

of 1969 [42 U.S.C. 4321 et seq.], and the Federal Water Pollution Control Act, as amended [33 U.S.C. 1251 et seq.].

(Pub. L. 93-320, title I, § 207, June 24, 1974, 88 Stat. 274.)

REFERENCES IN TEXT

Sections 620d(d)(5), 1543(g)(2), and 1595(b) of this title, referred to in text, was in the original a reference to “section 205(b) and 205(d) of this title”, meaning section 205(b) and (d) of title II of Pub. L. 93-320. Section 205(b)(1) is classified to section 1595(b) of this title; section 205(b)(2) amended section 403(g) of the Colorado River Basin Project Act by inserting a new par. (2), which is classified to section 1543(g)(2) of this title; and section 205(d) amended section 5(d) of the Colorado River Storage Project Act by inserting a new par. (5), which is classified to section 620d(d)(5) of this title.

This subchapter, referred to in text, was in the original “this title”, meaning title II of Pub. L. 93-320, which enacted this subchapter and amended sections 1620d(d) and 1543(g) of this title. For complete classification of title II to the Code, see Tables.

The Colorado River Basin Project Act, referred to in text, is Pub. L. 90-537, Sept. 30, 1968, 82 Stat. 885, as amended, which is classified principally to chapter 32 (§1501 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1501 of this title and Tables.

The Colorado River Storage Project Act, referred to in text, is act Apr. 11, 1956, ch. 203, 70 Stat. 105, as amended, which is classified generally to chapter 12B (§620 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 620 of this title and Tables.

The Colorado River Compact (45 Stat. 1057), the Upper Colorado River Basin Compact (63 Stat. 31), and the Water Treaty of 1944, referred to in text, are not classified to the Code.

The Boulder Canyon Project Act, referred to in text, is act Dec. 21, 1928, ch. 42, 45 Stat. 1057, as amended, which is classified generally to subchapter I (§617 et seq.) of chapter 12A of this title. For complete classification of this Act to the Code, see section 617t of this title and Tables.

The Boulder Canyon Project Adjustment Act, referred to in text, is act July 19, 1940, ch. 643, 54 Stat. 774, as amended, which is classified generally to subchapter II (§618 et seq.) of chapter 12A of this title. For complete classification of this Act to the Code, see section 618o of this title and Tables.

Section 6 of the Fryingspan-Arkansas Project Act [43 U.S.C. 616e] and section 15 of the Navajo Indian irrigation project and initial stage of the San Juan-Chama Project Act [43 U.S.C. 615ww], referred to in text, were omitted from the Code.

The National Environmental Policy Act of 1969, referred to in text, is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, as amended, which is classified generally to chapter 55 (§4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

The Federal Water Pollution Control Act, as amended, referred to in text, is act June 30, 1948, ch. 758, as amended generally by Pub. L. 92-500, § 2, Oct. 18, 1972, 86 Stat. 816, which is classified generally to chapter 26 (§1251 et seq.) of Title 33, Navigation and Navigable Waters. For complete classification of this Act to the Code, see Short Title note set out under section 1251 of Title 33 and Tables.

§ 1598. Achieving project objectives

(a) Modification of projects

The Secretary is authorized to provide for modifications of the projects authorized by this subchapter as determined to be appropriate for

purposes of meeting the objective of this subchapter. No funds for any such modification shall be expended until the expiration of sixty days after the proposed modification has been submitted to appropriate committees of the Congress, except that funds may be expended prior to the expiration of such sixty days in any case in which the Congress approves an earlier date by concurrent resolution. The Governors of the Colorado River Basin States shall be notified of these changes.

(b) Contract authority; authorization of appropriations

The Secretary is hereby authorized to enter into contracts that he deems necessary to carry out the provisions of this subchapter, in advance of the appropriation of funds therefor. There is hereby authorized to be appropriated the sum of \$125,100,000 for the construction of the works and for other purposes authorized in section 1592(a) or (b) of this title, based on April 1973 prices, plus or minus such amounts as may be justified by reason of ordinary fluctuations in costs involved therein, and such sums as may be required to operate and maintain such works. The funds authorized to be appropriated by this section may be used for construction of any or all of the works or portions thereof and for other purposes authorized in subsection (a) of this section, including measures as provided for in subsection (b) of section 1592 of this title. There is further authorized to be appropriated such sums as may be necessary to pay condemnation awards in excess of appraised values and to cover costs required in connection with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 [42 U.S.C. 4601 et seq.].

(c) Implementation of basinwide salinity control program

In addition to the amounts authorized to be appropriated under subsection (b) of this section, there are authorized to be appropriated \$175,000,000 for section 1592(a) of this title, including constructing the works described in paragraph (6) of section 1592(a) of this title and carrying out the measures described in such paragraph. Notwithstanding subsection (b) of this section, the Secretary may implement the program under section 1592(a)(6) of this title only to the extent and in such amounts as are provided in advance in appropriations Acts.

