

Calendar No. 633

103^D CONGRESS
2^D SESSION

S. 2124

[Report No. 103-379]

A BILL

To provide for private development of power at the
Mancos Project, and for other purposes.

SEPTEMBER 26 (legislative day, SEPTEMBER 12), 1994
Reported without amendment

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for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 17 (legislative day, MAY 16), 1994

Mr. CAMPBELL (for himself and Mr. BROWN) introduced the following bill;
which was read twice and referred to the Committee on Energy and
Natural Resources

SEPTEMBER 26 (legislative day, SEPTEMBER 12), 1994

Reported by Mr. JOHNSTON, without amendment

A BILL

To provide for private development of power at the Mancos
Project, and for other purposes.

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

3 SHORT TITLE

4 SECTION 1. This bill may be cited as the “Mancos
5 Project Private Power Development Authorization Act of
6 1994”.

FINDINGS

1

2 SEC. 2. Congress finds that (a) Development of hydroelectric power at the Mancos Project consistent with
3 the Feasibility Report and Engineering and Construction
4 Report for the Jackson Gulch Reservoir Hydroelectric
5 Project dated April 19, 1991, and revised on May 13,
6 1992, and February 10, 1993, by the Mancos Water Conservancy District—

9

(1) will be without cost to the United States;

10

(2) will not impair the efficiency of the project
11 for irrigation purposes;

12

(3) will not alter the volume, timing, or temperatures of flows from the reservoir; and

14

(4) is not likely to cause any new or increased
15 adverse impacts to any federally listed or candidate

16

species.

17

(b) That the Mancos Water Conservancy District is
18 currently operating and maintaining facilities at the

19 Mancos Project and that the development of hydroelectric

20 power at the Mancos Project consistent with the Feasibility

21 Report and Engineering and Construction Report for

22 the Jackson Gulch Reservoir Hydroelectric Project dated

23 April 19, 1991, revised on May 13, 1992, and February

24 10, 1993, by the Mancos Water Conservancy District will

1 not increase operation and maintenance costs of the Fed-
2 eral Government.

3 (c) That any lease of power privileges issued by the
4 Secretary pursuant to this Act does not constitute a “con-
5 tract” under section 202(1) of Public Law 97–293 (96
6 Stat. 1261; 43 U.S.C. 390bb) and that nothing in this
7 Act is intended to make applicable any section of Public
8 Law 97–293 (96 Stat. 1261; 43 U.S.C. 390aa et seq.)
9 that would not previously apply.

10 AUTHORIZATION TO LEASE POWER PRIVILEGES

11 SEC. 3. Notwithstanding the provisions of the Water
12 Conservation and Utilization Act (16 U.S.C. 590y–590z–
13 11) or any relevant provision of the repayment contract
14 Ilr–384, dated July 20, 1942, as amended December 22,
15 1947, the Secretary is authorized to enter into a lease of
16 power privileges at the Mancos Project, Colorado, with the
17 Mancos Water Conservancy District.

18 LEASE CONDITIONS

19 SEC. 4. Any such lease of power privileges issued pur-
20 suant to section 3 of this Act shall not exceed a period
21 of forty years and shall be consistent with rates charged
22 by the Federal Energy Regulatory Commission for com-
23 parable sized projects. Moneys derived from such lease
24 shall be covered into the reclamation fund in accordance
25 with relevant parts of Federal reclamation law, the Act

1 of June 17, 1902, and Acts supplementary thereto and
2 amendatory thereof (43 U.S.C. 371).

3 REVENUES DERIVED FROM POWER DEVELOPMENT

4 SEC. 5. Notwithstanding the provisions of the Water
5 Conservation and Utilization Act (16 U.S.C. 590y-590z-
6 11) or any relevant provision of the repayment contract
7 Ilr-384, dated July 20, 1942, as amended December 22,
8 1947, the Mancos Water Conservancy District may receive
9 revenues from the sale of the power generated pursuant
10 to such lease of power privilege.