Calendar No. 640

105TH CONGRESS, 2d Session | SENATE | REPORT 105–377

WATER-RELATED TECHNICAL CORRECTIONS ACT OF 1997

OCTOBER 7 (legislative day, OCTOBER 2), 1998.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 2402]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 2402) to make technical and clarifying amendments to improve the management of water-related facilities in the Western United States, having considered the same, reports favorably thereon with amendments and recommends that the Act, as amended, do pass.

The amendments are as follows:

Page 2, line 5, delete:

"Sec. 9. Olivenhain Water Storage Project loan guarantee.
"Sec. 10."

and insert:

"Sec. 9.".

2. Page 4, line 14, after "certification" and before "forms" insert "or reporting".

3. Page 8, beginning on line 9, delete section 9 in its entirety and renumber section 10 as section 9.

PURPOSE OF THE MEASURE

As reported, H.R. 2402:

(1) reduces the congressional waiting period for the Secretary to obligate funds under the Safety of Dams Act;

(2) amends the authorization for the Albuquerque and Phoenix water reuse projects to clarify that the authorization includes construction;

(3) authorizes the refund of amounts collected in error under the Reclamation Reform Act;

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(4) clarifies that the extension for repayment obligations on the Nueces and Canadian River projects under the 1996 Drought Relief Act included principal as well as interest;

(5) authorizes the Secretary to contract for wheeling of water with Solano project contractors;

(6) authorizes use of Canadian River project facilities for wheeling of non-project water; and

(7) authorizes $2 million in financial assistance for fish passage facilities in the Rogue River Basin, Oregon.

The Committee amendment deletes a provision that authorizes a loan guarantee for the Olivenhain water storage project.

BACKGROUND AND NEED

H.R. 2402 incorporates several miscellaneous provisions relating to Federal water projects administered by the Bureau of Reclamation.

Section 2 of H.R. 2402 reduces the waiting period for obligation of funds provided under the Reclamation Safety Dams Act of 1978 from 60 days (not including any days when the House or the Senate were not in session for more than three calendar days) to 30 calendar days. The current method of calculating the waiting period, which does not include congressional recesses, often results in waiting periods of much longer than 60 days before funds can be obligated. In several instances in the past, Congress has had to waive this waiting period because of the pressing need for dam safety to proceed. Reducing the waiting period to 30 days will give adequate time for congressional review of planned work, but should not unduly delay needed work under the Act.

Section 3 of H.R. 2402 amends section 1621 of the Reclamation Projects Authorization and Adjustment Act of 1992, as amended, to authorize the Secretary of the Interior to participate in the planning, design and construction of the Albuquerque Metropolitan Area Water Reclamation and Reuse Project. Funds have already been provided for construction in the FY '99 Energy and Water Appropriations Act.

Section 4 clarifies the authority of the Secretary of the Interior to participate in the planning, design, and construction of the Phoenix Metropolitan Water Reclamation and Reuse Project. The language of H.R. 2402 conforms section 1608 of the Reclamation Projects Authorization and Adjustment Act of 1992 with language authorizing the Secretary of the Interior to participate in other reuse projects under Title XVI.

Section 5 requires the Secretary of the Interior to refund overpaid amounts received by the United States as the result of form compensation bills under the Reclamation Reform Act of 1982 (RRA), subject to the availability of appropriations. Many water districts paid these bills in protest, and in *Orange Cove Irrigation District* v. *the United States,* the judge concluded that Reclamation did not have the authority to assess monetary penalties or fines for failure to submit the required forms. In a September 16, 1997, letter to the Subcommittee Chairman of the House Subcommittee on Water and Power Resources of the House Committee on Resources, the Assistant Secretary for Water and Science of the Department of the Interior stated that, "Reclamation supports the intent of sec-

tion 6 (now renumbered as section 5) to enable Reclamation to refund monies to those entities who were billed and paid the full-cost rate for RRA forms violations."

Section 6 meets one of the objectives of the Emergency Drought Relief Act of 1996 (P.L. 104–328) by clarifying that the temporary debt relief provided to the city of Corpus Christi, Texas, the Nueces River Authority, and the Canadian River Municipal Water Authority should result in an extension of their repayment period at the end of the repayment obligation equal to the number of years for which the temporary debt relief has been provided. The Department of the Interior notified the Congress several weeks after the President signed the 1996 Act that the language was insufficient to meet the stated objective of extending the repayment period because of provisions of the Reclamation Project Act of 1939. The Department subsequently indicated that it did not object to this language.

