

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5460

To reauthorize and amend the Federal Water Project Recreation Act, and  
for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 2002

Mr. CALVERT introduced the following bill; which was referred to the  
Committee on Resources

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## A BILL

To reauthorize and amend the Federal Water Project  
Recreation Act, 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 “Reclamation Recre-

5 ation Management Act of 2002”.

6 **SEC. 2. AMENDMENTS TO THE FEDERAL WATER PROJECT**

7                                   **RECREATION ACT.**

8       (a) CONGRESSIONAL POLICY.—The first section of

9 the Federal Water Project Recreation Act (16 U.S.C.

1 460l–12) is amended by striking “public bodies” and in-  
2 serting “entities”.

3 (b) ALLOCATION OF COSTS.—Section 2 of the Fed-  
4 eral Water Project Recreation Act (16 U.S.C. 460l–13)  
5 is amended—

6 (1) in subsection (a) by striking “, before au-  
7 thorization of a project,”;

8 (2) in subsection (a), by striking “public bod-  
9 ies” and inserting “entities” and by striking  
10 “Projects authorized during the calendar year” and  
11 all that follows to the end of the subsection;

12 (3) in subsection (b) by striking “non-Federal  
13 interests” each place it appears and inserting “non-  
14 Federal entities”;

15 (4) in subsection (b)(2)—

16 (A) by striking “: *Provided*, That the  
17 source of repayment may be limited to” and in-  
18 serting “. The source of repayment may in-  
19 clude”; and

20 (B) by inserting “and retained” after “col-  
21 lected”; and

22 (5) in subsection (b)(2) by adding at the end  
23 the following: “Fees and charges may be collected,  
24 retained and used by the non-Federal entities for op-  
25 eration, maintenance, and replacement of recreation

1 facilities on project lands and waters being managed  
2 by the non-Federal entities. As established by the  
3 Secretary, any excess revenues will be credited to the  
4 Reclamation Fund to remain available, without fur-  
5 ther Act of appropriation, to support recreation de-  
6 velopment and management of Bureau of Reclama-  
7 tion land and water areas.”.

8 (c) RECREATION AND FISH AND WILDLIFE EN-  
9 HANCEMENT.—Section 3 of the Federal Water Project  
10 Recreation Act (16 U.S.C. 460l–14) is amended—

11 (1) by striking subsection (a), redesignating  
12 subsection (b) as subsection (a), and inserting after  
13 subsection (a) (as so redesignated) the following:

14 “(b) In the absence of a non-Federal managing part-  
15 ner, the Secretary of the Interior, acting through the Com-  
16 missioner of Reclamation, is authorized, as a part of any  
17 water resource development project under the Secretary’s  
18 control heretofore or hereafter authorized or reauthorized,  
19 to investigate, plan, construct, replace, manage, operate  
20 and maintain or otherwise provide for public use and en-  
21 joyment of project lands, facilities, and water areas in a  
22 manner coordinated with the other project purposes; the  
23 costs of which are nonreimbursable.”;

24 (2) in subsection (a) (as so redesignated)—

1 (A) by inserting “or enhance” after  
2 “project construction to preserve”;

3 (B) by striking “enhancement potential”  
4 each place it appears and inserting “resources”;

5 (C) by striking “public bodies” each place  
6 it appears and inserting “entities”;

7 (D) by striking “public body” and insert-  
8 ing “entity”; and

9 (E) by striking “or, in the absence thereof,  
10 will not detract from that potential”;

11 (3) in subsection (c)(1)(B) by striking “public  
12 body” each place it appears and inserting “entity”;  
13 and

14 (4) by adding at the end of subsection (c) the  
15 following:

16 “(3) In the absence of a non-Federal managing part-  
17 ner, the Secretary of the Interior, acting through the Com-  
18 missioner of Reclamation, may modify or expand existing  
19 facilities, the costs of which are nonreimbursable.”.

20 (d) LEASE OF FACILITIES.—

21 (1) REPEAL.—Section 4 of the Federal Water  
22 Project Recreation Act (16 U.S.C. 460*l*–15) is re-  
23 pealed, and sections 5 through 12 of such Act are  
24 redesignated as sections 4 through 11, respectively.

1           (2) CONFORMING AMENDMENT.—Section 6(e)  
2           of the Federal Water Project Recreation Act (16  
3           U.S.C. 460l–17(e)) is amended by striking “4, and  
4           5” and inserting “, and 4”.

5           (e) POST AUTHORIZATION DEVELOPMENT.—Section  
6           5 of the Federal Water Project Recreation Act (16 U.S.C.  
7           460l–16) is amended by striking “public bodies” and in-  
8           serting “entities”.

9           (f) PROVISION OF FACILITIES.—Section 7 of the  
10          Federal Water Project Recreation Act (16 U.S.C. 460l–  
11          18) is amended—

12                 (1) in subsection (e) by striking “and 5” and  
13                 inserting “and between 3 and 4”;

14                 (2) in subsection (g) by striking “3(b)” and in-  
15                 serting “3(a)”; and

16                 (3) in subsection (h) by striking “public bodies”  
17                 and inserting “entities”; and by striking “3(b)” and  
18                 inserting “3(a)”.

19           (g) MISCELLANEOUS REPORTS.—Section 6 of the  
20          Federal Water Project Recreation Act (16 U.S.C. 460l–  
21          17) is amended by adding at the end the following:

22                 “(i) Amounts collected under section 2805 of Public  
23          Law 102–575 for admission to or recreation use of project  
24          land and waters shall be deposited in a special account  
25          in the Reclamation Fund and remain available to the

1 Commissioner of Reclamation without further appropria-  
2 tion until expended. Such funds may be used for the devel-  
3 opment, reconstruction, replacement, management, and  
4 operation of recreation resources on project lands and wa-  
5 ters with not less than 60 percent being used at the site  
6 from which the fees were collected.”.

