

CALIFORNIA BAY-DELTA PROGRAM FUNDING

The provisions of the California Bay-Delta Enhancement and Water Security Act were incorporated into Public Law 104-208, the Omnibus Consolidated Appropriations for fiscal year 1997. Title XI of this Act authorizes \$429,900.00 for fiscal years 1998 through 2000 for Federal activities and support of the program.

H.R. 4126, to support the California-Federal Bay-Delta Program in developing, funding and implementing a balanced, long-term solution to the problems of ecosystem quality, water supply and reliability, and system vulnerability affecting the San Francisco Bay/Sacramento San Joaquin Delta Watershed in California was enacted as part of Public Law 104-208 and Public Law 104-333.

Public Law 104-333 (11/12/96)

TITLE XI - CALIFORNIA BAY-DELTA ENVIRONMENTAL ENHANCEMENT

SEC. 1101. PROGRAM FUNDING

(A) AUTHORIZATION OF APPROPRIATIONS—For the fiscal year each of the fiscal years 1998, 1999 and 2000 the fiscal year 2001, there is authorized to be appropriated an additional \$ \_\_\_\_\_ (the remainder of the \$ 430 million not yet appropriated) for: both the following:

- (1) the initial Federal share of the cost of developing and implementing that portion of an ecosystem protection plan for the Bay Delta, referred to as the Category III program, emanating out of the document entitled "Principles for Agreement on Bay-Delta Standards between the State of California and the Federal Government", dated December 15, 1994, and

The Federal share of the cost of early implementation projects and the first year of Stage I of the CALFED Bay/Delta Program implementation plan. The CALFED Program elements to be funded include ecosystem restoration, water quality, levee stability, water use efficiency, watershed management, and water supply reliability activities consistent with CALFED's Integrated Storage Investigation and Water Management Strategy. These activities include investigations and pilot projects of groundwater storage and conjunctive management as well as programmatic pre-

feasibility level investigations of surface water storage and potential re-operation of hydropower facilities.

CALFED shall allocate two-thirds of the funds appropriated under this authorization to implement the ecosystem restoration program, and one-third of the funds for other program elements. These funds shall be allocated, together with other federal authorizations and appropriations for CALFED-related programs, to maintain a balanced approach to providing the federal share of funding for the Program.

Funds appropriated pursuant to this section shall remain available until expended and shall be administered in accordance with procedures established by the CALFED Bay-Delta Program until Congress authorizes another entity that is recommended by the CALFED Bay-Delta Program to carry out this section.

- B. CALFED shall provide to the authorizing and appropriations committees and subcommittees of jurisdiction a quarterly report including a list of projects underway, their status expressed as a percent of total completion, their estimated date of completion, local participating agencies, lead federal agency(ies) and other pertinent information.

By September 2000 CALFED shall prepare for the authorizing and appropriations committees and subcommittees of jurisdiction a report describing the status of Stage 1 of its implementation plan including projects completed, projects approved but not completed, a status of progress on the four program elements of CALFED, a specific description of the goals within each of the four program elements and specific actions that will be taken to reach those goals. This report will also describe how the benefits and costs of the programs under this authorization will be allocated, together with other federal, state, and local expenditures for CALFED-related programs in accordance with the cost-share agreement developed by CALFED, to maintain a balanced approach to implementation of the program.

- C. TREATMENT OF FUNDS—Funds authorized to be appropriated pursuant to this section to those agencies that are currently or subsequently become participants in the CALFED Bay-Delta Program shall be in addition to the baseline funding levels established pursuant to subsection (F), for currently authorized projects and programs under the Central Valley Project Improvement Act (title XXXIV of Public Law 102-575) and other currently

authorized Federal programs for the purpose of Bay-Delta ecosystem protection and restoration.

- D. **LONG-TERM SOLUTION**—Nothing in this section shall be deemed to diminish the Federal interest in and responsibility for working with the State of California through the CALFED Bay-Delta Program in developing, funding, and implementing a balanced, long-term solution to the problems of ecosystem quality, water quality, water supply and reliability, and system vulnerability affecting the San Francisco Bay/Sacramento-San Joaquin Delta Watershed in California. Participation in such long-term solution shall only be undertaken pursuant to authorization provided by law other than this section, and shall be based on the equitable allocation of program costs among beneficiary groups that the CALFED Bay-Delta programs shall develop.
- E. **ACTIVITIES**—To the extent not otherwise authorized, those agencies and departments that are currently or subsequently become participants in the CALFED Bay-Delta Program are hereby authorized to undertake the activities and programs for which Federal cost sharing is provided by this section.
- F. **BUDGET CROSSCUT**—The Office of Management and Budget is directed to submit to the House and Senate Committees on Appropriations, as part of the President's fiscal year 2000 budget, an interagency budget crosscut for fiscal years 1998 through 2000, on ecosystem restoration and other purposes in the Bay-Delta region, separately showing funding provided previously or requested under both pre-existing authorities and new authorities granted by this section.