

Calendar No. 46

104TH CONGRESS
1ST SESSION

S. 523

[Report No. 104-24]

A BILL

To amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner, and for other purposes.

APRIL 3 (legislative day, MARCH 27), 1995
Reported with an amendment

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To amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 9 (legislative day, MARCH 6), 1995

Mr. BENNETT (for himself, Mr. BROWN, Mr. CAMPBELL, Mr. HATCH, Mr. KYL, Mr. DOMENICI, Mr. SIMPSON, and Mr. THOMAS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

APRIL 3 (legislative day, MARCH 27), 1995

Reported by Mr. MURKOWSKI, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner, 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,*

1 **SECTION 1. BASINWIDE SALINITY CONTROL PROGRAM FOR**
 2 **THE COLORADO RIVER BASIN.**

3 (a) AUTHORIZATION TO CONSTRUCT, OPERATE, AND
 4 MAINTAIN A BASINWIDE SALINITY CONTROL PRO-
 5 GRAM.—Section 202 of the Colorado River Basin Salinity
 6 Control Act (43 U.S.C. 1592) is amended—

7 (1) in subsection (a)—

8 (A) in the first sentence—

9 (i) by striking “the following salinity
 10 control units” and inserting “the following
 11 salinity control units and salinity control
 12 program”; and

13 (ii) by striking the period at the end
 14 and inserting a colon; and

15 (B) by adding at the end the following:

16 “(6) SALINITY CONTROL PROGRAM.—

17 “(A) IN GENERAL.—The Secretary, acting
 18 through the Commissioner of Reclamation, shall
 19 implement a basinwide salinity control program.

20 “(B) CONTRACTS AND OTHER VEHI-
 21 CLES.—The Secretary may carry out this para-
 22 graph directly, or may enter into contracts and
 23 memoranda of agreement, or make grants, com-
 24 mitments for grants, or advances of funds to
 25 non-Federal entities, under such terms and con-

1 ditions as the Secretary considers to be appro-
2 priate.

3 “(C) ~~COST-EFFECTIVE MEASURES.~~—The
4 salinity control program shall consist of cost-ef-
5 fective measures and associated works to reduce
6 salinity from saline springs, leaking wells, irri-
7 gation sources, industrial sources, erosion of
8 public and private land, or other sources, as the
9 Secretary considers to be appropriate.

10 “(D) ~~MITIGATION.~~—The salinity control
11 program shall provide for the mitigation of inci-
12 dental fish and wildlife resources that are lost
13 as a result of the measures and associated
14 works described in subparagraph (C).

15 “(E) ~~PLANNING REPORT.~~—The Secretary
16 shall submit a planning report concerning the
17 salinity control program to the appropriate
18 committees of Congress.

19 “(F) ~~DELAY IN IMPLEMENTATION.~~—The
20 Secretary may not expend funds for any meas-
21 ure or associated work described in subpara-
22 graph (C) before the expiration of a 30-day pe-
23 riod beginning on the date on which the Sec-
24 retary submits a planning report under sub-
25 paragraph (E).”;

1 (2) in subsection (b)(4) by striking “and (5)”
2 and inserting “(5), and (6)”.

3 (b) ALLOCATION OF COSTS.—Section 205(a) of the
4 Colorado River Basin Salinity Control Act (43 U.S.C.
5 1595(a)) is amended—

6 (1) in paragraph (1) by striking “authorized by
7 sections 202(a) (4) and (5)” and inserting “author-
8 ized by section 202(a) (4), (5), and (6)”;

9 (2) in paragraph (4)(i) by striking “sections
10 202(a) (4) and (5)” each place it appears and in-
11 serting “section 202(a) (4), (5), and (6)”.

12 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
13 208 of the Colorado River Basin Salinity Control Act (43
14 U.S.C. 1598) is amended by adding at the end the follow-
15 ing new subsection:

16 “(c) ADDITIONAL AUTHORIZATION OF APPROPRIA-
17 TIONS.—In addition to the amounts authorized to be ap-
18 propriated under subsection (b), there are authorized to
19 be appropriated—

20 “(1) such sums as are necessary to pay for non-
21 federally financed salinity control; and

22 “(2) \$75,000,000 for the construction of feder-
23 ally financed improvements described in section
24 202(a).”.

1 **SECTION 1. AMENDMENTS TO THE COLORADO RIVER BASIN**
2 **SALINITY CONTROL ACT.**

3 *The Colorado River Basin Salinity Control Act (43*
4 *U.S.C. 1571 et seq.) is amended—*

5 *(1) in section 202(a)—*

6 *(A) in the first sentence—*

7 *(i) by striking “the following salinity*
8 *control units” and inserting “the following*
9 *salinity control units and salinity control*
10 *program”; and*

11 *(ii) by striking the period and insert-*
12 *ing a colon; and*

13 *(B) by adding at the end the following new*
14 *paragraph:*

15 *“(6) A basinwide salinity control program that*
16 *the Secretary, acting through the Bureau of Reclama-*
17 *tion, shall implement. The Secretary may carry out*
18 *the purposes of this paragraph directly, or may make*
19 *grants, commitments for grants, or advances of funds*
20 *to non-Federal entities under such terms and condi-*
21 *tions as the Secretary may require. Such program*
22 *shall consist of cost-effective measures and associated*
23 *works to reduce salinity from saline springs, leaking*
24 *wells, irrigation sources, industrial sources, erosion of*
25 *public and private land, or other sources that the Sec-*
26 *retary considers appropriate. Such program shall*

1 *provide for the mitigation of incidental fish and wild-*
2 *life values that are lost as a result of the measures*
3 *and associated works. The Secretary shall submit a*
4 *planning report concerning the program established*
5 *under this paragraph to the appropriate committees*
6 *of Congress. The Secretary may not expend funds for*
7 *any implementation measure under the program es-*
8 *tablished under this paragraph before the expiration*
9 *of a 30-day period beginning on the date on which the*
10 *Secretary submits such report”;*

11 *(2) in section 205(a)—*

12 *(A) in paragraph (1) by striking “author-*
13 *ized by section 202(a) (4) and (5)” and inserting*
14 *“authorized by paragraphs (4) through (6) of*
15 *section 202(a)”;* and

16 *(B) in paragraph (4)(i), by striking “sec-*
17 *tion 202(a) (4) and (5)” each place it appears*
18 *and inserting “paragraphs (4) through (6) of*
19 *section 202”;*

20 *(3) in section 208, by adding at the end the*
21 *following new subsection:*

22 *“(c) In addition to the amounts authorized to be ap-*
23 *propriated under subsection (b), there are authorized to be*
24 *appropriated \$75,000,000 for subsection 202(a), including*
25 *constructing the works described in paragraph 202(a)(6)*

1 *and carrying out the measures described in such para-*
2 *graph.”; and*

3 *(4) in subsection 202(b)(4) delete “units author-*
4 *ized to be constructed pursuant to paragraphs (1),*
5 *(2), (3), (4), and (5)” and insert in lieu thereof*
6 *“units authorized to be constructed or the program*
7 *pursuant to paragraphs (1), (2), (3), (4), (5), and*
8 *(6).”.*