

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.

S. 2160

To amend the Omnibus Public Land Management Act of 2009 to authorize certain extraordinary operation and maintenance work for urban canals of concern.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Urban Canal Mod-
5 ernization Act”.

6 **SEC. 2. EXTRAORDINARY OPERATION AND MAINTENANCE**

7 **WORK PERFORMED BY THE SECRETARY OF**

8 **THE INTERIOR.**

9 (a) DEFINITIONS.—Section 9601 of the Omnibus
10 Public Land Management Act of 2009 (43 U.S.C. 510)
11 is amended—

1 (1) by redesignating paragraphs (1), (2), (3),
2 (4), (5), (6), and (7) as paragraphs (2), (3), (4),
3 (5), (6), (7), and (1), respectively;

4 (2) in paragraph (3) (as so redesignated), by
5 striking “et seq.” and inserting “et seq.)”;

6 (3) in paragraph (4) (as so redesignated), by
7 striking “mean” and inserting “means”; and

8 (4) by adding at the end the following:

9 “(8) URBAN CANAL OF CONCERN.—The term
10 ‘urban canal of concern’ means a transferred works
11 or segment of a transferred works that is a canal
12 reach—

13 “(A) the failure of which would result in
14 an estimated at-risk population of more than
15 100 individuals, as determined by the Sec-
16 retary, pursuant to the guidelines and criteria
17 developed under section 9602(a); and

18 “(B) that is determined by the Secretary
19 to be classified as an urban canal reach.”.

20 (b) EXTRAORDINARY OPERATION AND MAINTENANCE
21 WORK ON URBAN CANALS OF CONCERN.—Section
22 9603 of the Omnibus Public Land Management Act of
23 2009 (43 U.S.C. 510b) is amended—

24 (1) in subsection (a)—

1 (A) by striking “(a)” and all that follows
2 through “The Secretary” and inserting the fol-
3 lowing:

4 “(a) AUTHORIZATION.—

5 “(1) PROJECT FACILITIES.—The Secretary”;
6 and

7 (B) by adding at the end the following:

8 “(2) URBAN CANALS OF CONCERN.—The Sec-
9 retary or the transferred works operating entity may
10 carry out, in accordance with subsection (b), any ex-
11 traordinary operation and maintenance work on an
12 urban canal of concern that the Secretary deter-
13 mines to be necessary pursuant to the guidelines and
14 criteria set forth in section 9602(a).”;

15 (2) in subsection (b)—

16 (A) by redesignating paragraph (3) as
17 paragraph (4); and

18 (B) by inserting after paragraph (2) the
19 following:

20 “(3) URBAN CANALS OF CONCERN.—Except in
21 the case of emergency extraordinary operation and
22 maintenance work carried out under subsection (c),
23 of the total costs of extraordinary operation and
24 maintenance work on an urban canal of concern con-
25 ducted under subsection (a)(2)—

1 “(A) 25 percent shall be provided by the
2 Secretary on a nonreimbursable basis;

3 “(B) 10 percent shall be provided by the
4 applicable State or political subdivision of the
5 applicable State in which the extraordinary op-
6 eration and maintenance work is being con-
7 ducted; and

8 “(C) the remaining amounts shall be ad-
9 vanced by the Secretary in accordance with
10 paragraph (2), to be repaid by the transferred
11 works operating entity in accordance with that
12 paragraph.”; and

13 (3) in subsection (d)—

14 (A) by redesignating paragraph (7) as
15 paragraph (8); and

16 (B) by inserting after paragraph (6) the
17 following:

18 “(7) LIMITATION FOR URBAN CANALS OF CON-
19 CERN.—Not more than \$300,000,000 shall be made
20 available from the Account to pay the Federal costs
21 of extraordinary operation and maintenance work on
22 urban canals of concern conducted under section
23 (a)(2), unless an appropriations Act provides funds
24 for payment of Federal costs for such purposes in
25 excess of that amount.”.