

110TH CONGRESS  
1ST SESSION

# H. R. 3437

To authorize the Secretary of the Interior to carry out the Jackson Gulch rehabilitation project in the State of Colorado.

---

## IN THE HOUSE OF REPRESENTATIVES

AUGUST 3, 2007

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

---

## A BILL

To authorize the Secretary of the Interior to carry out the Jackson Gulch rehabilitation project in the State of Colorado.

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 “Jackson Gulch Reha-  
5 bilitation Act of 2007”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **ASSESSMENT.**—The term “assessment”  
9 means the engineering document that is—

1 (A) entitled “Jackson Gulch Inlet Canal  
2 Project, Jackson Gulch Outlet Canal Project,  
3 Jackson Gulch Operations Facilities Project:  
4 Condition Assessment and Recommendations  
5 for Rehabilitation”;

6 (B) dated February 2004; and

7 (C) on file with the Bureau of Reclama-  
8 tion.

9 (2) DISTRICT.—The term “District” means the  
10 Mancos Water Conservancy District established  
11 under the Water Conservancy Act (Colo. Rev. Stat.  
12 37–45–101 et seq.).

13 (3) PROJECT.—The term “Project” means the  
14 Jackson Gulch rehabilitation project, a program for  
15 the rehabilitation of the Jackson Gulch Canal sys-  
16 tem and other infrastructure in the State, as de-  
17 scribed in the assessment.

18 (4) SECRETARY.—The term “Secretary” means  
19 the Secretary of the Interior, acting through the  
20 Commissioner of Reclamation.

21 (5) STATE.—The term “State” means the State  
22 of Colorado.

1 **SEC. 3. AUTHORIZATION OF JACKSON GULCH REHABILITA-**  
2 **TION PROJECT.**

3 (a) IN GENERAL.—The Secretary shall pay the Fed-  
4 eral share of the total cost of carrying out the Project.

5 (b) USE OF EXISTING INFORMATION.—In preparing  
6 any studies relating to the Project, the Secretary shall,  
7 to the maximum extent practicable, use existing studies,  
8 including engineering and resource information provided  
9 by, or at the direction of—

10 (1) Federal, State, or local agencies; and

11 (2) the District.

12 (c) COST-SHARING REQUIREMENT.—

13 (1) FEDERAL SHARE.—The Federal share of  
14 the total cost of carrying out the Project shall be 80  
15 percent.

16 (2) NON-FEDERAL SHARE.—The non-Federal  
17 share of the total cost of carrying out the Project  
18 may be in the form of—

19 (A) any in-kind, documented contribution  
20 of goods or services; or

21 (B) any amounts paid by the District be-  
22 fore, on, or after the date of enactment of this  
23 Act for engineering and improvement costs for  
24 the Jackson Gulch Conveyance Works.

25 (d) PROHIBITION ON OPERATION AND MAINTENANCE COSTS.—The District shall be responsible for the  
26

1 operation and maintenance of any facility constructed or  
2 rehabilitated under this Act.

3 (e) LIABILITY.—The United States shall not be liable  
4 for damages of any kind arising out of any act, omission,  
5 or occurrence relating to a facility rehabilitated or con-  
6 structed under this Act.

7 (f) EFFECT.—An activity provided Federal funding  
8 under this Act shall not be considered a supplemental or  
9 additional benefit under—

10 (1) the reclamation laws; or

11 (2) the Act of August 11, 1939 (16 U.S.C.  
12 590y et seq.).

13 (g) AUTHORIZATION OF APPROPRIATIONS.—There is  
14 authorized to be appropriated to the Secretary to pay the  
15 Federal share of the total cost of carrying out the Project  
16 \$6,452,311.

○