Section 7 authorizes the Secretary of the Interior to enter into contracts, pursuant to the Act of February 21, 1911 (known as the Warren Act), for the impounding, storage, and carriage of non-project water for domestic, municipal, industrial and other beneficial purposes, as well as the exchange of water among Solano Project contractors, using any facilities associated with the Solano Project, California. The city of Vallejo has tried to use its water supply facilities more efficiently, but has been limited by a provision in Federal law that prohibits the city from sharing space in an existing Federal water delivery canal. The city of Vallejo wants to "wheel" some of its drinking water through part of the canal serving California's Solano Project, a water project built by the Bureau of Reclamation in 1950s. The city of Vallejo is prepared to pay any appropriate charges for the use of these facilities.

Section 8 amends the authorization for the Canadian River Project to provide authority for the carriage of water from the Canadian River Conjunctive Use Groundwater Project to municipalities that are currently beneficiaries of the project. The authority would provide greater efficiencies for the Project and obviate the need for the construction of additional facilities.

Section 9 authorizes up to $2 million in financial assistance to the Medford and Rogue River Valley Irrigation Districts for the design and construction of fish passage facilities if the Secretary determines that such facilities would enhance fish recovery efforts at the Rogue River Basin Project.

LEGISLATIVE HISTORY

H.R. 2402 was introduced on September 4, 1997 and referred to the House Resources Committee. The measure was reported on October 28, 1997, passed the House, amended, by a voice vote on November 9, 1997. The Committee on Energy and Natural Resources has not held a hearing on the bill.

At the business meeting on September 23, 1998, the Committee on Energy and Natural Resources ordered H.R. 2402, as amended, favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Committee on Energy and Natural Resources, in open business session on September 23, 1998, by a unanimous voice vote of a quorum present, recommends that the Senate pass H.R. 2402, if amended as described herein.

COMMITTEE AMENDMENTS

During the consideration of H.R. 2402, the Committee adopted two amendments. The first amendment adds the phrase "or reporting" to the authorization for repayment of sums collected in error under the Reclamation Reform Act. The amendment was suggested by the Department of the Interior since the existing language is limited to certification forms and some assessments had been made for form violations. The second amendment deletes the authorization for a loan guarantee for the Olivenhain Water Storage Project, and makes conforming changes to the table of contents. No hearings have been held on this proposal and the Committee believes that a hearing should be held on the concept of loan guarantees rather than more traditional forms of Federal participation in water storage projects.

SECTION-BY-SECTION ANALYSIS

Section 1 provides a short title and table of contents.

Section 2 reduces the waiting period for obligation of funds provided under the Reclamation Safety Dams Act of 1978 from 60 days (not including days when the House or the Senate were not in session for more than three calendar days) to 30 calendar days.

Section 3 amends title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992, as amended, to clarify the authority of the Secretary of the Interior to participate in the Albuquerque Metropolitan Reclamation and Reuse Project.

Section 4 amends title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992, as amended, to clarify the authority of the Interior to participate in the Phoenix Metropolitan Water Reclamation and Reuse Project.

Section 5 requires the Secretary of the Interior to refund overpaid amounts received by the United States as the result of form compensation bills under the Reclamation Reform Act of 1982, subject to the availability of appropriations.

Section 6 amends the Emergency Drought Relief Act of 1996 (P.L. 104–328) to clarify that the temporary debt relief provided to the city of Corpus Christi, Texas, the Nueces River Authority, and the Canadian River Municipal Water Authority under that Act includes an extension of their repayment period at the end of the repayment obligation equal to the number of years for which the temporary debt relief has been provided.

Section 7 authorizes the Secretary of the Interior to enter into contracts, pursuant to the Act of February 21, 1911, for the conveyance of nonproject water for domestic, municipal, industrial and other beneficial purposes, as well as the exchange of water among Solano Project contractors, using facilities of the Solano Project, California. The section limits the authorization to the use of that portion of the Solano Project downstream of Mile 26 of the Putah

South Canal and to that portion of the Solano Project facilities below the diversion points on the Putah South Canal used by the city of Fairfield.

