

proceeds of any sale of property by Beaver County under subsection (b).]

SECTION 1. CONVEYANCE TO BEAVER COUNTY, UTAH.

(a) *IN GENERAL.*—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall, without consideration and subject to valid existing rights, convey to Beaver County, Utah (referred to in this Act as the “County”), all right, title, and interest of the United States in and to the approximately 200 acres depicted as “Minersville State Park” on the map entitled “S. 2285, Minersville State Park” and dated April 30, 2004, for use for public recreation.

(b) *RECONVEYANCE BY BEAVER COUNTY.*—

(1) *IN GENERAL.*—Notwithstanding subsection (a), Beaver County may sell, for not less than fair market value, a portion of the property conveyed to the County under this section, if the proceeds of such sale are used by the County solely for maintenance of public recreation facilities located on the remainder of the property conveyed to the County under this section.

(2) *LIMITATION.*—If the County does not comply with the requirements of paragraph (1) in the conveyance of the property under that paragraph—

(A) the County shall pay to the United States the proceeds of the conveyance; and

(B) the Secretary of the Interior may require that all property conveyed under subsection (a) (other than the property sold by the County under paragraph (1)) revert to the United States.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 2285), as amended, was read the third time and passed.

JEAN LAFITTE NATIONAL HISTORICAL PARK AND PRESERVE BOUNDARY ADJUSTMENT ACT OF 2004

The Senate proceeded to consider the bill (S. 2287) to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with amendments, as follows:

(Strike the part shown in black brackets and insert the part shown in the italic.)

S. 2287

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Jean Lafitte National Historical Park and Preserve Boundary Adjustment Act of 2004”.

SEC. 2. JEAN LAFITTE NATIONAL HISTORICAL PARK AND PRESERVE BOUNDARY ADJUSTMENT.

(a) *IN GENERAL.*—Section 901 of the National Parks and Recreation Act of 1978 (16 U.S.C. 230) is amended in the second sentence by striking “twenty thousand acres generally depicted on the map entitled ‘Barataria Marsh Unit-Jean Lafitte National Historical Park and Preserve’ numbered 90,000B and dated April 1978,” and inserting “23,000 acres generally depicted on the map entitled ‘Boundary Map, Barataria Preserve Unit, Jean Lafitte National Historical Park and Preserve’, numbered 467/[81000] 80100, and dated August 2002.”.

(b) *ACQUISITION OF LAND.*—Section 902 of the National Parks and Recreation Act of 1978 (16 U.S.C. 230a) is amended—

(1) in subsection (a)—

(A) by striking “(a) Within the” and all that follows through the first sentence and inserting the following:

“(a) *IN GENERAL.*—

“(1) *BARATARIA PRESERVE UNIT.*—

“(A) *IN GENERAL.*—The Secretary may acquire any land, water, and interests in land and water within the boundary of the Barataria Preserve Unit, as depicted on the map described in section 901, by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange.

“(B) *LIMITATIONS.*—With respect to the areas on the map identified as ‘Bayou aux Carpes Addition’ and ‘CIT Tract Addition’—

“(i) any Federal land acquired in the areas shall be transferred to the administrative jurisdiction of the National Park Service; and

“(ii) any private land in the areas may be acquired by the Secretary only with the consent of the owner of the land.”.]

“(B) *LIMITATIONS.*—

“(i) *IN GENERAL.*—With respect to the areas on the map identified as ‘Bayou aux Carpes Addition’ and ‘CIT Tract Addition’—

“(I) any Federal land acquired in the areas shall be transferred without consideration to the administrative jurisdiction of the National Park Service; and

“(II) any private land in the areas may be acquired by the Secretary only with the consent of the owner of the land.

