director, Sacramento Region, and transmitted to the Commissioner of Reclamation on May 19, 1955. This report provided a description of the basic project plan as conceived by the Bureau and demonstrates its engineering and economic feasibility.

The introduction to the report states as follows:

"1. This report . . . on a proposed San Luis Unit of the Central Valley Project, California, outlines a plan to provide supplemental irrigation water to an area of about 496,000 acres on the west side of the San Joaquin Valley in California plus a small amount of municipal water for nearby communities. Water supply facilities proposed in the report would serve to supplement and improve an existing supply obtained from ground-water sources that are being extensively overdrawn. The project works, in addition to the Central Valley Project, involve an estimated Federal cost of \$229,143,000. This report demonstrates that the proposed development has engineering and economic feasibility and that the costs of the Unit operated as an integral part of the Central Valley Project, can be recovered in accordance with the Federal Reclamation Law. Under certain conditions, the report recommends authorization and construction of the Unit."

The Congress was furnished with a report by the Secretary of the Interior on December 17, 1956. This report, including the Feasibility Report and the Secretary's report to the President dated August 1, 1956, was considered in deliberations which led to the enactment of the San Luis Act (H.R. Report No. 399, 86th Cong., 1st Sess. 4 [1959]). Accordingly, characterizations and descriptions contained in the Feasibility Report and the report to the President may