

118TH CONGRESS
1ST SESSION

S. 2514

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

IN THE SENATE OF THE UNITED STATES

JULY 26, 2023

Mr. BENNET (for himself, Ms. LUMMIS, Mr. PADILLA, Mr. BARRASSO, Mrs. FEINSTEIN, Ms. SINEMA, Mr. ROMNEY, and Mr. HICKENLOOPER) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. SALINITY CONTROL UNITS.**

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

1 (1) by striking the section designation and all
2 that follows through “(a) The Secretary” and insert-
3 ing the following:

4 **“SEC. 205. SALINITY CONTROL UNITS; AUTHORITY AND**
5 **FUNCTIONS OF THE SECRETARY OF THE IN-**
6 **TERIOR.**

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

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

10 “(1) NONREIMBURSABLE COSTS; REIMBURS-
11 ABLE COSTS.—

12 “(A) NONREIMBURSABLE COSTS.—

13 “(i) IN GENERAL.—In recognition of
14 Federal responsibility for the Colorado
15 River as an interstate stream and for
16 international comity with Mexico, Federal
17 ownership of the land of the Colorado
18 River Basin from which most of the dis-
19 solved salts originate, and the policy estab-
20 lished in the Federal Water Pollution Con-
21 trol Act (33 U.S.C. 1251 et seq.) and ex-
22 cept as provided in clause (ii), the fol-
23 lowing shall be nonreimbursable:

24 “(I) 75 percent of the total costs
25 of construction and replacement of

1 each unit or separable feature of a
2 unit authorized by section 202(a)(1),
3 including 90 percent of—

4 “(aa) the costs of operation
5 and maintenance of each unit or
6 separable feature of a unit au-
7 thorized by that section; and

8 “(bb) the total costs of con-
9 struction, operation, and mainte-
10 nance of the associated measures
11 to replace incidental fish and
12 wildlife values foregone.

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

18 “(aa) the costs of operation
19 and maintenance of each unit or
20 separable feature of a unit au-
21 thorized by that section; and

22 “(bb) the total costs of con-
23 struction, operation, and mainte-
24 nance of the associated measures

1 to replace incidental fish and
2 wildlife values foregone.

3 “(III) 75 percent of the total
4 costs of construction, operation, main-
5 tenance, and replacement of each unit
6 or separable feature of a unit author-
7 ized by section 202(a)(3), including
8 75 percent of the total costs of con-
9 struction, operation, and maintenance
10 of the associated measures to replace
11 incidental fish and wildlife values fore-
12 gone.

13 “(IV) 70 percent of the total
14 costs of construction, operation, main-
15 tenance, and replacement of each unit
16 or separable feature of a unit author-
17 ized by paragraphs (4) and (6) of sec-
18 tion 202(a), including 70 percent of
19 the total costs of construction, oper-
20 ation, and maintenance of the associ-
21 ated measures to replace incidental
22 fish and wildlife values foregone.

23 “(V) 70 percent of the total costs
24 of construction and replacement of
25 each unit or separable feature of a

1 unit authorized by section 202(a)(5),
2 including 100 percent of—

3 “(aa) the costs of operation
4 and maintenance of each unit or
5 separable feature of a unit au-
6 thorized by that section; and

7 “(bb) the total costs of con-
8 struction, operation, and mainte-
9 nance of the associated measures
10 to replace incidental fish and
11 wildlife values foregone.

12 “(VI) 85 percent of the total
13 costs of implementation of the on-
14 farm measures authorized by section
15 202(c), including 85 percent of the
16 total costs of the associated measures
17 to replace incidental fish and wildlife
18 values foregone.

19 “(ii) SPECIAL RULE FOR NONREIM-
20 BURSABLE COSTS FOR FISCAL YEARS 2024
21 AND 2025.—Notwithstanding clause (i), for
22 each of fiscal years 2024 and 2025, the
23 following shall be nonreimbursable:

24 “(I) 75 percent of all costs de-
25 scribed in clause (i)(I).

1 “(II) 75 percent of all costs de-
2 scribed in clause (i)(II).

3 “(III) 70 percent of all costs de-
4 scribed in clause (i)(V).

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

8 “(B) REIMBURSABLE COSTS.—The total
9 costs remaining after the allocations under
10 clauses (i) and (ii) of subparagraph (A) shall be
11 reimbursable as provided for in paragraphs (2),
12 (3), (4), and (5).”;

13 (3) in subsection (b), by striking the subsection
14 designation and all that follows through “Costs of
15 construction” in paragraph (1) and inserting the fol-
16 lowing:

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

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

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

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

24 (5) in subsection (e), by striking “(e) The Sec-
25 retary is” and inserting the following:

1 “(e) UPWARD ADJUSTMENT OF RATES FOR ELEC-
2 TRICAL ENERGY.—The Secretary is”.

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