

117TH CONGRESS
2D SESSION

S. 4175

To amend the Omnibus Public Land Management Act of 2009 to authorize certain extraordinary operation and maintenance work for urban canals of concern.

IN THE SENATE OF THE UNITED STATES

MAY 10, 2022

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

A BILL

To amend the Omnibus Public Land Management Act of 2009 to authorize certain extraordinary operation and maintenance work for urban canals of concern.

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. EXTRAORDINARY OPERATION AND MAINTENANCE WORK PERFORMED BY THE SECRETARY.**

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5
6 (a) DEFINITIONS.—Section 9601 of the Omnibus
7 Public Land Management Act of 2009 (43 U.S.C. 510)
8 is amended—

1 (1) by redesignating paragraphs (1), (2), (3),
2 (4), (5), (6), and (7) as paragraphs (2), (3), (4),
3 (5), (6), (7), and (1), respectively;

4 (2) in paragraph (3) (as so redesignated), by
5 striking “et seq.” and inserting “et seq.)”;

6 (3) in paragraph (4) (as so redesignated), by
7 striking “mean” and inserting “means”; and

8 (4) by adding at the end the following:

9 “(8) URBAN CANAL OF CONCERN.—The term
10 ‘urban canal of concern’ means a transferred works
11 or segment of a transferred works—

12 “(A) that conveys water through a densely
13 populated urban area; and

14 “(B) with respect to which the Secretary
15 determines, pursuant to the guidelines and cri-
16 teria developed under section 9602(a), that if a
17 failure were to occur, the failure would result in
18 loss of life and property in the vicinity of the
19 failed transferred works or segment of trans-
20 ferred works.”.

21 (b) EXTRAORDINARY MAINTENANCE AND OPER-
22 ATION WORK ON URBAN CANAL OF CONCERNS.—Section
23 9603 of the Omnibus Public Land Management Act of
24 2009 (43 U.S.C. 510b) is amended—

25 (1) in subsection (c)—

1 (A) in paragraph (1)—

2 (i) by striking “carry out any” and in-
3 serting the following: “carry out—
4 “(A) any”;

5 (ii) in subparagraph (A) (as so des-
6 ignated), by striking the period at the end
7 and inserting “; or”; and

8 (iii) by adding at the end the fol-
9 lowing:

10 “(B) any extraordinary maintenance and
11 operation work on an urban canal of concern.”;
12 and

13 (B) in paragraph (3), in the first sen-
14 tence—

15 (i) by striking “If the Secretary” and
16 inserting “In the case of extraordinary
17 maintenance and operation work on an
18 urban canal of concern authorized under
19 paragraph (1) or if the Secretary”;

20 (ii) by striking “, which” and insert-
21 ing “that”; and

22 (iii) by inserting “or to carry out the
23 extraordinary maintenance and operation
24 work on the urban canal of concern” after
25 “imminent harm”; and

1 (2) by adding at the end the following:

2 “(e) REIMBURSABLE FUNDS.—Any reimbursable
3 funds provided under this section shall be considered to
4 be a non-Federal source of funds for purposes of any cost-
5 sharing requirement for a Federal grant.”.

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