“(ii) *EASEMENTS.*—Any Federal land in the area identified on the map as ‘CIT Tract Addition’ that is transferred under clause (i)(I) shall be subject to any easements that have been agreed to by the Secretary and the Secretary of the Army.”;

(B) in the second sentence, by striking “The Secretary may also” and inserting the following:

“(2) *FRENCH QUARTER.*—The Secretary may”;

(C) in the third sentence, by striking “Lands, waters, and interests therein” and inserting the following:

“(3) *ACQUISITION OF STATE LAND.*—Land, water, and interests in land and water”; and

(D) in the fourth sentence, by striking “In acquiring” and inserting the following:

“(4) *ACQUISITION OF OIL AND GAS RIGHTS.*—In acquiring”;

(2) by striking subsections (b) through (f) and inserting the following:

“(b) *RESOURCE PROTECTION.*—With respect to the land, water, and interests in land and water of the Barataria Preserve Unit, the Secretary shall preserve and protect—

“(1) fresh water drainage patterns;

“(2) vegetative cover;

“(3) the integrity of ecological and biological systems; and

“(4) water and air quality.”; and

(3) by redesignating subsection (g) as subsection (c).

(c) *HUNTING, FISHING, AND TRAPPING.*—Section 905 of the National Parks and Recreation Act of 1978 (16 U.S.C. 230d) is amended in the first sentence by striking “within the core area and on those lands acquired by the Secretary pursuant to section 902(c) of this title, he” and inserting “the Secretary”.

(d) *ADMINISTRATION.*—Section 906 of the National Parks and Recreation Act of 1978 (16 U.S.C. 230e) is amended—

(1) by striking the first sentence; and

(2) in the second sentence, by striking “Pending such establishment and thereafter the” and inserting “The”.

SEC. 3. REFERENCES IN LAW.

(a) *IN GENERAL.*—Any reference in a law (including regulations), map, document, paper, or other record of the United States—

(1) to the Barataria Marsh Unit shall be considered to be a reference to the Barataria Preserve Unit; or

(2) to the Jean Lafitte National Historical Park shall be considered to be a reference to the Jean Lafitte National Historical Park and Preserve.

(b) *CONFORMING AMENDMENTS.*—Title IX of the National Parks and Recreation Act of 1978 (16 U.S.C. 230 et seq.) is amended—

(1) by striking “Barataria Marsh Unit” each place it appears and inserting “Barataria Preserve Unit”; and

(2) by striking “Jean Lafitte National Historical Park” each place it appears and inserting “Jean Lafitte National Historical Park and Preserve”.

The committee amendments were agreed to.

The bill (S. 2287), as amended, was read the third time and passed, as follows:

(The bill will be printed in a future edition of the RECORD.)

NEW MEXICO WATER PLANNING ASSISTANCE ACT

The Senate proceeded to consider the bill (S. 2460) to provide assistance to the State of New Mexico for the development of comprehensive State water plans, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

(Strike the part shown in black brackets and insert the part shown in italic.)

S. 2460

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

[This Act may be cited as the “New Mexico Water Planning Assistance Act”.

SEC. 2. DEFINITIONS.

[In this Act:

“(1) *SECRETARY.*—The term “Secretary” means the Secretary of the Interior, acting through the Bureau of Reclamation and the United States Geological Survey.

“(2) *STATE.*—The term “State” means the State of New Mexico.

SEC. 3. COMPREHENSIVE WATER PLAN ASSISTANCE.

“(a) *IN GENERAL.*—On the request of the Governor of the State and subject to subsections (b) through (e), the Secretary shall—

“(1) provide to the State technical assistance and grants for the development of comprehensive State water plans;

“(2) conduct water resources mapping in the State; and

“(3) conduct a comprehensive study of groundwater resources (including potable, brackish, and saline water resources) in the State to assess the quantity, quality, and interaction of groundwater and surface water resources.

“(b) *TECHNICAL ASSISTANCE.*—Technical assistance provided under subsection (a) may include—

“(1) acquisition of hydrologic data, groundwater characterization, database development, and data distribution;

“(2) expansion of climate, surface water, and groundwater monitoring networks;

“(3) assessment of existing water resources, surface water storage, and groundwater storage potential;

“(4) numerical analysis and modeling necessary to provide an integrated understanding of water resources and water management options;

[(5) participation in State planning forums and planning groups;

[(6) coordination of Federal water management planning efforts;

[(7) technical review of data, models, planning scenarios, and water plans developed by the State; and

[(8) provision of scientific and technical specialists to support State and local activities.

