the respective States and identify and evaluate the economic feasibility of and the legal authority for utilizing groundwater recharge in water resource development projects.

(c) Reports to Congress

(1) Within twelve months after the initiation of phase II, and at annual intervals thereafter, the Secretary shall submit interim reports to Congress. Each report shall contain a detailed statement of his findings and progress respecting the design, construction, and operation of the demonstration projects referred to in subsection (a) of this section and the study referred to in subsection (b) of this section.

(2) Within five years after the initiation of phase II, the Secretary shall submit a summary report to Congress. The summary report shall contain—

(A) a detailed evaluation of the demonstration projects referred to in subsection (a) of this section;

(B) the results of the studies referred to in subsection (b) of this section;

(C) specific recommendations regarding the location, scope, and feasibility of operational groundwater recharge projects to be constructed and maintained by the Bureau; and

(D) an evaluation of the feasibility of integrating these groundwater recharge projects into existing reclamation projects.

(3) In addition to recommendations made under section 390g–1 of this title, the Secretary shall make additional recommendations for design, construction, and operation of demonstration projects. Such projects are authorized to be designed, constructed, and operated in accordance with subsection (a) of this section.

(4) Each project under this section shall terminate five years after the date on which construction on the project is completed.

(5) At the conclusion of phase II the Secretary shall submit a final report to the Congress which shall include, but not be limited to, a detailed evaluation of the projects under this section.

(Pub. L. 98–434, § 4, Sept. 28, 1984, 98 Stat. 1676; Pub. L. 102–575, title XXVI, § 2601(1), (2), Oct. 30, 1992, 106 Stat. 4689.)

AMENDMENTS

1992—Subsec. (c). Pub. L. 102–575 substituted ''summary report'' for ''final report'' in two places in introductory provisions of par. (2) and added pars. (3) to (5).

§ 390g–3. Evaluation of water quality impacts

The Secretary, acting through the Bureau, and the Administrator of the Environmental Protection Agency (hereinafter referred to as the ''Administrator'') shall enter into a memorandum-of-understanding to provide for an evaluation of the impacts to surface water and groundwater quality resulting from the groundwater recharge demonstration projects constructed pursuant to sections 390g to 390g–8 of this title. The Administrator shall consult with the United States Geological Survey and shall make maximum use of data, studies, and other technical resources and assistance available from State and local entities in conducting the evaluation. The evaluation of water quality impacts shall be completed so as to be included in the Secretary's summary report to the Congress referred to in section 390g–2(c)(2) of this title.

(Pub. L. 98–434, § 5, Sept. 28, 1984, 98 Stat. 1676; Pub. L. 102–575, title XXVI, § 2601(1), Oct. 30, 1992, 106 Stat. 4689.)

AMENDMENTS

1992—Pub. L. 102–575 substituted ''summary report'' for ''final report''.

§ 390g–4. Authorization of appropriations to carry out phase I

There is authorized to be appropriated $500,000 for fiscal years beginning after September 30, 1983, to carry out phase I. Amounts shall be made available pursuant to the authorization contained in this section in a single sum for all demonstration project sites, and it shall be within the discretion of the Secretary to apportion such sum among such sites.

(Pub. L. 98–434, § 6, Sept. 28, 1984, 98 Stat. 1677.)

§ 390g–5. Authorization of appropriations to carry out phase II

There is authorized to be appropriated for fiscal years beginning after September 30, 1983, $31,000,000 (October 1990 price levels) plus or minus such amounts, if any, as may be required by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the type of construction involved herein to carry out phase II. Amounts shall be made available pursuant to the authorization contained in this section in sums for individual projects based on findings of feasibility by the Secretary.

(Pub. L. 98–434, § 7, Sept. 28, 1984, 98 Stat. 1677; Pub. L. 102–575, title XXVI, § 2601(3), Oct. 30, 1992, 106 Stat. 4689.)

AMENDMENTS

1992—Pub. L. 102–575 substituted ''$31,000,000 (October 1990 price levels) plus or minus such amounts, if any, as may be required by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the type of construction involved herein'' for ''$20,000,000 (October 1983 price levels)''.

§ 390g–6. Matching basis for funding phase II from non-Federal sources

The funds authorized to be appropriated pursuant to section 390g–5 of this title shall match on a four-to-one basis funds made available by the States, their political subdivisions, or other non-Federal entities to meet the cost of phase II: *Provided*, That, inkind services or other contributions by the States, their political subdivisions, or other non-Federal entities shall be considered in the determination of the matching non-Federal share. The Secretary is authorized to enter into memoranda of agreement with any appropriate agencies or departments of the High Plains States and other Reclamation Act States to share the costs of phase II.

(Pub. L. 98–434, § 8, Sept. 28, 1984, 98 Stat. 1677.)

§ 390g–7. New spending authority

Any new spending authority described in subsection (c)(2)(A) or (B) of section 651[1] of title 2 which is provided under sections 390g to 390g–8 of this title (or under any amendment made by sections 390g to 390g–8 of this title) shall be effective for any fiscal year only to such extent or in such amounts as are provided in advance in appropriation Acts.

(Pub. L. 98–434, § 9, Sept. 28, 1984, 98 Stat. 1677.)