Section 8 amends the authorization for the Canadian River Project to permit the use of Project facilities for the carriage of water from the Canadian River Conjunctive Use Groundwater Project.

COST AND BUDGETARY CONSIDERATIONS

An estimate of the cost of this measure has been requested from the Congressional Budget Office, but has not been received as of the date of filing of this report. When the estimate is received, the Chairman will have it printed in the Congressional Record for the advice of the Senate. CBO estimated that H.R. 2402, as reported by the House Committee, would "lead to an increase in appropriated spending of about $13 million over the 1998–2002 period, $9 million in 2003, $2 million in 2004, and less that $0.5 million annually thereafter, assuming appropriations consistent with the bill's provisions." CBO also estimated that there would be less than $500,000 in additional direct spending offset by less than $500,000 in new payments. There were no intergovernmental or private sector mandates. The provisions for financial assistance for fish passage facilities were added on the House floor. No estimate of costs is available although the measure authorizes up to $2 million for the fish passage facilities.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 2402. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 2402, as ordered reported.

EXECUTIVE COMMUNICATIONS

The Committee has not held hearings on this measure and has not requested formal Executive agency recommendations. The Assistant Secretary for Water and Science, Department of the Interior, provided formal views of the Administration on H.R. 2402 in a letter to the Subcommittee on Water and Power Resources of the Committee on Resources of the House of Representatives on September 16, 1998. That communication follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, September 16, 1997.

Hon. JOHN DOOLITTLE,
Chairman, Subcommittee on Water and Power Resources, Committee on Resources, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for the opportunity to comment on H.R. 2402, Water Related Technical Corrections Act of 1997. I would appreciate your assistance in including this letter in the September 11, 1997, hearing record.

The Department opposes H.R. 2402 as drafted. The Department recommends amendments to sections 2, 3, and 6 as discussed below and we believe sections 4 and 5 are premature.

SECTION 2. AUTHORITY TO USE RECLAMATION PROJECT FACILITIES FOR NONPROJECT WATER

The language in Section 2 would broaden Reclamation's authority under the Warren Act and enable Reclamation to provide water to additional contracting entities for additional purposes. Reclamation supports this effort to expand the use of Reclamation facilities. However, it is important to point out that the Warren Act has always provided authority for the transport and storage of nonproject water in and through Federal facilities. The addition of nonproject water in H.R. 2402 would only clarify existing law and grant new authority regarding the use of Federal facilities to transport non-project water for non-irrigation purposes. Reclamation supports this amendment and believes that it will provide additional flexibility to meet water supply needs.

Reclamation recommends that a new subparagraph (ii) be inserted in Section 2(1)(A) and all subparagraphs thereafter be renumbered appropriately. The new subparagraph (ii) would insert a comma so that the first sentence of the statute reads better. The new subparagraph would read:

"(ii) by inserting a comma following the phrase "to an extent not exceeding such excess capacity,"

Reclamation recommends the following additional changes to Section 2(1)(B) of H.R. 2402:

(1) On page 3, line 6, delete "by the party with whom the contract is made" in the first sentence. This deletion is intended to ensure that Reclamation contracts with project water users such as municipalities. As currently drafted, the bill could create master contracting entities, such as irrigation districts wanting to sell project water. Contract arrangements where Reclamation is not a party have created problems in the past. Master contractors would make protection of federal interests, and the interests of existing project water users, significantly more difficult. This could be avoided if Reclamation contracts directly with the new water user.

In light of the above, language could be added to the legislation authorizing the Secretary to enter into three party contracts between Reclamation, an irrigation district, and end users, e.g., a municipality, for delivery of water to a new use. Suggested language for inclusion after the first sentence of this subsection follows: "The Secretary may enter three party agreements between the Sec-

retary, and a proposed new user of project facilities or project water, to facilitate the transfer of the right to use project facilities or project water to the proposed user."

(2) On page 3, line 5 delete the word "distribution" in the first sentence and replacing it with "use."

(3) On page 3, line 10 insert "(including the use of the facilities for" before "nonproject" in the second sentence.

