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**A Legislative History of the Development of Water for Agriculture in the Central Valley of California: H.R.200.IH**

**Overview**

California’s very existence is premised on the massive quantities of water diverted from the North, damned into reservoirs, or pumped out from under the ground. Almost all of the water in the state is put to some use before being allowed to return to the sea. The majority of this water—80%—is used for irrigation. Pumping of groundwater now exceeds rates of natural replenishment by billions of gallons per year with little or no regulation. Other water projects have cost the state billions, are still often unable to meet the states growing needs, and are negatively affecting the state’s ecology.

Farmers and businesses depend on the state to cheaply supply them water and paint conservation measures as anti-business and anti-farmer. Any act to place limits to better the environment and public health interest are blocked or vehemently contested by agricultural lobbyists. In the past, attempts to simply survey lands have been blocked by lobbyists claiming that it is a waste of money and government resources. In reality, these lobbyists simply do not want scientific data proving that current practices are unsustainable, harming the environment, or are in one way or another illegal. Current legislation before the 112th Congress would require the Secretary of the Interior to complete a survey of the Rialto-Colton Basin to examine groundwater resource depletion, possible aquifer contamination and other environmental impacts.

**Major Legislation**

**57th Congress**

P.L. 57-161: “Reclamation Act/Newlands Act of 1902.” Under this act the Secretary of the Interior created the United States Reclamation Service (later known as the United States Bureau of Reclamation) and made it responsible for funding irrigation projects in thirteen western states, including California. The act set aside a percentage of the proceeds of the sales of public land for the examination, construction, and maintenance of irrigation works into a reclamation fund. It also set certain requirements for the use of water including residency and annual charges.

**73rd Congress**

P.L.73-601: “Central Valley Project Act.” This act authorized the sale of revenue bonds to construct irrigation projects. However, such sales were unsuccessful, and the federal government was authorized to assume control of the project and start production. Funds were authorized under the Emergency Relief Appropriations Act of 1935. The project became subject to Reclamation law under the Rivers and Harbors Act of 1935. Originally, the project involved creating and regulating dams, power plants, and canals to regulate rivers, provide water for irrigation, and generate power. The plans did not include any built in environmental protections and disregarded sustainability.

**97th Congress**

P.L. 97-293 “Reclamation Reform Act of 1982.” This act, spearheaded by a powerful agricultural lobby representing large farm interests, increased the acreage limitation from 160 (the size of the original Homestead) to 960 acres and overturned the requirement that landowners lived on or near their land.

**102nd Congress**

P.L. 102-575: “Central Valley Project Improvement Act.” This act mandated change in the management of the Central Valley Project. It aimed to help protect the ecosystem of the Central Valley by dedicating 800,000 acre-feet of water to fish and wildlife, creating a habitat restoration fund financed by Central Valley water and power users, and stopping contract renewals until a Programmatic Environmental Impact Statement was completed. However, the passage of this act continues to create intense debate as farmers and businesses complained that the government is unfairly restricting their ability to make a living. The eruption of protest after the passage of this bill demonstrates the potential backlash toward any new progressive water environmental laws in the Central Valley.

**112th Congress**

H.R. 200: “Inland Empire Perchlorate Ground Water Plume Assessment Act.” This bill would require the Secretary of the Interior to complete a study of water resources in the Rialto-Colton Basin. The survey would analyze the quality of water in the aquifers, the salinity of ground water resources, and the potential of the ground water resources to recharge. It would also identify and characterize the recent surge in perchlorate concentrations and the susceptibility of the aquifers to contamination. If passed, this bill would generate a report to the Senate Committee on Energy and Natural Resources and the House Committee on Natural Resources that would hopefully force state and federal representatives to confront the environmental impact and unsustainability of current practices. This would be a significant first step toward creating new and (environmentally) better policies.

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