(Pub. L. 93-320, title II, § 208, June 24, 1974, 88 Stat. 274; Pub. L. 98-569, § 5, Oct. 30, 1984, 98 Stat. 2939; Pub. L. 104-20, § 1(3), July 28, 1995, 109 Stat. 256; Pub. L. 106-459, § 1, Nov. 7, 2000, 114 Stat. 1987.)

REFERENCES IN TEXT

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, referred to in subsection (b), is Pub. L. 91-646, Jan. 2, 1971, 84 Stat. 1894, which is classified principally to chapter 61 (§4601 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4601 of Title 42 and Tables.

AMENDMENTS

2000—Subsec. (c). Pub. L. 106-459, in first sentence, substituted “\$175,000,000 for section 1592(a) of this title”

for “\$75,000,000 for subsection 1592(a) of this title” and “paragraph (6) of section 1592(a) of this title” for “paragraph 1592(a)(6) of this title” and, in second sentence, substituted “section 1592(a)(6) of this title” for “paragraph 1592(a)(6) of this title”.

1995—Subsec. (c). Pub. L. 104-20 added subsec. (c).

1984—Subsec. (a). Pub. L. 98-569, §5(a), struck out “and not then if disapproved by said committees” before “, except that funds may be expended”.

Subsec. (b). Pub. L. 98-569, §5(b)(1), inserted “(a) or (b)” after “1592”.

Pub. L. 98-569, §5(b)(2), inserted “The funds authorized to be appropriated by this section may be used for construction of any or all of the works or portions thereof and for other purposes authorized in subsection (a) of this section, including measures as provided for in subsection (b) of section 1592 of this title.”

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-569 effective Oct. 30, 1984, see section 6 of Pub. L. 98-569, set out as a note under section 1591 of this title.

§ 1599. Definitions

As used in this subchapter—

(a) all terms that are defined in the Colorado River Compact shall have the meanings therein defined;

(b) “Colorado River Basin States” means the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming.

(Pub. L. 93-320, title II, §209, June 24, 1974, 88 Stat. 275.)

CHAPTER 32B—COLORADO RIVER FLOODWAY

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§ 1600. Findings and purposes

(a) Findings

The Congress finds that—

(1) there are multiple purposes established by law for the dams and other control structures administered by the Secretary of the Interior on the Colorado River;

(2) the maintenance of the Colorado River Floodway established in this chapter is essential to accomplish these multiple purposes;

(3) developments within the Floodway are and will continue to be vulnerable to damaging flows such as the property damage which occurred in 1983 and may occur in the future;

(4) certain Federal programs which subsidize or permit development within the Floodway threaten human life, health, property, and natural resources; and

(5) there is a need for coordinated Federal, State, and local action to limit Floodway development.

(b) Purpose

The Congress declares that the purposes of this chapter are to—

(1) establish the Colorado River Floodway, as designated and described further in this chapter, so as to provide benefits to river users and to minimize the loss of human life, protect health and safety, and minimize damage to property and natural resources by restricting future Federal expenditures and financial assistance, except public health funds, which have the effect of encouraging development within the Colorado River Floodway; and

(2) establish a task force to advise the Secretary of the Interior and the Congress on establishment of the Floodway and on managing existing and future development within the Floodway, including the appropriateness of compensation in specified cases of extraordinary hardship.

(Pub. L. 99-450, §2, Oct. 8, 1986, 100 Stat. 1129.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 99-450, Oct. 8, 1986, 100 Stat. 1129, known as the Colorado River Floodway Protection Act, which enacted this chapter and section 4029 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

SHORT TITLE

Section 1 of Pub. L. 99-450 provided that: “This Act [enacting this chapter and section 4029 of Title 42, The Public Health and Welfare] may be cited as the ‘Colorado River Floodway Protection Act.’”

§ 1600a. Definitions

(a) The term “Committees” refers to the Committee on Natural Resources of the United States House of Representatives and the Committee on Environment and Public Works and the Committee on Energy and Natural Resources of the United States Senate.

(b) The term “financial assistance” means any form of loan, grant, guaranty, insurance, payment, rebate, subsidy, or any other form of direct or indirect Federal assistance other than—

(1) general revenue-sharing grants made under section 6702¹ of title 31;

(2) deposit or account insurance for customers of banks, savings and loan associations, credit unions, or similar institutions;

(3) the purchase of mortgages or loans by the Government National Mortgage Association, the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation;

(4) assistance for environmental studies, plans, and assessments that are required incident to the issuance of permits or other authorizations under Federal law; and

(5) assistance pursuant to programs entirely unrelated to development, such as any Federal or federally assisted public assistance program or any Federal old-age, survivors, or disability insurance program.

Such term also includes flood insurance described in sections² 4029(a) and (b) of title 42 on

¹ See References in Text note below.

² So in original. Probably should be in the singular.