

Union Calendar No. 414

104TH CONGRESS
2^D SESSION

S. 1467

[Report No. 104-769]

IN THE HOUSE OF REPRESENTATIVES

MAY 8, 1996

Referred to the Committee on Resources

SEPTEMBER 4, 1996

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of Senate passed bill, see copy of bill as referred in the House of Representatives
on May 8, 1996]

AN ACT

To authorize the construction of the Fort Peck Rural County
Water Supply System, to authorize assistance to the
Fort Peck Rural County Water District, Inc., a nonprofit
corporation, for the planning, design, and construction
of the water supply system, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Fort Peck Rural County*
 3 *Water Supply System Act of 1996”.*

4 **SEC. 2. DEFINITIONS.**

5 *For the purposes of this Act:*

6 (1) *CONSTRUCTION.*—*The term “construction”*
 7 *means such activities associated with the actual devel-*
 8 *opment or construction of facilities as are initiated*
 9 *on execution of contracts for construction.*

10 (2) *DISTRICT.*—*The term “District” means the*
 11 *Fort Peck Rural County Water District, Inc., a non-*
 12 *profit corporation in Montana.*

13 (3) *FEASIBILITY STUDY.*—*The term “feasibility*
 14 *study” means the study entitled “Final Engineering*
 15 *Report and Alternative Evaluation for the Fort Peck*
 16 *Rural County Water District”, dated September 1994.*

17 (4) *PLANNING.*—*The term “planning” means ac-*
 18 *tivities such as data collection, evaluation, design,*
 19 *and other associated preconstruction activities re-*
 20 *quired prior to the execution of contracts for construc-*
 21 *tion.*

22 (5) *SECRETARY.*—*The term “Secretary” means*
 23 *the Secretary of the Interior.*

24 (6) *WATER SUPPLY SYSTEM.*—*The term “water*
 25 *supply system” means the Fort Peck Rural County*

1 *Water Supply System, to be established and operated*
 2 *substantially in accordance with the feasibility study.*

3 **SEC. 3. FEDERAL ASSISTANCE FOR WATER SUPPLY SYSTEM.**

4 (a) *IN GENERAL.*—Upon request of the District, the
 5 Secretary shall enter into a cooperative agreement with the
 6 District for the planning, design, and construction by the
 7 District of the water supply system. Title to this project
 8 shall remain in the name of the District.

9 (b) *SERVICE AREA.*—The water supply system shall
 10 provide for safe and adequate rural water supplies under
 11 the jurisdiction of the District in Valley County, north-
 12 eastern Montana (as described in the feasibility study).

13 (c) *AMOUNT OF FEDERAL CONTRIBUTION.*—

14 (1) *IN GENERAL.*—Subject to paragraph (3),
 15 under the cooperative agreement, the Secretary shall
 16 pay the Federal share of—

17 (A) costs associated with the planning, de-
 18 sign, and construction of the water supply sys-
 19 tem (as identified in the feasibility study); and

20 (B) such sums as are necessary to defray
 21 increases in the budget.

22 (2) *FEDERAL SHARE.*—The Federal share re-
 23 ferred to in paragraph (1) shall be 75 percent and
 24 shall not be reimbursable.

1 (3) *TOTAL.*—*The amount of Federal funds made*
 2 *available under the cooperative agreement shall not*
 3 *exceed the amount of funds authorized to be appro-*
 4 *priated under section 4.*

5 (4) *LIMITATIONS.*—*Not more than 5 percent of*
 6 *the amount of Federal funds made available to the*
 7 *Secretary under section 4 may be used by the Sec-*
 8 *retary for activities associated with—*

9 (A) *compliance with the National Environ-*
 10 *mental Policy Act of 1969 (42 U.S.C. 4321 et*
 11 *seq.); and*

12 (B) *oversight of the planning, design, and*
 13 *construction by the District of the water supply*
 14 *system.*

15 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

16 *There are authorized to be appropriated to carry out*
 17 *this Act \$5,800,000. This authorization shall terminate*
 18 *after a period of 5 complete fiscal years after the date of*
 19 *enactment of this Act unless the Congress has appropriated*
 20 *funds for the construction purposes of this Act. This author-*
 21 *ization shall be extended 1 additional year if the Secretary*
 22 *has requested such appropriation. The funds authorized to*
 23 *be appropriated may be increased or decreased by such*
 24 *amounts as are justified by reason of ordinary fluctuations*
 25 *in development costs incurred after October 1, 1994, as in-*

1 *licated by engineering cost indices applicable to the type*
 2 *of construction project authorized under this Act. All costs*
 3 *which exceed the amounts authorized by this Act, including*
 4 *costs associated with the ongoing energy needs, operation,*
 5 *and maintenance of this project shall remain the respon-*
 6 *sibility of the District.*

7 **SEC. 5. CACHUMA PROJECT, BRADBURY DAM, CALIFORNIA.**

8 *The prohibition against obligating funds for construc-*
 9 *tion until 60 days from the date that the Secretary of the*
 10 *Interior transmits a report to the Congress in accordance*
 11 *with section 5 of the Reclamation Safety of Dams Act of*
 12 *1978 (43 U.S.C. 509) is waived for the Cachuma Project,*
 13 *Bradbury Dam, California.*

Passed the Senate May 7, 1996.

Attest: KELLY D. JOHNSTON,
Secretary.

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