REFERENCES IN TEXT

Section 651 of title 2, referred to in text, was amended by Pub. L. 105–33, title X, § 10116(a)(3), (5), Aug. 5, 1997, 111 Stat. 691, by striking out subsec. (c) and redesignating former subsec. (d) as (c).

§ 390g–8. Interstate transfer of water from Arkansas

No funds authorized to be appropriated by sections 390g to 390g–8 of this title shall be used for any activities associated with:

(1) the interstate transfer of water from the State of Arkansas; or

(2) the study or demonstration of the potential for the interstate transfer of water from the State of Arkansas.

(Pub. L. 98–434, § 10, Sept. 28, 1984, 98 Stat. 1677.)

§ 390h. Program to investigate reclamation and reuse of wastewater and groundwater; general authority

(a) Program established

The Secretary of the Interior (hereafter ''Secretary''), acting pursuant to the Reclamation Act of 1902 (Act of June 17, 1902, 32 Stat. 388) and Acts amendatory thereof and supplementary thereto (hereafter ''Federal reclamation laws''), is directed to undertake a program to investigate and identify opportunities for reclamation and reuse of municipal, industrial, domestic, and agricultural wastewater, and naturally impaired ground and surface waters, for the design and construction of demonstration and permanent facilities to reclaim and reuse wastewater, and to conduct research, including desalting, for the reclamation of wastewater and naturally impaired ground and surface waters.

(b) States included

Such program shall be limited to the States and areas referred to in section 1 of the Reclamation Act of 1902 (Act of June 17, 1902, 32 Stat. 388) [43 U.S.C. 391] as amended, and the State of Hawaii.

(c) Agreements and regulations

The Secretary is authorized to enter into such agreements and promulgate such regulations as may be necessary to carry out the purposes and provisions of sections 390h to 390h–23 of this title.

(d) San Luis Unit of Central Valley Project, California

The Secretary shall not investigate, promote or implement, pursuant to sections 390h to 390h–23 of this title, any project intended to reclaim and reuse agricultural wastewater generated in the service area of the San Luis Unit of the Central Valley Project, California, except those measures recommended for action by the San Joaquin Valley Drainage Program in the report entitled A Management Plan for Agricultural Subsurface Drainage and Related Problems on the Westside San Joaquin Valley (September 1990).

(Pub. L. 102–575, title XVI, § 1602, Oct. 30, 1992, 106 Stat. 4664; Pub. L. 106–566, title I, § 104(a), Dec. 23, 2000, 114 Stat. 2819.)

REFERENCES IN TEXT

The Reclamation Act of 1902 (Act of June 17, 1902, 32 Stat. 388), referred to in subsec. (a), is act June 17, 1902, ch. 1093, 32 Stat. 388, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 371 of this title and Tables.

Hereafter, referred to in subsec. (a), means hereafter in title XVI of Pub. L. 102–575, Oct. 30, 1992, 106 Stat. 4663, which enacted sections 390h to 390h–23 of this title.

AMENDMENTS

2000—Subsec. (b). Pub. L. 106–566 inserted ''and the State of Hawaii'' before period at end.

SHORT TITLE OF 2005 AMENDMENT

Pub. L. 109–70, § 1, Sept. 21, 2005, 119 Stat. 2009, provided that: ''This Act [enacting section 390h–20 of this title and transferring section 390h–17a of this title to section 390h–19 of this title] may be cited as the 'Hawaii Water Resources Act of 2005'.''

SHORT TITLE OF 2004 AMENDMENTS

Pub. L. 108–316, § 1(a), Oct. 5, 2004, 118 Stat. 1202, provided that: ''This section [enacting section 390h–17a of this title] may be cited as the 'Williamson County Water Recycling Act of 2004'.''

Pub. L. 108–233, § 1, May 28, 2004, 118 Stat. 654, provided that: ''This Act [enacting section 390h–18 of this title] may be cited as the 'Irvine Basin Surface and Groundwater Improvement Act of 2004'.''

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106–566, title I, § 101, Dec. 23, 2000, 114 Stat. 2818, provided that: ''This title [amending this section] may be cited as the 'Hawaii Water Resources Act of 2000'.''

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105–321, § 1(a), Oct. 30, 1998, 112 Stat. 3020, provided that: ''This Act [enacting section 390h–16 of this title, amending section 564w–1 of Title 25, Indians, and enacting and amending provisions listed in a table of National Wildlife Refuges set out under section 668dd of Title 16, Conservation] may be cited as the 'Oregon Public Lands Transfer and Protection Act of 1998'.''

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104–266, § 1, Oct. 9, 1996, 110 Stat. 3290, provided that: ''This Act [enacting sections 390h–12a to 390h–12p of this title and amending sections 390h–1 to 390h–3, 390h–9, and 390h–13 to 390h–15 of this title] may be cited as the 'Reclamation Recycling and Water Conservation Act of 1996'.''

SHORT TITLE

Section 1601 of title XVI of Pub. L. 102–575 provided that: ''This title [enacting sections 390h to 390h–15 of this title] may be referred to as the 'Reclamation Wastewater and Groundwater Study and Facilities Act'.''

[1] See References in Text note below.