

Public Law 90-562

AN ACT

October 12, 1968
[H. R. 5117]

To authorize the Secretary of the Interior to construct, operate, and maintain stage 1 and to acquire lands for stage 2 of the Palmetto Bend reclamation project, Texas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to construct, operate, and maintain the first stage and to acquire lands for the second stage of the Palmetto Bend Federal reclamation project, Texas, in accordance with the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto) for the purposes of storing, regulating, and furnishing water for municipal and industrial use, conserving and developing fish and wildlife resources, and enhancing outdoor recreation opportunities. The stage 1 development of the project shall consist of the following principal works: Palmetto Bend Dam and Reservoir on the Navidad River near Edna, Texas, and recreation facilities.

Palmetto Bend reclamation project, Texas.

Construction.

43 USC 371 note.

SEC. 2. (a) Costs of the project or any unit or stage thereof allocated to municipal and industrial water supply shall be repayable with interest, by the municipal and industrial water users over a period of not more than fifty years from the date that water is first delivered for that purpose, pursuant to contracts with municipal corporations, organizations, or other entities as defined in section 2(g) of the Reclamation Project Act of 1939 (53 Stat. 1187). Such contracts shall be precedent to the commencement of construction of the project. Contracts may be entered into with a qualified entity or entities pursuant to the provisions of this Act without regard to the last sentence of subsection 9(c) of the Reclamation Project Act of 1939, supra.

Power privileges.

Repayment costs.

43 USC 485a.

43 USC 485h.

(b) If contracts for the repayment of all of the costs allocated to municipal and industrial water supply shall not have been executed within five years of the date of enactment of this Act, the authorization herein granted to the Secretary shall thereupon terminate.

(c) The interest rate used for computing interest during construction and interest on the unpaid balance of the costs of the project allocated to municipal and industrial water supply shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which construction is commenced, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption for fifteen years from date of issue.

Interest rate, determination.

SEC. 3. (a) The Secretary is authorized to transfer to a qualified contracting entity or entities the care, operation, and maintenance of the project works, and, if such transfer is made, to credit annually against the contractor's repayment obligation that portion of the year's joint operation and maintenance costs which, if the United States had continued to operate the project, would have been allocated to fish and wildlife and recreation purposes. Prior to assuming care, operation, and maintenance of the project works the contracting entity or entities shall be obligated to operate them in accordance with criteria established by the Secretary of the Interior with respect to fish and wildlife and recreation.

Project care, operation, etc. Transfer to contractor.

(b) Upon complete payment of the obligation assumed, the contracting entity or entities, their designee or designees, shall have a permanent right to use that portion of project reservoir capacity which is or may be allocated to municipal and industrial water supply purposes by the Secretary of the Interior, so long as the space designated for those purposes may be physically available, taking into account such equit-

Permanent usage right.

able reallocation of reservoir storage capacities among the purposes served by the project as may be necessary due to sedimentation, subject, if the project is then operated by the United States, to payment to the United States of a reasonable annual charge to cover operation and maintenance costs and a fair share of administrative costs applicable to the project.

(c) Expenditures for the Palmetto Bend project may be made without regard to the soil survey and land classification requirements of the Interior Department Appropriation Act of 1954 (67 Stat. 266).

43 USC 390a.
Fish and wild-
life resources and
recreation.

SEC. 4. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the Palmetto Bend project shall be in accordance with the Federal Water Project Recreation Act (79 Stat. 213).

16 USC 460l-
12 note.
Appropriation.

SEC. 5. There is authorized to be appropriated for construction of the first stage of the Palmetto Bend reclamation project the sum of \$34,100,000 (January 1967 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the type of construction involved herein. There are also authorized to be appropriated such additional sums as may be required for the operation and maintenance of the first stage of the project.

Appropriation.

SEC. 6. There is authorized to be appropriated for the acquisition of lands for the second stage of the Palmetto Bend reclamation project the sum of \$2,700,000. If, within twenty years after the initial operation of stage 1 of the project, Congress has not authorized construction of stage 2, the lands acquired pursuant to this section shall be utilized or disposed of in accordance with the provisions of section 3(b) (2) of the Federal Water Project Recreation Act (Act of July 9, 1965, 79 Stat. 214; 16 U.S.C. 4601-14(b) (2)).

Approved October 12, 1968.

Public Law 90-563

AN ACT

October 12, 1968
[H. R. 19831]

To provide funds on behalf of a grateful nation in honor of Dwight David Eisenhower, thirty-fourth President of the United States, to be used in support of construction of educational facilities at Eisenhower College, Seneca Falls, New York, as a distinguished and permanent living memorial to his life and deeds.

Eisenhower
College, Seneca
Falls, N.Y.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury shall make grants to Eisenhower College of Seneca Falls, New York. Such grants shall be made on condition that the funds so granted will be used for the construction of educational facilities at such college, for the equipment for such facilities, and for the repair, renovation, and rehabilitation thereof (but not for routine and ordinary maintenance).

Appropriation.

SEC. 2. There is hereby authorized to be appropriated to the Secretary of the Treasury for making grants under this Act, amounts which in the aggregate will not exceed gifts, bequests, and devises, of money, securities, and other property, made to Eisenhower College after the date of enactment of this Act, except that the aggregate amount so appropriated shall not exceed \$5,000,000. Funds appropriated under this Act shall remain available until expended.

Approved October 12, 1968.