

2000—Subsec. (b). Pub. L. 106-566 inserted “, and the State of Hawaii” before period at end.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2005 AMENDMENT

Pub. L. 109-70, §1, Sept. 21, 2005, 119 Stat. 2009, provided that: “This Act [enacting section 390h-20 of this title and transferring section 390h-17a of this title to section 390h-19 of this title] may be cited as the ‘Hawaii Water Resources Act of 2005’.”

SHORT TITLE OF 2004 AMENDMENTS

Pub. L. 108-316, §1(a), Oct. 5, 2004, 118 Stat. 1202, provided that: “This section [enacting section 390h-17a of this title] may be cited as the ‘Williamson County Water Recycling Act of 2004’.”

Pub. L. 108-233, §1, May 28, 2004, 118 Stat. 654, provided that: “This Act [enacting section 390h-18 of this title] may be cited as the ‘Irvine Basin Surface and Groundwater Improvement Act of 2004’.”

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-566, title I, §101, Dec. 23, 2000, 114 Stat. 2818, provided that: “This title [amending this section] may be cited as the ‘Hawaii Water Resources Act of 2000’.”

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-321, §1(a), Oct. 30, 1998, 112 Stat. 3020, provided that: “This Act [enacting sections 390h-16 and 2607 of this title, amending section 564w-1 of Title 25, Indians, and enacting and amending provisions listed in a table of National Wildlife Refuges set out under section 668dd of Title 16, Conservation] may be cited as the ‘Oregon Public Lands Transfer and Protection Act of 1998’.”

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-266, §1, Oct. 9, 1996, 110 Stat. 3290, provided that: “This Act [enacting sections 390h-12a to 390h-12p of this title and amending sections 390h-1 to 390h-3, 390h-9, and 390h-13 to 390h-15 of this title] may be cited as the ‘Reclamation Recycling and Water Conservation Act of 1996’.”

SHORT TITLE

Pub. L. 102-575, title XVI, §1601, Oct. 30, 1992, 106 Stat. 4663, provided that: “This title [enacting sections 390h to 390h-15 of this title] may be referred to as the ‘Reclamation Wastewater and Groundwater Study and Facilities Act’.”

§ 390h-1. Appraisal investigations

(a) Purposes; recommendations

The Secretary shall undertake appraisal investigations to identify opportunities for water reclamation and reuse. Each such investigation shall take into account environmental considerations as provided by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and regulations issued to implement the provisions thereof, and shall include recommendations as to the preparation of a feasibility study of the potential reclamation and reuse measures.

(b) Matters to be considered

Appraisal investigations undertaken by the Secretary or the non-Federal project sponsor pursuant to sections 390h to 390h-39 of this title shall consider, among other things—

- (1) all potential uses of reclaimed water, including, but not limited to, environmental restoration, fish and wildlife, groundwater re-

charge, municipal, domestic, industrial, agricultural, power generation, and recreation;

(2) the current status of water reclamation technology and opportunities for development of improved technologies;

(3) measures to stimulate demand for and eliminate obstacles to use of reclaimed water, including pricing;

(4) measures to coordinate and streamline local, State and Federal permitting procedures required for the implementation of reclamation projects; and

(5) measures to identify basic research needs required to expand the uses of reclaimed water in a safe and environmentally sound manner.

(c) Consultation and cooperation

The Secretary shall consult and cooperate with appropriate State, regional, and local authorities during the conduct of each appraisal investigation conducted pursuant to sections 390h to 390h-39 of this title.

(d) Nonreimbursable costs

Costs of such appraisal investigations shall be nonreimbursable.

(Pub. L. 102-575, title XVI, §1603, Oct. 30, 1992, 106 Stat. 4664; Pub. L. 104-266, §3, Oct. 9, 1996, 110 Stat. 3295.)

Editorial Notes

REFERENCES IN TEXT

The National Environmental Policy Act of 1969, referred to in subsec. (a), 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.

AMENDMENTS

1996—Subsec. (b). Pub. L. 104-266 inserted “by the Secretary or the non-Federal project sponsor” after “undertaken” in introductory provisions.

§ 390h-2. Feasibility studies

(a) General authority; Federal and non-Federal cost shares

The Secretary is authorized to participate with appropriate Federal, State, regional, and local authorities in studies to determine the feasibility of water reclamation and reuse projects recommended for such study pursuant to section 390h-1 of this title. The Federal share of the costs of such feasibility studies shall not exceed 50 per centum of the total, except that the Secretary may increase the Federal share of the costs of such feasibility study if the Secretary determines, based upon a demonstration of financial hardship on the part of the non-Federal participant, that the non-Federal participant is unable to contribute at least 50 per centum of the costs of such study. The Secretary may accept as part of the non-Federal cost share the contribution of such in-kind services by the non-Federal participant that the Secretary determines will contribute substantially toward the conduct and completion of the study.

(b) Federal share considered project costs; reimbursement

The Federal share of feasibility studies, including those described in sections 390h-4 and