(4) On page 3, line 13, insert "consistent with any pre-existing rights and applicable law" after "beneficial purposes".

(5) On page 3, lines 14–15, delete "and water (including nonproject water)." This will clarify that Reclamation is directed to give first priority to meeting the project purposes, prior to allowing additional uses for nonproject purposes. The language currently in the bill risks confusion over possible diversion of nonproject water for project purposes which is not intended.

(6) On page 3, line 17, insert "and used for irrigation" in the last sentence after "carried."

Reclamation notes that the cooperating agencies listed in various places in Section 1 of the Warren Act, as amended, are inconsistent. Further, since the cooperating agencies are listed in Section 1 of the Warren Act as amended, a matching list should be included in Section 2 of the Warren Act, as amended. Reclamation recommends that the list of cooperating agencies be consistent throughout the Warren Act.

In addition in Section 1 of the Warren Act, Reclamation recommends the deletion of the entire sentence that begins "In fixing the charges under any such contract for * * *" In lieu thereof, Reclamation supports language consistent with Section 102c of Public Law 102–250 which requires a price sufficient to recover all Federal operation and maintenance costs and administration and an appropriate share of capital costs, including interest on such costs allocated to municipal and industrial water.

SECTION 3. REDUCTION OF WAITING PERIOD FOR OBLIGATION OF FUNDS PROVIDED UNDER RECLAMATION SAFETY OF DAMS ACT OF 1978

Under the Reclamation Safety of Dams Act, the Secretary is required to send a dam safety modification report to Congress, and Congress has 60 legislative days to review the report. The Secretary may not obligate any funds for dam safety repair work during the 60 legislative day review period. Section 3 of H.R. 2402 would reduce from 60 legislative days to 30 calendar days the amount of time Congress has to review the report. The 30 day calendar requirement is an improvement over the 60 legislative day requirement. In several instances involving repair work at Como, Ochoco, and Cachuma Projects, the Congress has enacted legislation waiving the waiting requirement so that Reclamation could commence dam safety repair work.

SECTION 4. ALBUQUERQUE METROPOLITAN AREA RECLAMATION AND REUSE PROJECT

Section 4 would modify Reclamation's authority to participate in the feasibility study for the Albuquerque Metropolitan Area Reclamation and Reuse Project, and enable Reclamation to engage in planning, design and construction activities, consistent with Rec-

lamation's authority for the 17 other projects authorized in Title XVI. The feasibility report for the Albuquerque project has been completed.

Reclamation has established an in-house water recycling team responsible for establishing criteria for Federal support for Title XVI projects. Until such time as the team has established Federal objectives for water recycling projects, Reclamation cannot support the authorization of additional projects for construction.

SECTION 5. PHOENIX METROPOLITAN WATER RECLAMATION AND REUSE PROJECT

Section 5 would expand the authorized project purposes for the Phoenix Metropolitan Water Reclamation and Reuse Project to include municipal, industrial and agricultural purposes in addition to the environmental, groundwater recharge and direct potable reuse purposes authorized in Section 1608 of the Reclamation Projects Authorization and Adjustment Act of 1992. Section 5 also would clarify that the Phoenix Metropolitan Water Reclamation and Reuse Project could receive Federal grants and repayment would not be required.

Until such time as Reclamation's water recycling team completes its effort, Reclamation cannot support expanded authorization for the Phoenix project.

Reclamation also notes that Section 5 would authorize the Secretary to participate in the planning, design, and construction of a project that includes a direct potable reuse component. Direct potable reuse projects is generally considered to be "pipe-to-pipe" system where treated wastewater from a treatment plant is introduced directly into the potable water supply by means of a direct pipe connection. This type of technology is not an accepted practice in this country, due primarily to health concerns.

