114TH CONGRESS  
1ST SESSION  

H. R. 2273

To amend the Colorado River Storage Project Act to authorize the use of the active capacity of the Fontenelle Reservoir.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2015

Mrs. LUMMIS introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Colorado River Storage Project Act to authorize the use of the active capacity of the Fontenelle Reservoir.

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

SECTION 1. AMENDMENTS TO THE COLORADO RIVER STORAGE PROJECT ACT.

The Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”), is amended—

(1) by redesignating section 17 (43 U.S.C. 620o) as section 18; and

(2) by inserting after section 16 (43 U.S.C. 620n–1) the following:
“SEC. 17. AUTHORITY TO MAKE ENTIRE ACTIVE CAPACITY
OF FONTENELLE RESERVOIR AVAILABLE
FOR USE.

“(a) IN GENERAL.—The Secretary of the Interior, in
coeperation with the State of Wyoming, may amend the
Definite Plan Report for the Seedskadee Project author-
ized under the first section to provide for the study, de-
sign, planning, and construction activities that will enable
the use of all active storage capacity (as may be defined
or limited by legal, hydrologic, structural, engineering,
economic, and environmental considerations) of Fontenelle
Dam and Reservoir, including the placement of sufficient
riprap on the upstream face of Fontenelle Dam to allow
the active storage capacity of Fontenelle Reservoir to be
used for those purposes for which the Seedskadee Project
was authorized.

“(b) COOPERATIVE AGREEMENTS.—

“(1) IN GENERAL.—The Secretary of the Inte-
rior may enter into any contract, grant, cooperative
agreement, or other agreement that is necessary to
carry out subsection (a).

“(2) STATE OF WYOMING.—

“(A) IN GENERAL.—The Secretary of the
Interior shall enter into a cooperative agree-
ment with the State of Wyoming to work in co-
operation and collaboratively with the State of
Wyoming for planning, design, related
preconstruction activities, and construction of
any modification of the Fontenelle Dam under
subsection (a).

“(B) REQUIREMENTS.—The cooperative
agreement under subparagraph (A) shall, at a
minimum, specify the responsibilities of the
Secretary of the Interior and the State of Wyo-
ming with respect to—

“(i) completing the planning and final
design of the modification of the
Fontenelle Dam under subsection (a);

“(ii) any environmental and cultural
resource compliance activities required for
the modification of the Fontenelle Dam
under subsection (a) including compliance
with—

“(I) the National Environmental
et seq.);

“(II) the Endangered Species Act
of 1973 (16 U.S.C. 1531 et seq.); and

“(III) subdivision 2 of division A
of subtitle III of title 54, United
States Code; and
“(iii) the construction of the modification of the Fontenelle Dam under subsection (a).

“(c) FUNDING BY STATE OF WYOMING.—Pursuant to the Act of March 4, 1921 (41 Stat. 1404, chapter 161; 43 U.S.C. 395), and as a condition of providing any additional storage under subsection (a), the State of Wyoming shall provide to the Secretary of the Interior funds for any work carried out under subsection (a).

“(d) OTHER CONTRACTING AUTHORITY.—

“(1) IN GENERAL.—The Secretary of the Interior may enter into contracts with the State of Wyoming, on such terms and conditions as the Secretary of the Interior and the State of Wyoming may agree, for division of any additional active capacity made available under subsection (a).

“(2) TERMS AND CONDITIONS.—Unless otherwise agreed to by the Secretary of the Interior and the State of Wyoming, a contract entered into under paragraph (1) shall be subject to the terms and conditions of Bureau of Reclamation Contract No. 14–06–400–2474 and Bureau of Reclamation Contract No. 14–06–400–6193.”.
SEC. 2. SAVINGS PROVISIONS.

Unless expressly provided in this Act, nothing in this Act or an amendment made by this Act modifies, conflicts with, preempts, or otherwise affects—

(1) the Act of December 31, 1928 (43 U.S.C. 617 et seq.) (commonly known as the “Boulder Canyon Project Act”);

(2) the Colorado River Compact of 1922, as approved by the Presidential Proclamation of June 25, 1929 (46 Stat. 3000);

(3) the Act of July 19, 1940 (43 U.S.C. 618 et seq.) (commonly known as the “Boulder Canyon Project Adjustment Act”);

(4) the Treaty between the United States of America and Mexico relating to the utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande, and supplementary protocol signed November 14, 1944, signed at Washington February 3, 1944 (59 Stat. 1219);

(5) the Upper Colorado River Basin Compact as consented to by the Act of April 6, 1949 (63 Stat. 31);

(6) the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620 et seq.);
(7) the Colorado River Basin Project Act (Public Law 90–537; 82 Stat. 885); or

(8) any State of Wyoming or other State water law.