7 (h) MANAGEMENT FOR RECREATION, FISH AND  
8 WILDLIFE, AND OTHER RESOURCES.—Section 7 of the  
9 Federal Water Project Recreation Act (16 U.S.C. 460l-  
10 18) is amended—

11 (1) by amending subsection (a) to read as fol-  
12 lows:

13 “(a) The Secretary of the Interior, acting through the  
14 Commissioner of Reclamation, is authorized, in conjunc-  
15 tion with any water resource development project here-  
16 tofore or hereafter constructed or which is otherwise under  
17 the Secretary’s control, to—

18 “(1) investigate, plan, design, construct, re-  
19 place, manage, operate, and maintain or otherwise  
20 provide for recreation and fish and wildlife enhance-  
21 ment facilities and services, the costs of which may  
22 be nonreimbursable;

23 “(2) provide for public use and enjoyment of  
24 project lands, facilities, and water areas in a manner  
25 coordinated with the other project purposes, includ-

1 ing by entering into grants, cooperative agreements,  
2 and similar instruments with non-Federal entities,  
3 without cost sharing, for recreation projects and ac-  
4 tivities; and

5 “(3) to acquire or otherwise make available  
6 such adjacent lands or interests therein as are nec-  
7 essary for public recreation or fish and wildlife  
8 use.”;

9 (2) in subsection (b)—

10 (A) by inserting “, acting through the  
11 Commissioner of Reclamation,” after “the Sec-  
12 retary of the Interior”;

13 (B) by inserting “and management” after  
14 “administration”;

15 (C) by striking “lease”; and

16 (D) by adding at the end the following:

17 “All such agreements or contracts for adminis-  
18 tration or management shall identify the terms  
19 and conditions of administration, management,  
20 and use, approvals required from Bureau of  
21 Reclamation, and assure public access to  
22 project lands managed for recreation.”;

23 (3) by adding at the end the following:

24 “(d) The Secretary of the Interior, acting through the  
25 Commissioner of Reclamation, is also authorized to enter

1 into agreements with other non-Federal entities for recre-  
2 ation and concession management at Bureau of Reclama-  
3 tion projects. All such agreements or contracts for man-  
4 agement shall identify the terms and conditions of man-  
5 agement and use, approvals required from the Bureau of  
6 Reclamation, and assure public access to project lands  
7 managed for recreation.”; and

8       “(e) The Secretary of the Interior, acting through the  
9 Commissioner of Reclamation, is authorized to approve  
10 the administration, management, and use of Bureau of  
11 Reclamation lands, waters, and the resources thereon by  
12 means of easements, leases, licenses, contracts, permits,  
13 and other forms of conveyance instruments.

14       “(f) The Secretary of the Interior, acting through the  
15 Commissioner of Reclamation, is authorized to produce,  
16 sell, or otherwise make available to the public: information  
17 about Bureau of Reclamation programs including publica-  
18 tions, photographs, computer discs, maps, brochures, post-  
19 ers, videos, and other memorabilia related to the Bureau  
20 of Reclamation, and the natural, historic, and cultural re-  
21 sources of the area; and, other appropriate and suitable  
22 merchandise to enhance the public’s use of the area. In-  
23 come from such sales shall be credited to the Reclamation  
24 Fund to remain available, without further Act of appro-  
25 priation, to pay costs associated with the production and

1 sale of items, and any remaining revenue shall be avail-  
2 able, without further Act of appropriation, to support  
3 recreation development and management of Bureau of  
4 Reclamation land and water areas.”.

5 (i) DEFINITIONS.—Section 10 of the Federal Water  
6 Project Recreation Act (16 U.S.C. 460l–21) is amended  
7 by adding at the end the following:

8 “(f) The term ‘non-Federal entity’ means non-Fed-  
9 eral public bodies, nonprofit organizations, Indian tribes,  
10 or entities within the private sector.”.

11 (j) AUTHORIZATION OF APPROPRIATIONS.—The Fed-  
12 eral Water Project Recreation Act (16 U.S.C. 460l–12 et  
13 seq.) is amended by redesignating section 11 (as redesi-  
14 gnated by subsection (d) of this section) as section 12, and  
15 by inserting after section 10 the following:

16 **“SEC. 11. AVAILABILITY OF APPROPRIATIONS.**

17 “Funds appropriated under this section may remain  
18 available until expended.”.

19 **SEC. 3. RECREATIONAL FACILITIES AT LOST CREEK RES-**  
20 **ERVOIR.**

21 (a) CONSTRUCTION OF FACILITIES.—As soon as  
22 practicable after funds are made available for this section,  
23 the Secretary of the Interior shall construct recreational  
24 facilities at Lost Creek Reservoir in Utah.

1           (b) MAINTENANCE AND OPERATION OF FACILI-  
2 TIES.—Construction of recreational facilities under sub-  
3 section (a) shall begin only after the Secretary has entered  
4 into a cooperative agreement with the State of Utah that  
5 provides for the operation and maintenance of the rec-  
6 reational facilities.

7           (c) COST SHARING.—The Federal share of the cost  
8 of construction carried out under this section shall be 50  
9 percent.

10 **SEC. 4. TECHNICAL CORRECTION.**

11           Section 1(g) of Public Law 107–69 (115 Stat. 595)  
12 is amended by striking “section 2(c)(1)” and inserting  
13 “subsection (c)(1)”.

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