

Calendar No. 644107TH CONGRESS
2^D SESSION**S. 2475**

To amend the Central Utah Project Completion Act to clarify the responsibilities of the Secretary of the Interior with respect to the Central Utah Project, to redirect unexpended budget authority for the Central Utah Project for wastewater treatment and reuse and other purposes, to provide for prepayment of repayment contracts for municipal and industrial water delivery facilities, and to eliminate a deadline for such prepayment.

IN THE SENATE OF THE UNITED STATES

MAY 8, 2002

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

OCTOBER 8, 2002

Reported by Mr. BINGAMAN, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend the Central Utah Project Completion Act to clarify the responsibilities of the Secretary of the Interior with respect to the Central Utah Project, to redirect unexpended budget authority for the Central Utah Project for wastewater treatment and reuse and other purposes, to provide for prepayment of repayment contracts for municipal and industrial water delivery facilities, and to eliminate a deadline for such prepayment.

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. AMENDMENTS TO THE CENTRAL UTAH**
 4 **PROJECT COMPLETION ACT.**

5 (a) TREATMENT OF INVESTIGATION COSTS.—Section
 6 201(b) of the Central Utah Project Completion Act (106
 7 Stat. 4607) is amended following paragraph (2) by insert-
 8 ing the following: “All amounts previously expended in
 9 planning and developing the projects and features de-
 10 scribed in this subsection including amounts previously ex-
 11 pended for investigation of power features in the Bonne-
 12 ville Unit shall be considered non-reimbursable and non-
 13 returnable.”.

14 (b) CLARIFICATION OF SECRETARIAL RESPONSIBIL-
 15 ITIES.—Section 201(e) of the Central Utah Project Com-
 16 pletion Act (106 Stat. 4608) is amended—

17 (1) in the first sentence—

18 (A) by striking “identified in this Act” and
 19 inserting “identified in this title and the Act of
 20 April 11, 1956 (chapter 203, 70 Stat. 110 et
 21 seq.); popularly known as the Colorado River
 22 Storage Project Act,”

23 (B) by inserting “relating to the Bonneville
 24 Unit of the Central Utah Project including
 25 oversight for all phases of the Bonneville Unit,

1 the administration of all prior and future con-
2 tracts, operation and maintenance of previously
3 constructed facilities” before “and may not del-
4 egate”;

5 (C) by striking “his responsibilities under
6 this Act” and inserting “such responsibilities”;

7 (D) by striking the period after “Reclama-
8 tion” and inserting: “, except through the pilot
9 management program hereby authorized. The
10 pilot management program will exist for a pe-
11 riod not to exceed 5 years and shall provide a
12 mechanism for the Secretary and the District to
13 create a mutually acceptable organization with-
14 in the Bureau of Reclamation to assist the Sec-
15 retary in his responsibilities for the long-term
16 management of the Bonneville Unit. Such pilot
17 management program may be extended indefi-
18 nitely by mutual agreement between the Sec-
19 retary and the District.”;

20 (2) in the second sentence—

21 (A) by inserting “technical” before “serv-
22 ices”;

23 (B) by inserting “for engineering and con-
24 struction work” before “on any project fea-
25 tures”;

1 (3) by inserting at the end thereof the following
 2 new sentence: “These provisions shall not affect the
 3 responsibilities of the Bureau of Reclamation and
 4 the Western Area Power Administration regarding
 5 all matters relating to all Colorado River Storage
 6 Project power functions, including all matters affect-
 7 ing the use of power revenues, power rates and rate-
 8 making.”.

9 (c) MUNICIPAL AND INDUSTRIAL WATER.—Section
 10 202(a)(1)(B) of the Central Utah Project Completion Act
 11 (106 Stat. 4608) is amended in the last sentence by insert-
 12 ing “and municipal and industrial water” after “basin”.

13 (d) USE OF UNEXPENDED BUDGET AUTHORITY.—
 14 Section 202(e) of the Central Utah Project Completion
 15 Act (106 Stat. 4611) is amended—

16 (1) in the first sentence—

17 (A) by striking “in this title up to
 18 \$60,000,000” and inserting “for units of the
 19 Central Utah Project”; and

20 (B) by inserting “including use of reverse
 21 osmosis membrane technologies, water recy-
 22 cling, and conjunctive use, to stabilize high
 23 mountain lakes and appurtenant facilities, to
 24 develop power,” after “conservation measures”;
 25 and

1 (2) in the last sentence strike “section
2 202(a)(1)” and insert “sections 202(a)(1), 205(b),
3 and Title VI”.

4 (e) PREPAYMENT OF REPAYMENT.—Section 210 of
5 the Central Utah Project Completion Act (106 Stat. 4624)
6 is amended—

7 (1) in the second sentence—

8 (A) by inserting “or any additional or sup-
9 plemental repayment contract” after “1985,”;
10 and

11 (B) by inserting “of the Central Utah
12 Project” after “water delivery facilities”; and

13 (2) by striking “The District shall exercise”
14 and all that follows through the end of that sen-
15 tence.

