

§1452(k) OTHER AUTHORIZED ACTIVITIES. —

§1452(k)(1) IN GENERAL. — Notwithstanding subsection (a)(2), a State may take each of the following actions:

§1452(k)(1)(A) Provide assistance, only in the form of a loan, to one or more of the following:

(i) Any public water system described in subsection (a)(2) to acquire land or a conservation easement from a willing seller or grantor, if the purpose of the acquisition is to protect the source water of the system from contamination and to ensure compliance with national primary drinking water regulations.

(ii) Any community water system to implement local, voluntary source water protection measures to protect source water in areas delineated pursuant to section 1453, in order to facilitate compliance with national primary drinking water regulations applicable to the system under section 1412 or otherwise significantly further the health protection objectives of this title. Funds authorized under **this clause** may be used to fund only voluntary, incentive-based mechanisms.

(iii) Any community water system to provide funding in accordance with section 1454(a)(1)(B)(i).

§1452(k)(1)(B) Provide assistance, including technical and financial assistance, to any public water system as part of a capacity development strategy developed and implemented in accordance with section 1420(c).

§1452(k)(1)(C) Make expenditures from the capitalization grant of the State for fiscal years 1996 and 1997 to delineate and assess source water protection areas in accordance with section 1453, except that funds set aside for such expenditure shall be obligated within 4 fiscal years.

§1452(k)(1)(D) Make expenditures from the fund for the establishment and implementation of wellhead protection programs under section 1428.

§1452(k)(2) LIMITATION. — For each fiscal year, the total amount of assistance provided and expenditures made by a State under this subsection may not exceed 15 percent of the amount of the capitalization grant received by the State for that year and may not exceed 10 percent of that amount for any one of the following activities:

§1452(k)(2)(A) To acquire land or conservation easements pursuant to paragraph (1)(A)(i).

§1452(k)(2)(B) To provide funding to implement voluntary, incentive-based source water quality protection measures pursuant to clauses (ii) and (iii) of paragraph (1)(A).

§1452(k)(2)(C) To provide assistance through a capacity development strategy pursuant to paragraph (1)(B).

§1452(k)(2)(D) To make expenditures to delineate or assess source water protection areas pursuant to paragraph (1)(C).

§1452(k)(2)(E) To make expenditures to establish and implement wellhead protection programs pursuant to paragraph (1)(D).

§1452(k)(3) STATUTORY CONSTRUCTION. — Nothing in this section creates or conveys any new authority to a State, political subdivision of a State, or community water system for any new regulatory measure, or limits any authority of a State, political subdivision of a State or community water system.