SECTION 6. REFUND OF AMOUNTS RECEIVED AS PAID FORM COMPENSATION BILLS UNDER RECLAMATION REFORM ACT OF 1982

Section 6 would address Reclamation's authority to refund payments to certain water users. Under the Reclamation Reform Act of 1982 (RRA), direct and indirect landowners and lessees (landholders) are required to file RRA forms prior to receiving irrigation water. Such forms are submitted to districts who control the actual delivery of irrigation water. A longstanding problem has been the delivery of irrigation water to landholders who do not have forms on file. To address the problem, Reclamation in 1988 billed districts the full-cost rate for any of their landholders who were required to submit RRA forms, but did not file the form, and still received water for the period of the violation. Some districts, but not all, paid their bills. As a result of Reclamation's review of the issue and a rulemaking action, in March 1995, Reclamation began to impose an administrative fee to address violations of the RRA forms requirements. As part of Reclamation's actions to address the full-cost bills for RRA forms violations, Reclamation attempted to refund part of the monies paid, but was advised that it did not have the legal authority to do so. Reclamation supports the intent of Section 6 to enable Reclamation to refund monies to those entities who were billed and paid the full-cost rate for RRA forms violations.

However, as drafted, the language would not give Reclamation the authority to provide refunds for the issue the bill is attempting to address. Reclamation recommends a few technical changes. The phrase in subsection (a) "from an error in a form issued by the Secretary of the Interior before January 1, 1994, for furnishing certificates" should be deleted and substituted with "from the delivery of such water prior to a required Reclamation Reform Act of 1982 form being on file as provided for". There was no error in the forms issued by the Secretary.

Section 6 should enable reclamation to address prior law form violations as well as discretionary provision violations. To accomplish this, subsections (a) and (b) should reference Section 224c as well as Section 206 of the RRA.

As drafted, Section would not enable Reclamation to treat all water districts consistently. In subsection (b), Reclamation suggests that the word "occurrence" be substituted for "collection". Reclamation did not issue bills uniformly. For example, some regions issued one bill for each violation and other districts issued multiple violations on each bill. By substituting the word "occurrence" for the word "collection" in subsection (b) Reclamation would be in the position to treat all districts fairly and equitably on this issue.

Finally, Reclamation recommends that a new subsection be inserted regarding authorization of appropriations. Without an authorization and an appropriation, Reclamation will not be in the position to refund the monies. We estimate that a one time appropriation of $1,250,000 will be needed to cover refund costs.

SECTION 7. DESIGNATION OF TRINITY LAKE

Section 7 would change the name of the reservoir created by Trinity Dam from "Clair Engle Lake" to "Trinity Lake." Reclamation supports this name change.

SECTION 8. EXTENSION OF PERIODS FOR REPAYMENTS FOR NUECES RIVER RECLAMATION PROJECT AND CANADIAN RIVER RECLAMATION PROJECT, TEXAS

Section 8 would clarify the manner in which Reclamation is authorized to implement debt deferrals for the City of Corpus Christi, Texas, the Nueces River Authority and the Canadian River municipal Water Authority. Last year, Public Law 104–318 provided for a deferral of repayment debt for certain Texas entities. While Committee report language described how Reclamation should extend the repayment period, the statute was not consistent with Committee report language. Section 8 describes how the Secretary will extend the period for repayment for certain contracts, notwithstanding the Reclamation Project Act of 1939. Reclamation does not object to this language.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

This concludes Reclamation's statement on H.R. 2402. Thank you again for the opportunity to testify.

Sincerely,

PATRICIA J. BENEKE,
Assistant Secretary for Water and Science.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill H.R. 2402, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

THE RECLAMATION SAFETY OF DAMS ACT OF 1978

(92 Stat. 2471; 43 U.S.C. 509)

* * * * * * *

SEC. 5. There are hereby authorized to be appropriated for fiscal year 1979 and ensuing fiscal years such sums as may be necessary and, effective October 1, 1983, not to exceed an additional $650,000,000 (October 1, 1983, price levels), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein, to carry out the provisions of this Act to remain available until expended if so provided by the appropriations Act: *Provided,* That no funds exceeding $750,000 shall be obligated for carrying out actual construction to modify an existing dam under authority of this Act prior to [sixty days (which sixty days shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days to a day certain)] *30 calendar days* from the date that the Secretary has transmitted a report on such existing dam to the Congress. The report required to be submitted by this section will consist of a finding by the Secretary of the Interior to the effect that modifications are required to be made to insure the safety of an existing dam. Such finding shall be accompanied by a technical report containing information on the need for structural modification, the corrective action deemed to be required, alternative solutions to structural modification that were considered, the estimated cost of needed modifications, and environmental impacts if any resulting from the implementation of the recommended plan of modification.

