

Colorado River Salinity Control Fix Act

[Public Law 118–183]

[This law has not been amended]

【Currency: This publication is a compilation of the text of Public Law 118–183. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To amend the Colorado River Basin Salinity Control Act to modify certain requirements applicable to salinity control units, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. [43 U.S.C. 1571 note] SHORT TITLE.

This Act may be cited as the “Colorado River Salinity Control Fix Act”.

SEC. 2. SALINITY CONTROL UNITS.

Section 205 of the Colorado River Basin Salinity Control Act (43 U.S.C. 1595) is amended—

(1) by striking the section designation and all that follows through “(a) The Secretary” and inserting the following:

“SEC. 205. SALINITY CONTROL UNITS; AUTHORITY AND FUNCTIONS OF THE SECRETARY OF THE INTERIOR

“(a) ALLOCATION OF COSTS.—The Secretary”;

(2) by striking paragraph (1) and inserting the following:

“(1) NONREIMBURSABLE COSTS; REIMBURSABLE COSTS.—

“(A) NONREIMBURSABLE COSTS.—

“(i) IN GENERAL.—In recognition of Federal responsibility for the Colorado River as an interstate stream and for international comity with Mexico, Federal ownership of the land of the Colorado River Basin from which most of the dissolved salts originate, and the policy established in the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and except as provided in clause (ii), the following shall be nonreimbursable:

“(I) 75 percent of the total costs of construction and replacement of each unit or separable feature of a unit authorized by section 202(a)(1), including 90 percent of—

“(aa) the costs of operation and maintenance of each unit or separable feature of a unit authorized by that section; and

“(bb) the total costs of construction, operation, and maintenance of the associated measures to replace incidental fish and wildlife values foregone.

“(II) 75 percent of the total costs of construction and replacement of each unit or separable feature of a unit authorized by section 202(a)(2), including 100 percent of—

“(aa) the costs of operation and maintenance of each unit or separable feature of a unit authorized by that section; and

“(bb) the total costs of construction, operation, and maintenance of the associated measures to replace incidental fish and wildlife values foregone.

“(III) 75 percent of the total costs of construction, operation, maintenance, and replacement of each unit or separable feature of a unit authorized by section 202(a)(3), including 75 percent of the total costs of construction, operation, and maintenance of the associated measures to replace incidental fish and wildlife values foregone.

“(IV) 70 percent of the total costs of construction, operation, maintenance, and replacement of each unit or separable feature of a unit authorized by paragraphs (4) and (6) of section 202(a), including 70 percent of the total costs of construction, operation, and maintenance of the associated measures to replace incidental fish and wildlife values foregone.

“(V) 70 percent of the total costs of construction and replacement of each unit or separable feature of a unit authorized by section 202(a)(5), including 100 percent of—

“(aa) the costs of operation and maintenance of each unit or separable feature of a unit authorized by that section; and

“(bb) the total costs of construction, operation, and maintenance of the associated measures to replace incidental fish and wildlife values foregone.

“(VI) 85 percent of the total costs of implementation of the on-farm measures authorized by section 202(c), including 85 percent of the total costs of the associated measures to replace incidental fish and wildlife values foregone.

“(ii) SPECIAL RULE FOR NONREIMBURSABLE COSTS FOR FISCAL YEARS 2024 AND 2025.—Notwithstanding clause (i), for each of fiscal years 2024 and 2025, the following shall be nonreimbursable:

“(I) 75 percent of all costs described in clause (i)(I).

“(II) 75 percent of all costs described in clause (i)(II).

“(III) 70 percent of all costs described in clause (i)(V).

“(IV) The percentages of all costs described in subclauses (III), (IV), and (VI) of clause (i).

“(B) REIMBURSABLE COSTS.—The total costs remaining after the allocations under clauses (i) and (ii) of subparagraph (A) shall be reimbursable as provided for in paragraphs (2), (3), (4), and (5).”;

(3) in subsection (b), by striking the subsection designation and all that follows through “Costs of construction” in paragraph (1) and inserting the following:

“(b) COSTS PAYABLE FROM LOWER COLORADO RIVER BASIN DEVELOPMENT FUND.—

“(1) IN GENERAL.—Costs of construction”;

(4) in subsection (c), by striking “(c) Costs of construction” and inserting the following:

“(c) COSTS PAYABLE FROM UPPER COLORADO RIVER BASIN FUND.—Costs of construction”; and

(5) in subsection (e), by striking “(e) The Secretary is” and inserting the following:

“(e) UPWARD ADJUSTMENT OF RATES FOR ELECTRICAL ENERGY.—The Secretary is”.