

§ 2214. Applicable period of drought program**(a) In general**

The programs and authorities established under this subchapter shall become operative in any Reclamation State and in the State of Hawaii only after the Governor or Governors of the affected State or States, or on a reservation, when the governing body of the affected tribe has made a request for temporary drought assistance and the Secretary has determined that such temporary assistance is merited, or upon the approval of a drought contingency plan as provided in subchapter II of this chapter.

(b) Coordination with BPA

If a Governor referred to in subsection (a) is the Governor of the State of Washington, Oregon, Idaho, or Montana, the Governor shall coordinate with the Administrator of the Bonneville Power Administration before making a request under subsection (a).

(c) Termination of authority

The authorities established under this subchapter shall terminate on September 30, 2020.

(Pub. L. 102-250, title I, §104, Mar. 5, 1992, 106 Stat. 56; Pub. L. 106-566, title II, §201(a), Dec. 23, 2000, 114 Stat. 2820; Pub. L. 109-234, title II, §2306(a), June 15, 2006, 120 Stat. 456; Pub. L. 111-212, title I, §404(a), July 29, 2010, 124 Stat. 2313; Pub. L. 113-76, div. D, title II, §206, Jan. 17, 2014, 128 Stat. 164; Pub. L. 115-141, div. D, title II, §203(a), Mar. 23, 2018, 132 Stat. 519.)

AMENDMENTS

2018—Subsec. (c). Pub. L. 115-141 substituted “2020” for “2017”.

2014—Subsec. (c). Pub. L. 113-76 substituted “2017” for “2012”.

2010—Subsec. (c). Pub. L. 111-212 substituted “September 30, 2012” for “September 30, 2010”.

2006—Subsec. (c). Pub. L. 109-234 substituted “September 30, 2010” for “September 30, 2005”.

2000—Subsec. (a). Pub. L. 106-566, §201(a)(1), inserted “and in the State of Hawaii” after “Reclamation State”.

Subsec. (c). Pub. L. 106-566, §201(a)(2), substituted “on September 30, 2005” for “ten years after March 5, 1992”.

§ 2215. Assistance for drought-related planning in reclamation States**(a) In general**

The Secretary may provide financial assistance in the form of cooperative agreements in States that are eligible to receive drought assistance under this subchapter to promote the development of drought contingency plans under subchapter II.

(b) Report

Not later than one year after December 23, 2000, the Secretary shall submit to the Congress a report and recommendations on the advisability of providing financial assistance for the development of drought contingency plans in all entities that are eligible to receive assistance under subchapter II.

(Pub. L. 102-250, title I, §105, as added Pub. L. 106-566, title II, §201(b), Dec. 23, 2000, 114 Stat. 2820.)

SUBCHAPTER II—DROUGHT CONTINGENCY PLANNING

§ 2221. Identification of opportunities for water supply conservation, augmentation and use

The Secretary is authorized to conduct studies to identify opportunities to conserve, augment, and make more efficient use of water supplies available to Federal Reclamation projects and Indian water resource developments in order to be prepared for and better respond to drought conditions. The Secretary is authorized to provide technical assistance to States and to local and tribal government entities to assist in the development, construction, and operation of water desalinization projects, including technical assistance for purposes of assessing the technical and economic feasibility of such projects.

(Pub. L. 102-250, title II, §201, Mar. 5, 1992, 106 Stat. 56.)

§ 2222. Drought contingency plans

The Secretary, acting pursuant to the Federal Reclamation laws, utilizing the resources of the Department of the Interior, and in consultation with other appropriate Federal and State officials, Indian tribes, public, private, and local entities, is authorized to prepare or participate in the preparation of cooperative drought contingency plans (hereinafter in this subchapter referred to as “contingency plans”) for the prevention or mitigation of adverse effects of drought conditions.

(Pub. L. 102-250, title II, §202, Mar. 5, 1992, 106 Stat. 56.)

§ 2223. Plan elements**(a) Plan provisions**

Elements of the contingency plans prepared pursuant to section 2222 of this title may include, but are not limited to, any or all of the following:

- (1) Water banks.
- (2) Appropriate water conservation actions.
- (3) Water transfers to serve users inside or outside authorized Federal Reclamation project service areas in order to mitigate the effects of drought.
- (4) Use of Federal Reclamation project facilities to store and convey nonproject water for agricultural, municipal and industrial, fish and wildlife, or other uses both inside and outside an authorized Federal Reclamation project service area.
- (5) Use of water from dead or inactive reservoir storage or increased use of ground water resources for temporary water supplies.
- (6) Water supplies for fish and wildlife resources.
- (7) Minor structural actions.

(b) Federal Reclamation projects

Each contingency plan shall identify the following two types of plan elements related to Federal Reclamation projects:

- (1) Those plan elements which pertain exclusively to the responsibilities and obligations of the Secretary pursuant to Federal Reclama-