

118TH CONGRESS  
2D SESSION

# H. R. 7872

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

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2024

Mr. CURTIS (for himself, Mr. NEGUSE, Mr. CISCOMANI, Ms. STANSBURY, Ms. HAGEMAN, Mr. OWENS, Mr. MOORE of Utah, Ms. MALOY, Ms. LEGER FERNANDEZ, and Mrs. NAPOLITANO) introduced the following bill; which was referred to the Committee on Natural Resources

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## 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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