

INTERIOR ACTS

PUBLIC LAW 107-366—DEC. 19, 2002

Public Law 107-366
107th Congress

An Act

Dec. 19, 2002
[H.R. 4129]

To amend the Central Utah Project Completion Act to clarify the responsibilities of the Secretary of the Interior with respect to the Central Utah Project, to redirect unexpended budget authority for the Central Utah Project for wastewater treatment and reuse and other purposes, to provide for prepayment of repayment contracts for municipal and industrial water delivery facilities, and to eliminate a deadline for such prepayment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENTS TO THE CENTRAL UTAH PROJECT COMPLETION ACT.

(a) TREATMENT OF INVESTIGATION COSTS.—Section 201(b) of the Central Utah Project Completion Act (106 Stat. 4607) is amended following paragraph (2) by inserting the following: “All amounts previously expended in planning and developing the projects and features described in this subsection including amounts previously expended for investigation of power features in the Bonneville Unit shall be considered non-reimbursable and non-returnable.”

(b) CLARIFICATION OF SECRETARIAL RESPONSIBILITIES.—Section 201(e) of the Central Utah Project Completion Act (106 Stat. 4608) is amended—

(1) in the first sentence—

(A) by striking “identified in this Act” and inserting “identified in this title and the Act of April 11, 1956 (chapter 203; 70 Stat. 110 et seq.), popularly known as the Colorado River Storage Project Act,”;

(B) by inserting “relating to the Bonneville Unit of the Central Utah Project including oversight for all phases of the Bonneville Unit, the administration of all prior and future contracts, operation and maintenance of previously constructed facilities” before “and may not delegate”;

(C) by striking “his responsibilities under this Act” and inserting “such responsibilities”; and

(D) by striking the period after “Reclamation” and inserting: “, except through the pilot management program hereby authorized. The pilot management program will exist for a period not to exceed 5 years and shall provide a mechanism for the Secretary and the District to create a mutually acceptable organization within the Bureau of Reclamation to assist the Secretary in his responsibilities for the long-term management of the Bonneville Unit. Such pilot management program may be extended indefinitely by mutual agreement between the Secretary and the District.”;

(2) in the second sentence—

(A) by inserting “technical” before “services”; and

(B) by inserting “for engineering and construction work” before “on any project features”; and

(3) by inserting at the end thereof the following new sentence: “These provisions shall not affect the responsibilities of the Bureau of Reclamation and the Western Area Power Administration regarding all matters relating to all Colorado River Storage Project power functions, including all matters affecting the use of power revenues, power rates and rate-making.”

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(c) MUNICIPAL AND INDUSTRIAL WATER.—Section 202(a)(1)(B) of the Central Utah Project Completion Act (106 Stat. 4608) is amended in the last sentence by inserting “and municipal and industrial water” after the word “basin”.

(d) USE OF UNEXPENDED BUDGET AUTHORITY.—Section 202(c) of the Central Utah Project Completion Act (106 Stat. 4611) is amended to read as follows: “The Secretary is authorized to utilize all unexpended budget authority for units of the Central Utah Project up to \$300,000,000 and the balance of such budget authority in excess of this amount is deauthorized. Such \$300,000,000 may be used to provide 65 percent Federal share pursuant to section 204, to acquire water and water rights for project purposes including instream flows, to complete project facilities authorized in this title and title III, to implement water conservation measures under section 207, including use of reverse osmosis membrane technologies, water recycling, and conjunctive use, to stabilize high mountain lakes and appurtenant facilities, to develop power, and for other purposes. In addition, funds may be provided by the Commission for fish and wildlife purposes. The District shall comply with the provisions of sections 202(a)(1), 205(b), and Title VI with respect to the features to be provided for in this subsection.”.

(e) PREPAYMENT OF REPAYMENT.—Section 210 of the Central Utah Project Completion Act (106 Stat. 4624) is amended—

(1) in the second sentence—

(A) by inserting “or any additional or supplemental repayment contract” after “1985,”; and

(B) by inserting “of the Central Utah Project” after “water delivery facilities”; and

(2) by striking “The District shall exercise” and all that follows through the end of that sentence.

SEC. 2. USE OF PROJECT FACILITIES FOR NONPROJECT WATER.

The Secretary of the Interior may enter into contracts with the Provo River Water Users Association or any of its member unit contractors for water from Provo River, Utah, under the Act of February 21, 1911 (43 U.S.C. 523), for—

(1) the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes, using facilities associated with the Provo River Project, Utah; and

(2) the exchange of water among Provo River Project contractors, for the purposes set forth in paragraph (1), using facilities associated with the Provo River Project, Utah.

Approved December 19, 2002.

LEGISLATIVE HISTORY—H.R. 4129 (S. 2475):

HOUSE REPORTS: No. 107-554 (Comm. on Resources).

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Oct. 1, considered and passed House.

Nov. 19, considered and passed Senate.