

111TH CONGRESS
1ST SESSION

H. R. 172

To provide for the construction of the Arkansas Valley Conduit in the State of Colorado.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

Mr. SALAZAR (for himself and Ms. MARKEY of Colorado) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To provide for the construction of the Arkansas Valley
Conduit in the State of Colorado.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Arkansas Valley Con-
5 duit Act of 2008”.

6 **SEC. 2. ARKANSAS VALLEY CONDUIT, COLORADO.**

7 (a) COST SHARE.—The first section of Public Law
8 87–590 (76 Stat. 389) is amended in the second sentence
9 of subsection (c) by inserting after “cost thereof,” the fol-
10 lowing: “or in the case of the Arkansas Valley Conduit,

1 payment of not more than 35 percent of the cost of the
2 conduit,”.

3 (b) RATES.—Section 2(b) of Public Law 87–590 (76
4 Stat. 390) is amended—

5 (1) by striking “(b) Rates” and inserting the
6 following:

7 “(b) RATES.—

8 “(1) IN GENERAL.—Rates”; and

9 (2) by adding at the end the following:

10 “(2) RUEDI DAM AND RESERVOIR, FOUNTAIN
11 VALLEY PIPELINE, AND SOUTH OUTLET WORKS AT
12 PUEBLO DAM AND RESERVOIR.—Notwithstanding
13 the reclamation laws, until the date on which the
14 payments for the Arkansas Valley Conduit under
15 paragraph (3) begin, any revenue derived from con-
16 tracts for the use of Fryingpan-Arkansas project ex-
17 cess capacity from, or exchange contracts using
18 Fryingpan-Arkansas project facilities of, Ruedi Dam
19 and Reservoir, the Fountain Valley Pipeline, and the
20 South Outlet Works at Pueblo Dam and Reservoir,
21 shall be credited towards payment of the actual cost
22 of the facilities plus interest in an amount deter-
23 mined in accordance with this section

24 “(3) ARKANSAS VALLEY CONDUIT.—

1 “(A) USE OF REVENUE.—Notwithstanding
 2 the reclamation laws, any revenue derived from
 3 contracts for the use of Fryingpan-Arkansas
 4 project excess capacity or exchange contracts
 5 using Fryingpan-Arkansas project facilities of
 6 the Arkansas Valley Conduit shall be credited
 7 towards payment of the actual cost of the facili-
 8 ties plus interest in an amount determined in
 9 accordance with this section.

10 “(B) ADJUSTMENT OF RATES.—Any rates
 11 charged under this section for water for munic-
 12 ipal, domestic, or industrial use or for the use
 13 of facilities for the storage or delivery of water
 14 shall be adjusted to reflect the estimated rev-
 15 enue derived from contracts for the use of
 16 Fryingpan-Arkansas project excess capacity or
 17 exchange contracts using Fryingpan-Arkansas
 18 project facilities.”.

19 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
 20 7 of Public Law 87–590 (76 Stat. 393) is amended—

21 (1) by striking “SEC. 7. There is hereby” and
 22 inserting the following:

23 **“SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

24 “(a) IN GENERAL.—There is”; and

25 (2) by adding at the end the following:

1 “(b) ARKANSAS VALLEY CONDUIT.—

2 “(1) IN GENERAL.—Subject to annual appro-
3 priations and paragraph (2), there are authorized to
4 be appropriated such sums as are necessary for the
5 construction of the Arkansas Valley Conduit.

6 “(2) LIMITATION.—Amounts made available
7 under paragraph (1) shall not be used for the oper-
8 ation or maintenance of the Arkansas Valley Con-
9 duit.”.

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