[(c) **ALLOCATION.**—In providing grants under subsection (a), the Secretary shall, subject to the availability of appropriations, allocate—

[(1) \$5,000,000 to develop hydrologic models and acquire associated equipment for the New Mexico Rio Grande main stem sections and Rio Taos and Hondo, Rios Nambe, Pojoaque and Teseque, Rio Chama, and Lower Rio Grande tributaries;

[(2) \$1,500,000 to complete the hydrographic survey development of hydrologic models and acquire associated equipment for the San Juan River and tributaries;

[(3) \$1,000,000 to complete the hydrographic survey development of hydrologic models and acquire associated equipment for Southwest New Mexico, including the Animas Basin, the Gila River, and tributaries;

[(4) \$4,500,000 for statewide digital orthophotography mapping; and

[(5) such sums as are necessary to carry out additional projects consistent with subsection (b).

[(d) **NON-REIMBURSABLE AND NO COST-SHARING.**—Any assistance or grants provided to the State under this Act shall be made on a non-reimbursable basis and without a cost-sharing requirement.

[(e) **AUTHORIZED TRANSFERS.**—On request of the State, the Secretary shall directly transfer to 1 or more Federal agencies any amounts made available to the State to carry out this Act.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

[(There is authorized to be appropriated to carry out this Act \$2,500,000 for each of fiscal years 2005 through 2009.)]

SECTION 1. SHORT TITLE.

This Act may be cited as the “New Mexico Water Planning Assistance Act”.

SEC. 2. DEFINITIONS.

In this Act:

[(1) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Bureau of Reclamation and the United States Geological Survey.

[(2) **STATE.**—The term “State” means the State of New Mexico.

SEC. 3. COMPREHENSIVE WATER PLAN ASSISTANCE.

[(a) **IN GENERAL.**—Upon the request of the Governor of the State and subject to subsections (b) through (f), the Secretary shall—

[(1) provide to the State technical assistance and grants for the development of comprehensive State water plans;

[(2) conduct water resources mapping in the State; and

[(3) conduct a comprehensive study of groundwater resources (including potable, brackish, and saline water resources) in the State to assess the quantity, quality, and interaction of groundwater and surface water resources.

[(b) **TECHNICAL ASSISTANCE.**—Technical assistance provided under subsection (a) may include—

[(1) acquisition of hydrologic data, groundwater characterization, database development, and data distribution;

[(2) expansion of climate, surface water, and groundwater monitoring networks;

[(3) assessment of existing water resources, surface water storage, and groundwater storage potential;

[(4) numerical analysis and modeling necessary to provide an integrated understanding of water resources and water management options;

[(5) participation in State planning forums and planning groups;

[(6) coordination of Federal water management planning efforts;

[(7) technical review of data, models, planning scenarios, and water plans developed by the State; and

[(8) provision of scientific and technical specialists to support State and local activities.

[(c) **ALLOCATION.**—In providing grants under subsection (a), the Secretary shall, subject to the availability of appropriations, allocate—

[(1) \$5,000,000 to develop hydrologic models and acquire associated equipment for the New Mexico Rio Grande main stem sections and Rios Pueblo de Taos and Hondo, Rios Nambe, Pojoaque and Teseque, Rio Chama, and Lower Rio Grande tributaries;

[(2) \$1,500,000 to complete the hydrographic survey development of hydrologic models and acquire associated equipment for the San Juan River and tributaries;

[(3) \$1,000,000 to complete the hydrographic survey development of hydrologic models and acquire associated equipment for Southwest New Mexico, including the Animas Basin, the Gila River, and tributaries;

[(4) \$4,500,000 for statewide digital orthophotography mapping; and

[(5) such sums as are necessary to carry out additional projects consistent with subsection (b).

