

103^D CONGRESS
2^D SESSION

H. R. 4523

To provide for private development of power at the Mancos Project, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 1994

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

A BILL

To provide for private development of power at the Mancos
Project, 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 bill may be cited as the “Mancos Project Private
5 Power Development Authorization Act of 1994”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (a) development of hydroelectric power at the
9 Mancos Project consistent with the Feasibility Re-
10 port and Engineering and Construction Report for

1 the Jackson Gulch Reservoir Hydroelectric Project
2 dated April 19, 1991, and revised on May 13, 1992,
3 and February 10, 1993, by the Mancos Water Con-
4 servancy District—

5 (1) will be without cost to the United
6 States;

7 (2) will not impair the efficiency of the
8 project for irrigation purposes;

9 (3) will not alter the volume, timing or
10 temperatures of flows from the reservoir; and

11 (4) is not likely to cause any new or in-
12 creased adverse impacts to any federally listed
13 or candidate species;

14 (b) the Mancos Water Conservancy District is
15 currently operating and maintaining facilities at the
16 Mancos Project and that the development of hydro-
17 electric power at the Mancos Project consistent with
18 the Feasibility Report and Engineering and Con-
19 struction Report for the Jackson Gulch Reservoir
20 Hydroelectric Project dated April 19, 1991, revised
21 on May 13, 1992, and February 10, 1993, by the
22 Mancos Water Conservancy District will not increase
23 operation and maintenance costs of the Federal Gov-
24 ernment; and

1 (c) any lease of power privileges issued by the
2 Secretary pursuant to this Act does not constitute a
3 “contract” under section 202(1) of Public Law 97–
4 293 (96 Stat. 1261; 43 U.S.C.A. section 390bb) and
5 that nothing in this Act is intended to make applica-
6 ble any section of Public Law 97–293 (96 Stat.
7 1261; 43 U.S.C.A. section 390aa et. seq.) that
8 would not previously apply.

9 **SEC. 3. AUTHORIZATION TO LEASE POWER PRIVILEGES.**

10 Notwithstanding the provisions of the Water Con-
11 servation and Utilization Act (16 U.S.C. sections 590y–
12 590z–11) or any relevant provision of the repayment con-
13 tract Ilr–384, dated July 20, 1942, as amended December
14 22, 1947, the Secretary is authorized to enter into a lease
15 of power privileges at the Mancos Project, Colorado, with
16 the Mancos Water Conservancy District.

17 **SEC. 4. LEASE CONDITIONS.**

18 Any such lease of power privileges issued pursuant
19 to Section 3 of this Act shall not exceed a period of forty
20 years and shall be consistent with rates charged by the
21 Federal Energy Regulatory Commission for comparable
22 sized projects. Moneys derived from such lease shall be
23 covered into the reclamation fund in accordance with rel-
24 evant parts of Federal reclamation law, the Act of June

1 17, 1902, and Acts supplementary thereto and amend-
2 atory thereof (43 U.S.C. 371).

3 **SEC. 5. REVENUES DERIVED FROM POWER DEVELOPMENT.**

4 Notwithstanding the provisions of the Water Con-
5 servation and Utilization Act (16 U.S.C. sections 590y-
6 590z-11) or any relevant provision of the repayment con-
7 tract Ilr-384, dated July 20, 1942, as amended December
8 22, 1947, the Mancos Water Conservancy District may re-
9 ceive revenues from the sale of the power generated pursu-
10 ant to such lease of power privilege.

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