

§ 390h-13. Authorization of appropriations**(a) In general**

There are authorized to be appropriated such sums as may be necessary to carry out the purposes and provisions of sections 390h through 390h-12p of this title.

(b) Prerequisite cost-sharing agreement

(1) Funds may not be appropriated for the construction of any project authorized by sections 390h to 390h-39 of this title until after—

(A) an appraisal investigation and a feasibility study that complies with the provisions of sections 390h-1(b) or 390h-2(c) of this title, as the case may be, have been completed by the Secretary or the non-Federal project sponsor;

(B) the Secretary has determined that the non-Federal project sponsor is financially capable of funding the non-Federal share of the project's costs; and

(C) the Secretary has approved a cost-sharing agreement with the non-Federal project sponsor which commits the non-Federal project sponsor to funding its proportionate share of the project's construction costs on an annual basis.

(2) The requirements of paragraph (1) shall not apply to those projects authorized by sections 390h to 390h-39 of this title for which funds were appropriated prior to January 1, 1996.

(c) Congressional notification

The Secretary shall notify the Committees on Resources and Appropriations of the House of Representatives and the Committees on Energy and Natural Resources and Appropriations of the Senate within 30 days after the signing of a cost-sharing agreement pursuant to subsection (b) that such an agreement has been signed and that the Secretary has determined that the non-Federal project sponsor is financially capable of funding the project's non-Federal share of the project's costs.

(d) Ceiling on Federal share

(1) Notwithstanding any other provision of sections 390h to 390h-39 of this title and except as provided by paragraph (2), the Federal share of the costs of each of the individual projects authorized by sections 390h to 390h-39 of this title shall not exceed \$20,000,000 (October 1996 prices).

(2)(A) Subject to subparagraph (B), in the case of any project authorized by sections 390h to 390h-39 of this title for which construction funds were appropriated before January 1, 1996, the Federal share of the cost of such project may not exceed the amount specified as the "total Federal obligation" for that project in the budget justification made by the Bureau of Reclamation for fiscal year 1997, as contained in part 3 of the report of the hearing held on March 27, 1996, before the Subcommittee on Energy and Water Development of the Committee on Appropriations of the House of Representatives.

(B) In the case of the San Gabriel Basin demonstration project authorized by section 390h-12 of this title, the Federal share of the cost of such project may not exceed the sum determined by adding—

(i) the amount that applies to that project under subparagraph (A); and

(ii) \$6,500,000.

(Pub. L. 102-575, title XVI, § 1631, formerly § 1615, Oct. 30, 1992, 106 Stat. 4668; renumbered § 1631 and amended Pub. L. 104-266, §§ 2(a)(1), (b)(1), 7, Oct. 9, 1996, 110 Stat. 3290, 3294, 3296; Pub. L. 108-418, § 1, Nov. 30, 2004, 118 Stat. 2340.)

Editorial Notes

REFERENCES IN TEXT

Sections 390h through 390h-12p of this title, referred to in subsec. (a), was in the original "sections 1601 through 1630 of this title" meaning sections 1601 through 1630 of title XVI of Pub. L. 102-575, which are classified to sections 390h to 390h-12p of this title and provisions set out as a note under section 390h of this title.

AMENDMENTS

2004—Subsec. (d)(2). Pub. L. 108-418 designated existing provisions as subpar. (A), substituted "Subject to subparagraph (B), in the case" for "In the case", and added subpar. (B).

1996—Pub. L. 104-266 designated existing provisions as subsec. (a), substituted "300h-12p" for "300h-12", and added subsecs. (b) to (d).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 390h-14. Groundwater study**(a) Investigation, analysis, and report**

In furtherance of the High Plains Groundwater Demonstration Program Act of 1983 (98 Stat. 1675) [43 U.S.C. 390g et seq.], the Secretary of the Interior, acting through the Bureau of Reclamation and the Geological Survey, shall conduct an investigation and analysis of the impacts of existing Bureau of Reclamation projects on the quality and quantity of groundwater resources. Based on such investigation and analysis, the Secretary shall prepare a reclamation groundwater management and technical assistance report which shall include—

(1) a description of the findings of the investigation and analysis, including the methodology employed;

(2) a description of methods for optimizing Bureau of Reclamation project operations to ameliorate adverse impacts on groundwater,¹ and

(3) the Secretary's recommendations, along with the recommendations of the Governors of the affected States, concerning the establishment of a groundwater management and technical assistance program in the Department of the Interior in order to assist Federal and non-Federal entity development and implementation of groundwater management plans and activities.

(b) Consultation with Governors

In conducting the investigation and analysis, and in preparation of the report referred to in this section, the Secretary shall consult with the Governors of the affected States.