16 **SECTION 1. AMENDMENTS TO THE CENTRAL UTAH**
17 **PROJECT COMPLETION ACT.**

18 (a) TREATMENT OF INVESTIGATION COSTS.—Section
19 201(b) of the Central Utah Project Completion Act (106
20 Stat. 4607) is amended following paragraph (2) by insert-
21 ing the following: “All amounts previously expended in
22 planning and developing the projects and features described
23 in this subsection including amounts previously expended
24 for investigation of power features in the Bonneville Unit
25 shall be considered nonreimbursable and nonreturnable.”.

1 (b) *CLARIFICATION OF SECRETARIAL RESPONSIBIL-*
2 *ITIES.—Section 201(e) of the Central Utah Project Comple-*
3 *tion Act (106 Stat. 4608) is amended—*

4 (1) *in the first sentence—*

5 (A) *by striking “identified in this Act” and*
6 *inserting “identified in this title and the Act of*
7 *April 11, 1956 (chapter 203; 70 Stat. 110 et*
8 *seq.), popularly known as the Colorado River*
9 *Storage Project Act,”;*

10 (B) *by inserting “relating to the Bonneville*
11 *Unit of the Central Utah Project including over-*
12 *sight for all phases of the Bonneville Unit, the*
13 *administration of all prior and future contracts,*
14 *operation and maintenance of previously con-*
15 *structed facilities” before “and may not dele-*
16 *gate”;*

17 (C) *by striking “his responsibilities under*
18 *this Act” and inserting “such responsibilities”;*
19 *and*

20 (D) *by striking the period after “Reclama-*
21 *tion” and inserting: “, except through the pilot*
22 *management program hereby authorized. The*
23 *pilot management program will exist for a pe-*
24 *riod not to exceed 5 years and shall provide a*
25 *mechanism for the Secretary and the District to*

1 *create a mutually acceptable organization within*
2 *the Bureau of Reclamation to assist the Sec-*
3 *retary in his responsibilities for the long-term*
4 *management of the Bonneville Unit. Such pilot*
5 *management program may be extended indefi-*
6 *nitely by mutual agreement between the Sec-*
7 *retary and the District.”;*

8 *(2) in the second sentence—*

9 *(A) by inserting “technical” before “serv-*
10 *ices”;* and

11 *(B) by inserting “for engineering and con-*
12 *struction work” before “on any project features”;*
13 *and*

14 *(3) by inserting at the end thereof the following*
15 *new sentence: “These provisions shall not affect the re-*
16 *sponsibilities of the Bureau of Reclamation and the*
17 *Western Area Power Administration regarding all*
18 *matters relating to all Colorado River Storage Project*
19 *power functions, including all matters affecting the*
20 *use of power revenues, power rates and ratemaking.”.*

21 *(c) MUNICIPAL AND INDUSTRIAL WATER.—Section*
22 *202(a)(1)(B) of the Central Utah Project Completion Act*
23 *(106 Stat. 4608) is amended in the last sentence by insert-*
24 *ing “and municipal and industrial water” after the word*
25 *“basin.”*

1 (d) *USE OF UNEXPENDED BUDGET AUTHORITY.*—Section
2 tion 202(c) of the Central Utah Project Completion Act (106
3 Stat. 4611) is amended to read as follows: “The Secretary
4 is authorized to utilize all unexpended budget authority for
5 units of the Central Utah Project up to \$300,000,000 and
6 the balance of such budget authority in excess of this
7 amount is deauthorized. Such \$300,000,000 may be used
8 to provide 65 percent Federal share pursuant to section 204,
9 to acquire water and water rights for project purposes in-
10 cluding instream flows, to complete project facilities author-
11 ized in this title and title III, to implement water conserva-
12 tion measures under section 207, including use of reverse
13 osmosis membrane technologies, water recycling, and con-
14 junctive use, to stabilize high mountain lakes and appur-
15 tenant facilities, to develop power, and for other purposes.
16 In addition, funds may be provided by the Commission for
17 fish and wildlife purposes. The District shall comply with
18 the provisions of sections 202(a)(1), 205(b), and title VI
19 with respect to the features to be provided for in this sub-
20 section.”.

21 (e) *PREPAYMENT OF REPAYMENT.*—Section 210 of the
22 Central Utah Project Completion Act (106 Stat. 4624) is
23 amended—

24 (1) *in the second sentence—*

1 (A) by inserting “or any additional or sup-
2 plemental repayment contract” after “1985,”;
3 and

4 (B) by inserting “of the Central Utah
5 Project” after “water delivery facilities”; and

6 (2) by striking “The District shall exercise” and all
7 that follows through the end of that sentence.

8 **SEC. 2. USE OF PROJECT FACILITIES FOR NONPROJECT**
9 **WATER.**

10 *The Secretary of the Interior may enter into contracts*
11 *with the Provo River Water Users Association or any of*
12 *its member unit contractors for water from Provo River,*
13 *Utah, under the Act of February 21, 1911 (43 U.S.C. 523),*
14 *for—*

15 (1) *the impounding, storage, and carriage of*
16 *nonproject water for domestic, municipal, industrial,*
17 *and other beneficial purposes, using facilities associ-*
18 *ated with the Provo River Project, Utah; and*

19 (2) *the exchange of water among Provo River*
20 *Project contractors, for the purposes set forth in para-*
21 *graph (1), using facilities associated with the Provo*
22 *River Project, Utah.*

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A BILL

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