

State. No provision of this chapter shall be construed to invalidate any provision of State, tribal, or local law unless there is a direct conflict between such provision and the law of the State, or political subdivision of the State or tribe, so that the two cannot be reconciled or consistently stand together. Inconsistencies shall be reviewed by the task force, and the task force shall make recommendations concerning such local laws. This chapter shall in no way be interpreted to interfere with a State's or tribe's right to protect, rehabilitate, preserve, and restore lands within its established boundary.

(Pub. L. 99-450, §9, Oct. 8, 1986, 100 Stat. 1134.)

#### REFERENCES IN TEXT

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 Flood Control Act of 1944, referred to in text, is act Dec. 22, 1944, ch. 665, 58 Stat. 887, as amended, which enacted section 390 of this title, sections 460d and 825s of Title 16, Conservation, and sections 701-1, 701a-1, 708, and 709 of Title 33, Navigation and Navigable Waters, and enacted provisions set out as notes under sections 701c, 701f, and 701j of Title 33. For complete classification of this Act to the Code, see Tables.

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.

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 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.

#### § 1600h. Separability

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the remainder of the chapter and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

(Pub. L. 99-450, §10, Oct. 8, 1986, 100 Stat. 1134.)

#### § 1600i. Reports to Congress

Within one year after October 8, 1986, the Secretary shall prepare and submit to the Committees a report regarding the Colorado River Floodway, the task force's report, and the Secretary's recommendations with respect to the objectives outlined in section 1600b(b) of this title. In making his report, the Secretary shall analyze the effects of this chapter on the economic development of the Indian tribes whose lands are located within the Floodway.

(Pub. L. 99-450, §11, Oct. 8, 1986, 100 Stat. 1134.)

#### § 1600j. Federal leases

##### (a) Lease of lands owned in whole or in part by United States within Floodway; determination of consistency with operation and maintenance

No lease of lands owned in whole or in part by the United States and within the Colorado River Floodway shall be granted after October 8, 1986, unless the Secretary determines that such lease would be consistent with the operation and maintenance of the Colorado River Floodway.

##### (b) Extension of existing leases; minimization of inconsistency with operation and maintenance of Floodway

No existing lease of lands owned in whole or in part by the United States and within the Colorado River Floodway shall be extended beyond October 8, 1986, or the stated expiration date of its current term, whichever is later, unless the lessee agrees to take reasonable and prudent steps determined to be necessary by the Secretary to minimize the inconsistency of operation under such lease with the operation and maintenance of the Colorado River Floodway.

##### (c) Lease of lands owned in whole or in part by United States between Hoover Dam and Davis Dam

No lease of lands owned in whole or part by the United States between Hoover Dam and Davis Dam below elevation 655.0 feet on Lake Mohave shall be granted unless the Secretary determines that such lease would be consistent with the operation of Lake Mohave.

##### (d) Lease operations on Indian lands

The provisions of subsections (a) and (b) of this section shall not apply to lease operations on Indian lands pursuant to a lease providing for activities which are exempted under section 1600e of this title.

##### (e) Lands held in trust by United States for benefit of Indian tribes or individuals

Subsections (a) and (b) of this section shall not apply to lands held in trust by the United States for the benefit of any Indian tribe or individual with respect to any lease where capital improvements, and operation and maintenance costs are not provided for by Federal financial assistance if the lessee, tribe, or individual has provided insurance or other security for the benefit of the Secretary sufficient to insure against all reasonably foreseeable,<sup>1</sup> direct, and consequential damages to the property of the tribe, private persons, and the United States, which may result from the proposed lease.

(Pub. L. 99-450, §13, Oct. 8, 1986, 100 Stat. 1135.)

#### § 1600k. Notices and existing laws

##### (a) Provisions relating to construction work, liability for damage, etc., on Mississippi River; notice to lessees

(1) Nothing in this chapter shall alter or affect in any way the provisions of section 702c of title 33.

<sup>1</sup> So in original. Probably should be "foreseeable."