

so as to be included in the Secretary's summary report to the Congress referred to in section 390g-2(c)(2) of this title.

(Pub. L. 98-434, §5, Sept. 28, 1984, 98 Stat. 1676; Pub. L. 102-575, title XXVI, §2601(1), Oct. 30, 1992, 106 Stat. 4689.)

Editorial Notes

AMENDMENTS

1992—Pub. L. 102-575 substituted "summary report" for "final report".

§ 390g-4. Authorization of appropriations to carry out phase I

There is authorized to be appropriated \$500,000 for fiscal years beginning after September 30, 1983, to carry out phase I. Amounts shall be made available pursuant to the authorization contained in this section in a single sum for all demonstration project sites, and it shall be within the discretion of the Secretary to apportion such sum among such sites.

(Pub. L. 98-434, §6, Sept. 28, 1984, 98 Stat. 1677.)

§ 390g-5. Authorization of appropriations to carry out phase II

There is authorized to be appropriated for fiscal years beginning after September 30, 1983, \$31,000,000 (October 1990 price levels) plus or minus such amounts, if any, as may be required by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the type of construction involved herein to carry out phase II. Amounts shall be made available pursuant to the authorization contained in this section in sums for individual projects based on findings of feasibility by the Secretary.

(Pub. L. 98-434, §7, Sept. 28, 1984, 98 Stat. 1677; Pub. L. 102-575, title XXVI, §2601(3), Oct. 30, 1992, 106 Stat. 4689.)

Editorial Notes

AMENDMENTS

1992—Pub. L. 102-575 substituted "\$31,000,000 (October 1990 price levels) plus or minus such amounts, if any, as may be required by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the type of construction involved herein" for "\$20,000,000 (October 1983 price levels)".

§ 390g-6. Matching basis for funding phase II from non-Federal sources

The funds authorized to be appropriated pursuant to section 390g-5 of this title shall match on a four-to-one basis funds made available by the States, their political subdivisions, or other non-Federal entities to meet the cost of phase II: *Provided*, That, in-kind services or other contributions by the States, their political subdivisions, or other non-Federal entities shall be considered in the determination of the matching non-Federal share. The Secretary is authorized to enter into memoranda of agreement with any appropriate agencies or departments of the High Plains States and other Reclamation Act States to share the costs of phase II.

(Pub. L. 98-434, §8, Sept. 28, 1984, 98 Stat. 1677.)

§ 390g-7. New spending authority

Any new spending authority described in subsection (c)(2)(A) or (B) of section 651¹ of title 2 which is provided under sections 390g to 390g-8 of this title (or under any amendment made by sections 390g to 390g-8 of this title) shall be effective for any fiscal year only to such extent or in such amounts as are provided in advance in appropriation Acts.

(Pub. L. 98-434, §9, Sept. 28, 1984, 98 Stat. 1677.)

Editorial Notes

REFERENCES IN TEXT

Section 651 of title 2, referred to in text, was amended by Pub. L. 105-33, title X, §10116(a)(3), (5), Aug. 5, 1997, 111 Stat. 691, by striking out subsec. (c) and redesignating former subsec. (d) as (c).

§ 390g-8. Interstate transfer of water from Arkansas

No funds authorized to be appropriated by sections 390g to 390g-8 of this title shall be used for any activities associated with:

- (1) the interstate transfer of water from the State of Arkansas; or
- (2) the study or demonstration of the potential for the interstate transfer of water from the State of Arkansas.

(Pub. L. 98-434, §10, Sept. 28, 1984, 98 Stat. 1677.)

§ 390g-9. Aquifer recharge flexibility

(a) Short title

This section may be cited as the "Aquifer Recharge Flexibility Act".

(b) Definitions

In this section:

(1) Bureau

The term "Bureau" means the Bureau of Reclamation.

(2) Commissioner

The term "Commissioner" means the Commissioner of Reclamation.

(3) Eligible land

The term "eligible land", with respect to a Reclamation project, means land that—

- (A) is authorized to receive water under State law; and
- (B) shares an aquifer with land located in the service area of the Reclamation project.

(4) Net water storage benefit

The term "net water storage benefit" means an increase in the volume of water that is—

- (A) stored in 1 or more aquifers; and
- (B)(i) available for use within the authorized service area of a Reclamation project; or
- (ii) stored on a long-term basis to avoid or reduce groundwater overdraft.

(5) Reclamation facility

The term "Reclamation facility" means each of the infrastructure assets that are owned by the Bureau at a Reclamation project.

¹ See References in Text note below.