

**CHAPTER 32B—COLORADO RIVER FLOODWAY**

- Sec. 1600. Findings and purposes.
  - (a) Findings.
  - (b) Purpose.
- 1600a. Definitions.
- 1600b. Colorado River Floodway Task Force.
  - (a) Establishment and membership.
  - (b) Charter and operation; reports and recommendations.
  - (c) Termination of task force; report to Secretary and Congressional Committees.
- 1600c. Colorado River Floodway.
  - (a) Establishment.
  - (b) Study of tributary floodflows; determination of Floodway boundary; preparation and filing of maps with Congressional Committees, Federal, State and local government agencies, and federally insured financial institutions.
  - (c) Review and modification of boundaries; notice and comment; written justification for decision of Secretary.
- 1600d. Limitations on Federal expenditures affecting Floodway.
- 1600e. Exceptions.
- 1600f. Certification of compliance.
- 1600g. Priority of laws.
- 1600h. Separability.
- 1600i. Reports to Congress.
- 1600j. Federal leases.
  - (a) Lease of lands owned in whole or in part by United States within Floodway; determination of consistency with operation and maintenance.
  - (b) Extension of existing leases; minimization of inconsistency with operation and maintenance of Floodway.
  - (c) Lease of lands owned in whole or in part by United States between Hoover Dam and Davis Dam.
  - (d) Lease operations on Indian lands.
  - (e) Lands held in trust by United States for benefit of Indian tribes or individuals.
- 1600k. Notices and existing laws.
  - (a) Provisions relating to construction work, liability for damage, etc., on Mississippi River; notice to lessees.
  - (b) National Flood Insurance Act and National Flood Insurance Program; continuation.
  - (c) National Flood Insurance Act provisions relating directly to Floodway; notice to communities affected.
- 1600l. Authorization of appropriations.

**§ 1600. Findings and purposes**

**(a) Findings**

The Congress finds that—

- (1) there are multiple purposes established by law for the dams and other control structures administered by the Secretary of the Interior on the Colorado River;
- (2) the maintenance of the Colorado River Floodway established in this chapter is essential to accomplish these multiple purposes;
- (3) developments within the Floodway are and will continue to be vulnerable to damaging flows such as the property damage which occurred in 1983 and may occur in the future;

(4) certain Federal programs which subsidize or permit development within the Floodway threaten human life, health, property, and natural resources; and

(5) there is a need for coordinated Federal, State, and local action to limit Floodway development.

**(b) Purpose**

The Congress declares that the purposes of this chapter are to—

(1) establish the Colorado River Floodway, as designated and described further in this chapter, so as to provide benefits to river users and to minimize the loss of human life, protect health and safety, and minimize damage to property and natural resources by restricting future Federal expenditures and financial assistance, except public health funds, which have the effect of encouraging development within the Colorado River Floodway; and

(2) establish a task force to advise the Secretary of the Interior and the Congress on establishment of the Floodway and on managing existing and future development within the Floodway, including the appropriateness of compensation in specified cases of extraordinary hardship.

(Pub. L. 99-450, §2, Oct. 8, 1986, 100 Stat. 1129.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 99-450, Oct. 8, 1986, 100 Stat. 1129, known as the Colorado River Floodway Protection Act, which enacted this chapter and section 4029 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

SHORT TITLE

Section 1 of Pub. L. 99-450 provided that: “This Act [enacting this chapter and section 4029 of Title 42, The Public Health and Welfare] may be cited as the ‘Colorado River Floodway Protection Act.’”

**§ 1600a. Definitions**

(a) The term “Committees” refers to the Committee on Natural Resources of the United States House of Representatives and the Committee on Environment and Public Works and the Committee on Energy and Natural Resources of the United States Senate.

(b) The term “financial assistance” means any form of loan, grant, guaranty, insurance, payment, rebate, subsidy, or any other form of direct or indirect Federal assistance other than—

(1) general revenue-sharing grants made under section 6702<sup>1</sup> of title 31;

(2) deposit or account insurance for customers of banks, savings and loan associations, credit unions, or similar institutions;

(3) the purchase of mortgages or loans by the Government National Mortgage Association, the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation;

(4) assistance for environmental studies, plans, and assessments that are required incident to the issuance of permits or other authorizations under Federal law; and

(5) assistance pursuant to programs entirely unrelated to development, such as any Federal

<sup>1</sup> See References in Text note below.