¹ So in original. The comma probably should be a semicolon.

(c) Report

The report shall be submitted to the Committees on Appropriations and Natural Resources of the House of Representatives and the Committees on Appropriations and Energy and Natural Resources of the Senate within three years of the appropriation of funds authorized by section 390h-15 of this title.

(Pub. L. 102-575, title XVI, § 1632, formerly § 1616, Oct. 30, 1992, 106 Stat. 4668; Pub. L. 103-437, § 16(a)(2), Nov. 2, 1994, 108 Stat. 4594; renumbered § 1632 and amended Pub. L. 104-266, § 2(a)(1), (b)(2), Oct. 9, 1996, 110 Stat. 3290, 3294.)

Editorial Notes

REFERENCES IN TEXT

The High Plains Groundwater Demonstration Program Act of 1983, referred to in subsec. (a), is Pub. L. 98-434, Sept. 28, 1984, 98 Stat. 1675, which is classified generally to sections 390g to 390g-8 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 390g of this title and Tables.

AMENDMENTS

1996—Subsec. (c). Pub. L. 104-266, § 2(b)(2), made technical amendment to reference in original act which appears in text as reference to section 390h-15 of this title.

1994—Subsec. (c). Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” before “of the House”.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Geological Survey redesignated United States Geological Survey by provision of title I of Pub. L. 102-154, Nov. 13, 1991, 105 Stat. 1000, set out as a note under section 31 of this title.

§ 390h-15. Authorization of appropriations

There is authorized to be appropriated for fiscal years beginning after September 30, 1992, \$4,000,000 to carry out the study authorized by section 390h-14 of this title.

(Pub. L. 102-575, title XVI, § 1633, formerly § 1617, Oct. 30, 1992, 106 Stat. 4669; renumbered § 1633 and amended Pub. L. 104-266, § 2(a)(1), (b)(3), Oct. 9, 1996, 110 Stat. 3290, 3294.)

Editorial Notes

AMENDMENTS

1996—Pub. L. 104-266, § 2(b)(3), made technical amendment to reference in original act which appears in text as reference to section 390h-14 of this title.

§ 390h-16. Willow Lake Natural Treatment System Project**(a) Authorization**

The Secretary, in cooperation with the city of Salem, Oregon, is authorized to participate in the design, planning, and construction of the Willow Lake Natural Treatment System Project to reclaim and reuse wastewater within and without the service area of the city of Salem.

(b) Cost share

The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

(c) Limitation

The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

(Pub. L. 102-575, title XVI, § 1634, as added Pub. L. 105-321, § 6(a), Oct. 30, 1998, 112 Stat. 3025.)

§ 390h-17. Lakehaven, Washington, Water Reclamation and Reuse Project**(a) Authorization**

The Secretary, in cooperation with the Lakehaven Utility District, Washington, is authorized to participate in the design, planning, and construction of, and land acquisition for, a project to reclaim and reuse wastewater, including degraded groundwaters, within and outside of the service area of the Lakehaven Utility District.

(b) Cost share

The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

(c) Limitation

The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

(Pub. L. 102-575, title XVI, § 1635, as added Pub. L. 107-344, § 1, Dec. 17, 2002, 116 Stat. 2893.)

§ 390h-17a. Transferred**Editorial Notes**

CODIFICATION

Section, Pub. L. 102-575, title XVI, § 1636, as added Pub. L. 108-316, § 1(b), Oct. 5, 2004, 118 Stat. 1202, which related to the Williamson County, Texas, water recycling and reuse project, was renumbered section 1637 of Pub. L. 102-575 by Pub. L. 109-70, § 2(a)(1), Sept. 21, 2005, 119 Stat. 2009, and transferred to section 390h-19 of this title.

§ 390h-18. Irvine basin groundwater and surface water improvement projects**(a) Authorization**

The Secretary, in cooperation with the Irvine Ranch Water District, California, is authorized to participate in the design, planning, and construction of projects to naturally treat impaired surface water, reclaim and reuse impaired groundwater, and provide brine disposal within the San Diego Creek Watershed.

(b) Cost share

The Federal share of the costs of the projects authorized by this section shall not exceed 25 percent of the total cost.

(c) Limitation

The Secretary shall not provide funds for the operation or maintenance of a project authorized by this section.

(Pub. L. 102-575, title XVI, § 1636, as added Pub. L. 108-233, § 2(a), May 28, 2004, 118 Stat. 654.)

Editorial Notes

PRIOR PROVISIONS

Another section 1636 of Pub. L. 102-575 was renumbered 1637 and is classified to section 390h-19 of this title.