

106TH CONGRESS
2D SESSION

S. 2248

To assist in the development and implementation of projects to provide for the control of drainage water, storm water, flood water, and other water as part of water-related integrated resource management, environmental infrastructure, and resource protection and development projects in the Colusa Basin Watershed, California.

IN THE SENATE OF THE UNITED STATES

MARCH 20, 2000

Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To assist in the development and implementation of projects to provide for the control of drainage water, storm water, flood water, and other water as part of water-related integrated resource management, environmental infrastructure, and resource protection and development projects in the Colusa Basin Watershed, California.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Colusa Basin Water-
5 shed Integrated Resources Management Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **DISTRICT.**—The term “District” means the
4 Colusa Basin Drainage District, California.

5 (2) **SECRETARY.**—The term “Secretary” means
6 the Secretary of the Interior.

7 (3) **STATE STATUTE.**—The term “State stat-
8 ute” means section 413 of the California Statutes
9 1987, chapter 1399 (commonly known as the
10 “Colusa Basin Drainage Act”), as in effect on the
11 date of enactment of this Act.

12 **SEC. 3. AUTHORIZATION OF ASSISTANCE.**

13 The Secretary may provide financial assistance to the
14 District for use by the District or by local agencies acting
15 under the State statute, for planning, design, environ-
16 mental compliance, and construction required in carrying
17 out eligible projects in the Colusa Basin Watershed—

18 (1) to—

19 (A) reduce the risk of damage to urban
20 and agricultural areas from flooding or the dis-
21 charge of drainage water or tailwater;

22 (B) assist in groundwater recharge efforts
23 to alleviate overdraft and land subsidence; or

24 (C) construct, restore, or preserve wetland
25 and riparian habitat; and

1 (2) to capture, as an incidental purpose of any
2 of the purposes described in paragraph (1), surface
3 water or stormwater for conservation, conjunctive
4 use, and increased water supplies.

5 **SEC. 4. PROJECT SELECTION.**

6 (a) **ELIGIBLE PROJECTS.**—A project shall be an eligi-
7 ble project for purposes of section 3 if the project is—

8 (1) identified in the document entitled “Colusa
9 Basin Water Management Program”, dated Feb-
10 ruary 1995; and

11 (2) carried out in accordance with that docu-
12 ment and all environmental documentation require-
13 ments that apply to the project under the laws of
14 the United States and the State of California.

15 (b) **COMPATIBILITY REQUIREMENT.**—The Secretary
16 shall ensure that projects for which assistance is provided
17 under this Act are not inconsistent with watershed protec-
18 tion and environmental restoration efforts being carried
19 out under the Central Valley Project Improvement Act
20 (106 Stat. 4706 et seq.) or the CALFED Bay-Delta Pro-
21 gram.

22 **SEC. 5. COST SHARING.**

23 (a) **NON-FEDERAL SHARE.**—The Secretary shall re-
24 quire that the District and cooperating non-Federal agen-
25 cies or organizations pay—

1 (1) 25 percent of the costs associated with con-
2 struction of any project carried out with assistance
3 provided under this Act; and

4 (2) 100 percent of any operation, maintenance,
5 and replacement and rehabilitation costs with re-
6 spect to such a project.

7 (b) **PLANNING, DESIGN, AND COMPLIANCE ASSIST-**
8 **ANCE.**—Funds made available under this Act may be used
9 to fund all costs incurred for planning, design, and envi-
10 ronmental compliance activities by the District or by local
11 agencies acting under the State statute, in accordance
12 with agreements with the Secretary.

13 (c) **TREATMENT OF CONTRIBUTIONS.**—For purposes
14 of this section, the Secretary shall treat the value of land,
15 interests in land (including rights-of-way and other ease-
16 ments), and necessary relocations contributed by the Dis-
17 trict to a project as payment by the District of the costs
18 of the project.

19 **SEC. 6. NONREIMBURSABILITY OF COSTS.**

20 Amounts expended under this Act shall be considered
21 nonreimbursable for purposes of the Act of June 17, 1902
22 (32 Stat. 388, chapter 1093), and Acts amendatory of and
23 supplemental to that Act.

1 **SEC. 7. AGREEMENTS.**

2 Funds made available under this Act may be made
3 available to the District or a local agency only if the Dis-
4 trict or local agency, as applicable, enters into a binding
5 agreement with the Secretary that—

6 (1) provides that the District or the local agen-
7 cy shall pay the non-Federal share of the costs of
8 construction required by section 5(a); and

9 (2) governs the funding of planning, design,
10 and compliance activities costs under section 5(b).

11 **SEC. 8. REIMBURSEMENT.**

12 For project work (including work associated with
13 studies, planning, design, and construction) carried out by
14 the District or by a local agency acting under the State
15 statute before the date on which amounts are provided for
16 the project under this Act, the Secretary shall, subject to
17 amounts being made available in advance in appropria-
18 tions Acts, reimburse the District or the local agency,
19 without interest, an amount equal to the estimated Fed-
20 eral share of the cost of such work under section 5.

21 **SEC. 9. COOPERATIVE AGREEMENTS.**

22 (a) IN GENERAL.—The Secretary may enter into co-
23 operative agreements and contracts with the District to
24 assist the Secretary in carrying out this Act.

25 (b) SUBCONTRACTING.—Under a cooperative agree-
26 ment or contract, the Secretary may authorize the District

1 to enter into contracts and receive reimbursements, sub-
2 ject to amounts being made available in advance in appro-
3 priations Acts, for work carried out under the contract or
4 subcontract.

5 **SEC. 10. RELATIONSHIP TO RECLAMATION REFORM ACT OF**
6 **1982.**

7 Activities carried out, and financial assistance pro-
8 vided, under this Act shall not be considered a supple-
9 mental or additional benefit for purposes of the Reclama-
10 tion Reform Act of 1982 (43 U.S.C. 390aa et seq.).

11 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

12 There are authorized to be appropriated to the Sec-
13 retary to carry out this Act \$25,000,000, plus such addi-
14 tional amount, if any, as may be required by reason of
15 changes in costs of services of the types involved in the
16 District's projects as shown by engineering and other rel-
17 evant indexes, to remain available until expended.

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