[(d) **COST-SHARING REQUIREMENT.**—

[(1) **IN GENERAL.**—The non-Federal share of the total cost of any activity carried out using a grant provided under subsection (a) shall be 50 percent.

[(2) **FORM OF NON-FEDERAL SHARE.**—The non-Federal share under paragraph (1) may be in the form of any in-kind services that the Secretary determines would contribute substantially toward the conduct and completion of the activity assisted.

[(e) **NON-REIMBURSABLE BASIS.**—Any assistance or grants provided to the State under this Act shall be made on a non-reimbursable basis.

[(f) **AUTHORIZED TRANSFERS.**—On request of the State, the Secretary shall directly transfer to 1 or more Federal agencies any amounts made available to the State to carry out this Act.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this Act \$3,000,000 for each of fiscal years 2005 through 2009.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 2460), as amended, was read the third time and passed.

LAKE NIGHTHORSE

The Senate proceeded to consider the bill (S. 2508) to redesignate the Ridges Basin Reservoir, Colorado, as Lake Nighthorse, which had been reported from the Committee on Energy and Natural Resources, with an amendment, as follows:

(Insert the part shown in *italic*.)

S. 2508

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RENAMING OF RESERVOIR.

The reservoir known as the “Ridges Basin Reservoir” located on *Basin Creek, a tributary of the Animas River in Colorado, constructed under section 6(a) of the Colorado Ute Indian Water Rights Settlement Act of 1988 (102 Stat. 2975; 114 Stat. 2763A–260), shall be known and designated as “Lake Nighthorse”.*

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the reservoir referred to in section 1 shall be deemed to be a reference to Lake Nighthorse.

The committee amendment was agreed to.

The bill (S. 2508), as amended, was read the third time and passed.

CHIMAYO WATER SUPPLY SYSTEM AND ESPANOLA FILTRATION FACILITY ACT OF 2004

The Senate proceeded to consider the bill (S. 2511) to direct the Secretary of the Interior to conduct a feasibility study of a Chimayo water supply system, to provide for the planning, design, and construction of a water supply, reclamation, and filtration facility for Espanola, New Mexico, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

(Strike the part shown in black brackets and insert the part shown in *italic*.)

S. 2511

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

[This Act may be cited as the “Chimayo Water Supply System and Espanola Filtration Facility Act of 2004”.

[TITLE I—CHIMAYO WATER SUPPLY SYSTEM

[SEC. 101. DEFINITIONS.

[In this title:

[(1) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Commissioner of Reclamation.

[(2) **STUDY AREA.**—The term “study area” means the Santa Cruz River Valley in the eastern margin of the Espanola Basin.

[(3) **SYSTEM.**—The term “system” means a water supply system described in section 102(a).

[(4) **TOWN.**—The term “Town” means the town of Chimayo, New Mexico, located in Rio Arriba County and Santa Fe County, New Mexico.

[SEC. 102. CHIMAYO WATER SUPPLY SYSTEM FEASIBILITY STUDY.

[(a) **IN GENERAL.**—The Secretary, in cooperation with appropriate State and local authorities, shall conduct a study to determine the feasibility of constructing a water supply system for the Town in the study area that includes potable water transmission lines, pump stations, and storage reservoirs.

[(b) **SCOPE OF STUDY.**—In conducting the study under subsection (a), the Secretary shall—

[(1) consider operating the system in connection with the Espanola Water Filtration Facility;

[(2) consider various options for supplying water to the Town, including connection to a regional water source, local sources, sources distributed throughout the Town, and sources located on adjacent Bureau of Land Management land;

[(3) consider reusing or recycling water from local or regional sources;

[(4) consider using alternative water supplies such as surface water, brackish water, nonpotable water, or deep aquifer groundwater; and

[(5) determine the total lifecycle costs of the system, including—

[(A) long-term operation, maintenance, replacement, and treatment costs of the system; and