

Calendar No. 309

116TH CONGRESS
1ST SESSION**S. 860****[Report No. 116–160]**

To amend the Omnibus Public Land Management Act of 2009 to modify the terms of the Jackson Gulch rehabilitation project in Colorado, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 25, 2019

Mr. GARDNER introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

NOVEMBER 21, 2019

Reported by Ms. MURKOWSKI, with an amendment

[Omit the part struck through and insert the part printed in *italie*]

A BILL

To amend the Omnibus Public Land Management Act of 2009 to modify the terms of the Jackson Gulch rehabilitation project in Colorado, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Jackson Gulch Reha-
5 bilitation Project Modification Act”.

1 **SEC. 2. MODIFICATION OF JACKSON GULCH REHABILITA-**
 2 **TION PROJECT, COLORADO.**

3 Section 9105(b) of the Omnibus Public Land Man-
 4 agement Act of 2009 (Public Law 111–11; 123 Stat.
 5 1303) is amended—

6 (1) in paragraph (1)—

7 (A) by striking “requirement” and insert-
 8 ing “and cost-sharing requirements”; and

9 (B) by inserting “, which shall be not more
 10 than 65 percent of that total cost” before the
 11 period at the end;

12 (2) in paragraph (3)—

13 (A) in the paragraph heading, by striking
 14 “REQUIREMENT” and inserting “AND COST-
 15 SHARING REQUIREMENTS”;

16 (B) in subparagraph (A), in the matter
 17 preceding clause (i), by striking “The Secretary
 18 shall recover from the District as reimbursable
 19 expenses” and inserting “Subject to subpara-
 20 graph (C), the District shall be liable under this
 21 subsection for an amount equal to”;

22 ~~(C) in subparagraph (B)—~~

23 ~~(i) in the matter preceding clause (i),~~
 24 ~~by striking “Secretary shall recover reim-~~
 25 ~~bursable expenses” and inserting “District~~

1 shall pay the Project costs for which the
 2 District is liable”; and

3 (ii) in clause (ii), by striking “15”
 4 and inserting “not more than 40”; and

5 (C) in subparagraph (B), in the matter pre-
 6 ceding clause (i), by striking “Secretary shall re-
 7 cover reimbursable expenses” and inserting “Dis-
 8 trict shall pay the Project costs for which the
 9 District is liable”; and

10 (D) by striking subparagraph (C) and in-
 11 serting the following:

12 “(C) CREDIT.—In determining the exact
 13 amount for which the District is liable under
 14 this paragraph, the Secretary shall—

15 “(i) review and approve all final costs
 16 associated with the completion of the
 17 Project; and

18 “(ii) credit the district for all amounts
 19 paid by the District for engineering work
 20 and improvements directly associated with
 21 the Project, whether before, on, or after
 22 the date of enactment of this Act.”; and

23 (3) in paragraph (7), by striking “\$8,250,000.”
 24 and inserting the following: “the lesser of—

- 1 “(A) not more than 65 percent of the total
- 2 cost of carrying out the Project; and
- 3 “(B) \$5,350,000.”.

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