

*North Branch of the Potomac River* ACQUIRING STORAGE IN THE BLOOMINGTON DAM PROJECT TO BE USED FOR REGULATING THE STREAMFLOW OF THE POTOMAC RIVER FOR WATER SUPPLY, *subject to the following restrictions in addition to any other restrictions required by the law or Constitution of this State:*

(1) *No contract shall permit the Federal Government to reduce the natural flow of the Potomac River at any time of the year, during or after the construction of the project, except as to storm or flood waters, unless the Federal Government agrees to condemn all riparian rights in this State affected by any such reduction of flow and to compensate the owners thereof for the loss or injury to such riparian rights in accordance with the laws of this State.*

RESERVOIR REGULATION FOR INCREASING OR DECREASING DOWNSTREAM FLOWS FOR WATER SUPPLY PURPOSES SHALL BE IN ACCORDANCE WITH A SCHEDULE AGREED TO IN WRITING BETWEEN THE AUTHORITY AND THE FEDERAL GOVERNMENT.

(2) *All contracts and revisions or changes as to any part thereof, prior to becoming effective, shall be reviewed by the Department and, as to legality under the Laws of Maryland, by the Attorney General of Maryland.*

(3) *No contract shall contain any hold harmless or indemnity provisions binding upon the State, its subdivisions or agencies, and no such provisions shall be valid.*

NO HOLD HARMLESS OR INDEMNITY PROVISIONS MADE A PART OF ANY CONTRACT ENTERED INTO BY THE AUTHORITY SHALL BE BINDING UPON THE STATE OR ITS POLITICAL SUBDIVISIONS.

(4) *No contract shall be signed by the Authority unless there is by law provision for free access by the represented counties and persons within those counties through and or across federally-owned land to the Potomac River for all legitimate purposes which shall include but not be limited to water supply, waste discharges approved by the State, and recreation.*

THE CONTRACT SHALL NOT RESTRICT ACCESS AS PROVIDED BY THE ACT OF AUGUST 1, 1953 (67 STAT. 359).

(5) THE TERMS OF A CONTRACT BETWEEN THE AUTHORITY AND THE FEDERAL GOVERNMENT CAN BE RENEGOTIATED UPON MUTUAL AGREEMENT OF THE PARTIES.

95.

*Except as provided in Section 96(c), the Authority shall not pledge the faith and credit of the State, nor can it create any debt or obligation of the State, and any such pledge, debt or obligation, if created, shall be invalid. The members of the Authority shall not be liable as individuals for any contracts made on behalf of the Authority.*

96.

(a) *The Authority shall assess and collect charges for the payment of the Maryland share of the initial cost of the Project. Each*