RECLAMATION PROJECTS AUTHORIZATION AND ADJUSTMENT ACT OF 1992

(Public Law 102–575; 106 Stat. 4600)

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TITLE XVI—RECLAMATION WASTEWATER AND GROUNDWATER STUDIES

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SEC. 1608. PHOENIX METROPOLITAN WATER RECLAMATION STUDY AND PROGRAM.

[(a) The Secretary, in cooperation with the city of Phoenix, Arizona, shall conduct a feasibility study of the potential for development of facilities to utilize fully wastewater from the regional wastewater treatment plant for direct municipal, industrial, agricultural, and environmental purposes, groundwater, recharge and direct potable reuse in the Phoenix metropolitan area, and in cooperation with the city of Phoenix design and construct facilities for environmental purposes, ground water recharge and direct potable reuse.**]**

(a) The Secretary, in cooperation with the city of Phoenix, Arizona, shall participate in the planning, design, and construction of the Phoenix Metropolitan Water Reclamation and Reuse Project to utilize fully wastewater from the regional wastewater treatment plant for direct municipal, industrial, agricultural, and environmental purposes, groundwater recharge, and direct potable reuse in the Phoenix metropolitan area.

(b) **[**The Federal share of the costs of the study authorized by this section shall not exceed 50 per centum of the total.**]** The Federal share of the costs associated with the project described in subsection (a) shall not exceed 25 per centum of the total. The Secretary shall not provide funds for operation or maintenance of the project.

[(c) The Secretary shall submit the report authorized by this section to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives not later than two years after appropriation of funds authorized by this title.**]**

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SEC. 1621. ALBUQUERQUE METROPOLITAN AREA WATER RECLAMATION AND REUSE [STUDY].

(a) AUTHORIZATION.—The Secretary, in cooperation with the city of Albuquerque, New Mexico, is authorized to participate in *the planning, design, and construction of* the Albuquerque Metropolitan Area Water Reclamation and Reuse **[**Study**]** *Project* to reclaim and reuse industrial and municipal wastewater and reclaim and use naturally impaired ground water in the Albuquerque metropolitan area.

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THE EMERGENCY DROUGHT RELIEF ACT OF 1996

(Public Law 104–318, 110 Stat. 3862)

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SEC. 2. EMERGENCY DROUGHT RELIEF.

(a) * * *

* * * * * * *

(c) EXTENSION OF PERIODS FOR REPAYMENT.—Notwithstanding any provision of the Reclamation Project Act of 1939 (43 U.S.C. 485 et seq.), the Secretary of the Interior—

(1) shall extend the period for repayment by the City of Corpus Christi, Texas, and the Nueces River Authority under contract No. 6–07–01–X0675, relating to the Nueces River reclamation project, Texas, until—

(A) August 1, 2029, for repayment pursuant to the municipal and industrial water supply benefits portion of the contract; and

(B) until August 1, 2044, for repayment pursuant to the fish and wildlife and recreation benefits portion of the contract; and

(2) shall extend the period for repayment by the Canadian River Municipal Water Authority under contract No. 14–06–500–485, relating to the Canadian River reclamation project, Texas, until October 1, 2021.

Canadian River Project

An act to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Canadian River reclamation project, Texas. (Act of December 29, 1950, ch. 1183, 64 Stat. 1124)

* * * * * * *

SEC. 4. (a) The Secretary of the Interior shall allow use of the project distribution system (including all pipelines, aqueducts, pumping plants, and related facilities) for transport of water from the Canadian River Conjunctive Use Groundwater Project to municipalities that are receiving water from the project. Such use shall be subject only to such environmental review as is required under the Memorandum of Understanding, No. 97–AG–60–09340, between the Bureau of Reclamation and the Canadian River Municipal Water Authority, and a review and approval of the engineering design of the interconnection facilities to assure the continued integrity of the project. Such environmental review shall be completed within 90 days after the date of enactment of this section.

(b) The Canadian River Municipal Water Authority shall bear the responsibility for all costs of construction, operation, and maintenance of the Canadian River Conjunctive Groundwater Project, and for costs incurred by the Secretary in conducting the environmental review of the project. The Secretary shall not assess any additional charges in connection with the Canadian River Conjunctive Use Groundwater Project.

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