

Union Calendar No. 457

105TH CONGRESS
2^D SESSION

H. R. 4223

[Report No. 105-813]

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

IN THE HOUSE OF REPRESENTATIVES

JULY 15, 1998

Mr. FAZIO of California introduced the following bill; which was referred to the Committee on Resources

OCTOBER 12, 1998

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To assist in the development and implementation of projects to provide for the control of drainage, storm, flood and other waters 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”.

6 **SEC. 2. AUTHORIZATION OF ASSISTANCE.**

7 The Secretary of the Interior (in this Act referred
8 to as the “Secretary”) may provide financial assistance
9 to the Colusa Basin Drainage District, California (in this
10 Act referred to as the “District”), for use by the District
11 or by local agencies acting pursuant to section 413 of the
12 State of California statute known as the Colusa Basin
13 Drainage Act (California Stats. 1987, ch. 1399) as in ef-
14 fect on the date of the enactment of this Act (in this Act
15 referred to as the “State statute”), for planning, design,
16 environmental compliance, and construction required in
17 carrying out eligible projects in the Colusa Basin Water-
18 shed to—

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

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

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

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

5 **SEC. 3. PROJECT SELECTION.**

6 (a) **ELIGIBLE PROJECTS.**—A project shall be an eligi-
7 ble project for purposes of section 2 only if it 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 authority of the Central Valley Project Im-
20 provement Act (Public Law 102–575; 106 Stat. 4706 et
21 seq.) or the CALFED Bay-Delta Program.

22 **SEC. 4. 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 appropriated pursuant to this Act may be
9 made available to fund all costs incurred for planning, de-
10 sign, and environmental compliance activities by the Dis-
11 trict or by local agencies acting pursuant to the State stat-
12 ute, in accordance with agreements with the Secretary.

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

19 **SEC. 5. COSTS NONREIMBURSABLE.**

20 Amounts expended pursuant to this Act shall be con-
21 sidered nonreimbursable for purposes of the Act of June
22 17, 1902 (32 Stat. 388; 43 U.S.C. 371 et seq.), and Acts
23 amendatory thereof and supplemental thereto.

1 **SEC. 6. AGREEMENTS.**

2 Funds appropriated pursuant to this Act may be
3 made available to the District or a local agency only if
4 the District or local agency, as applicable, has entered into
5 a binding agreement with the Secretary—

6 (1) under which the District or the local agency
7 is required to pay the non-Federal share of the costs
8 of construction required by section 4(a); and

9 (2) governing the funding of planning, design,
10 and compliance activities costs under section 4(b).

11 **SEC. 7. 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 pursuant to the
15 State statute in section 2 before the date amounts are pro-
16 vided for the project under this Act, the Secretary shall,
17 subject to amounts being made available in advance in ap-
18 propriations Acts, reimburse the District or the local agen-
19 cy, without interest, an amount equal to the estimated
20 Federal share of the cost of such work under section 4.

21 **SEC. 8. 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 the purposes of this
25 Act.

1 (b) SUBCONTRACTING.—Under such cooperative
2 agreements and contracts, the Secretary may authorize
3 the District to manage and let contracts and receive reim-
4 bursements, subject to amounts being made available in
5 advance in appropriations Acts, for work carried out under
6 such contracts or subcontracts.

7 **SEC. 9. RELATIONSHIP TO RECLAMATION REFORM ACT OF**
8 **1982.**

9 Activities carried out, and financial assistance pro-
10 vided, under this Act shall not be considered a supple-
11 mental or additional benefit for purposes of the Reclama-
12 tion Reform Act of 1982 (96 Stat. 1263; 43 U.S.C. 390aa
13 et seq.).

14 **SEC. 10. APPROPRIATIONS AUTHORIZED.**

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

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