

Calendar No. 310

109TH CONGRESS
1ST SESSION

S. 1025

[Report No. 109–192]

To amend the Act entitled “An Act to provide for the construction of the Cheney division, Wichita Federal reclamation project, Kansas, and for other purposes” to authorize the Equus Beds Division of the Wichita Project.

IN THE SENATE OF THE UNITED STATES

MAY 12, 2005

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

DECEMBER 8, 2005

Reported under authority of the order of the Senate of November 18, 2005,
by Mr. DOMENICI, with an amendment

[Omit the part struck through]

A BILL

To amend the Act entitled “An Act to provide for the construction of the Cheney division, Wichita Federal reclamation project, Kansas, and for other purposes” to authorize the Equus Beds Division of the Wichita Project.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Wichita Project Equus
3 Beds Division Authorization Act of 2005”.

4 **SEC. 2. EQUUS BEDS DIVISION.**

5 The Act entitled “An Act to provide for the construc-
6 tion of the Cheney division, Wichita Federal reclamation
7 project, Kansas, and for other purposes” (Public Law 86–
8 787; 74 Stat. 1026) is amended by adding the following
9 new section:

10 **“SEC. 10. EQUUS BEDS DIVISION.**

11 “(a) AUTHORIZATION.—The Secretary of the Interior
12 may assist in the funding and implementation of the
13 Equus Beds Aquifer Recharge and Recovery Component
14 which is a part of the ‘Integrated Local Water Supply
15 Plan, Wichita, Kansas’ (referred to in this section as the
16 ‘Equus Beds Division’). Construction of the Equus Beds
17 Division shall be in substantial accordance with the plans
18 and designs.

19 “(b) OPERATION, MAINTENANCE, AND REPLACE-
20 MENT.—Operation, maintenance, and replacement of the
21 Equus Beds Division, including funding for those pur-
22 poses, shall be the sole responsibility of the City of Wich-
23 ita, Kansas. The Equus Beds Division shall be operated
24 in accordance with applicable laws and regulations.

25 “(c) AGREEMENTS.—The Secretary of the Interior
26 may enter into, or agree to amendments of, cooperative

1 agreements and other appropriate agreements to carry out
2 this section.

3 “(d) ADMINISTRATIVE COSTS.—From funds made
4 available for this section, the Secretary of the Interior may
5 charge an appropriate share related to administrative
6 costs incurred.

7 “(e) PLANS AND ANALYSES CONSISTENT WITH FED-
8 ERAL LAW.—Before obligating funds for design or con-
9 struction under this section, the Secretary of the Interior
10 shall work cooperatively with the City of Wichita, Kansas,
11 to use, to the extent possible, plans, designs, and engineer-
12 ing and environmental analyses that have already been
13 prepared by the City for the Equus Beds Division. The
14 Secretary of the Interior shall assure that such informa-
15 tion is used consistent with applicable Federal laws and
16 regulations; ~~including principles and guidelines used in~~
17 ~~preparing feasibility level project studies.~~

18 “(f) TITLE; RESPONSIBILITY; LIABILITY.—Nothing
19 in this section or assistance provided under this section
20 shall be construed to transfer title, responsibility, or liabil-
21 ity related to the Equus Beds Division (including portions
22 or features thereof) to the United States.

23 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
24 is authorized to be appropriated as the Federal share of
25 the total cost of the Equus Beds Division, an amount not

1 to not exceed 25 percent of the total cost or \$30,000,000
2 (January, 2003 prices), whichever is less, plus or minus
3 such amounts, if any, as may be justified by reason of
4 ordinary fluctuations in construction costs as indicated by
5 engineering cost indexes applicable to the type of construc-
6 tion involved herein, whichever is less. Such sums shall
7 be nonreimbursable.

8 “(h) TERMINATION OF AUTHORITY.—The authority
9 of the Secretary of the Interior to carry out any provision
10 of this section shall terminate 10 years after the date of
11 enactment of this section.”.

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