

104TH CONGRESS
2D SESSION

H. R. 3971

To assist in the conservation and stabilization of water quantity and quality for fish habitat and recreation in the Walker River Basin consistent with Decree C-125, issued by the United States District Court for the District of Nevada.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 1996

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

A BILL

To assist in the conservation and stabilization of water quantity and quality for fish habitat and recreation in the Walker River Basin consistent with Decree C-125, issued by the United States District Court for the District of Nevada.

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 “Walker River Basin
5 Conservation and Stabilization Act of 1996”.

1 **SEC. 2. PARTICIPATION IN WATER BANKING AND LAKE**
2 **PROTECTION AND ENHANCEMENT.**

3 (a) **PURPOSE.**—The Secretary of the Interior (in this
4 Act referred to as the “Secretary”) shall participate in ef-
5 forts by the Walker River Basin Water Users Association,
6 the Walker River Irrigation District, and the Walker River
7 Paiute Tribe (in this Act referred to as the “locally af-
8 fected interests”) to conduct studies relating to, and to
9 implement, the projects described in subsection (e), to as-
10 sist in the stabilization of water quantity and quality at
11 Walker Lake for the purposes of conserving fish habitat
12 and recreation in the Walker River Basin.

13 (b) **PARTICIPATION.**—The Secretary, subject to the
14 availability of appropriations, shall provide funds and
15 technical assistance to the locally affected interests
16 through grants or cooperative agreements pursuant to
17 memoranda of understanding under subsection (d).

18 (c) **COST SHARING.**—The Secretary’s share of costs
19 associated with the projects described in subsection (e)
20 shall not exceed 75 percent of the total thereof. The non-
21 Federal share of the costs of operation and maintenance
22 of the projects shall be 100 percent.

23 (d) **MEMORANDA OF UNDERSTANDING.**—The Sec-
24 retary may enter into one or more memoranda of under-
25 standing with the locally affected interests to facilitate the
26 disposition of funds authorized by this Act.

1 (e) PROJECT DESCRIPTIONS.—The projects referred
2 to in subsection (a) are the following:

3 (1) WALKER RIVER WATER BANKING DEM-
4 ONSTRATION PROJECT.—A project to establish, in
5 accordance with Nevada State law and other appli-
6 cable law, a locally managed Walker River Water
7 Bank to facilitate voluntary water transfers, includ-
8 ing any water conserved under the project described
9 in paragraph (2), within the Walker River Basin in
10 Nevada and California.

11 (2) WATER CONSERVATION PROJECT.—A
12 project designed to encourage the locally affected in-
13 terests to voluntarily conserve water in the Walker
14 River Basin, in addition to voluntary water transfers
15 for banking described in paragraph (1).

16 (3) IN GENERAL.—Such other water manage-
17 ment projects the Secretary considers appropriate,
18 including projects such as stream protection,
19 phreatophyte control, debris control and removal in
20 Walker Lake and its tributaries, other small flood
21 control projects, water quality analysis, fish biology
22 analysis, salt management, cloud seeding, and
23 ground water modeling and management.

24 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
25 authorized to be appropriated to the Secretary to carry

1 out this section \$7,500,000. Funds appropriated under
2 this section shall be made available to the locally affected
3 interests to carry out the projects specified in subsection
4 (e), in accordance with memoranda of understanding en-
5 tered into under subsection (d). Of the amount authorized
6 by this Act to be appropriated, \$5,000,000 is authorized
7 to be made available for the project described in subsection
8 (e)(1), and the remainder is authorized to be made avail-
9 able for the projects described in paragraphs (2) and (3)
10 of subsection (e). Funds appropriated under this Act shall
11 remain available until expended.

12 **SEC. 3. COMPLIANCE WITH STATE WATER LAWS.**

13 The Secretary shall not take any action that would
14 undermine, contradict, or diminish the water rights con-
15 firmed in Decree C-125, United States of America, et al.
16 v. Walker River Irrigation District, et al., United States
17 District Court for the District of Nevada, in Equity, No.
18 C-125, April 14, 1936, as amended on April 24, 1940,
19 other than action which the Secretary determines is nec-
20 essary and within the Secretary's authority as trustee for
21 the Walker River Paiute Tribe.

1 **SEC. 4. EXISTING AUTHORITY UNCHANGED.**

2 Nothing in this Act shall be construed as affecting
3 the existing authority of the Secretary, the State of Ne-
4 vada, or the State of California.

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