

control units” and substituted colon for period in introductory provisions and added par. (6).

Subsec. (b)(4). Pub. L. 104-20, §1(4), substituted “or the program pursuant to paragraphs (1), (2), (3), (4), (5), and (6)” for “pursuant to paragraphs (1), (2), (3), (4), and (5)”.

1984—Subsec. (a). Pub. L. 98-569, §2(a), designated existing provisions as subsec. (a).

Subsec. (a)(1). Pub. L. 98-569, §2(b)(1), inserted “, and consisting of measures to replace incidental fish and wildlife values foregone” at the end thereof.

Subsec. (a)(2). Pub. L. 98-569, §2(b)(2), inserted “replacing canals and laterals with pipe,” after “canals and laterals” and inserted “implementing other measures to reduce salt contributions from the Grand Valley to the Colorado River, and implementing measures to replace incidental fish and wildlife values foregone” after “efficient facilities” in second sentence.

Pub. L. 98-569, §2(b)(3), inserted “, or portions thereof,” after “Grand Valley unit”, substituted “non-Federal entities” for “agencies”, inserted “or portions thereof,” after “water distribution systems” and substituted “the obligations specified in subsection (b)(2)” for “all obligations” in third sentence.

Pub. L. 98-569, §2(b)(4), struck out “The Secretary is also authorized to provide, as an element of the Grand Valley unit, for a technical staff to provide information and assistance to water users on means and measures for limiting excess water applications to irrigated lands: *Provided*, That such assistance shall not exceed a period of five years after funds first become available under this subchapter. The Secretary will enter into agreements with the Secretary of Agriculture to develop a unified control plan for the Grand Valley unit. The Secretary of Agriculture is directed to cooperate in the planning and construction of on-farm system measures under programs available to that Department.”

Subsec. (a)(3). Pub. L. 98-569, §2(b)(5), redesignated par. (4) as (3). Former par. (3), which related to the Crystal Geyser unit in Utah, was struck out.

Pub. L. 98-569, §2(b)(6), substituted “, and consisting of measures to replace incidental fish and wildlife values foregone.” for the period at the end thereof.

Subsec. (a)(4). Pub. L. 98-569, §2(b)(7), added par. (4). Former par. (4) redesignated (3).

Subsec. (a)(5). Pub. L. 98-569, §2(b)(7), added par. (5).

Subsecs. (b), (c). Pub. L. 98-569, §2(c), added subsecs. (b) and (c).

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-569 effective Oct. 30, 1984, see section 6 of Pub. L. 98-569, set out as a note under section 1591 of this title.

§ 1593. Planning reports; research and demonstration projects

(a) The Secretary is authorized and directed to—

(1) Expedite completion of the planning reports on the following units, described in the Secretary’s report, “Colorado River Water Quality Improvement Program, February 1972”;

- (i) Irrigation source control:
 - Lower Gunnison
 - Uintah Basin
 - Colorado River Indian Reservation
 - Palo Verde Irrigation District

- (ii) Point source control:
 - LaVerkin Springs

Littlefield Springs
Glenwood-Dotsero Springs

- (iii) Diffuse source control:
 - Price River
 - San Rafael River
 - Dirty Devil River
 - McElmo Creek
 - Big Sandy River

(2) Submit each planning report on the units named in paragraph (1) of this subsection promptly to the Colorado River Basin States and to such other parties as the Secretary deems appropriate for their review and comments. After receipt of comments on a unit and careful consideration thereof, the Secretary shall submit each final report with his recommendations, simultaneously, to the President, other concerned Federal departments and agencies, the Congress, and the Colorado River Basin States.

(b) The Secretary is directed—

(1) in the investigation, planning, construction, and implementation of any salinity control unit involving control of salinity from irrigation sources, to cooperate with the Secretary of Agriculture in carrying out research and demonstration projects and in implementing on-the-farm improvements and farm management practices and programs which will further the objective of this subchapter;

(2) to undertake research on additional methods for accomplishing the objective of this subchapter, utilizing to the fullest extent practicable the capabilities and resources of other Federal departments and agencies, interstate institutions, States, and private organizations;

(3) to develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by the Bureau of Land Management and submit a report which describes the program and recommended implementation actions to the Congress and to the members of the advisory council established by section 1594(a) of this title by July 1, 1987;

(4) to undertake feasibility investigations of saline water use and disposal opportunities, including measures and all necessary appurtenant and associated works, to demonstrate saline water use technology and to beneficially use and dispose of saline and brackish waters of the Colorado River Basin in joint ventures with current and future industrial water users, using, but not limited to, the concepts generally described in the Bureau of Reclamation Special Report of September 1981, entitled “Saline water use and disposal opportunities”; and

(5) to undertake advance planning activities on the Sinbad Valley Unit, Colorado, as described in the Bureau of Land Management Salinity Status Report, covering the period 1978-1979 and dated February 1980.

(Pub. L. 93-320, title II, §203, June 24, 1974, 88 Stat. 271; Pub. L. 98-569, §3, Oct. 30, 1984, 98 Stat. 2937.)

AMENDMENTS

1984—Subsec. (b)(3) to (5). Pub. L. 98-569 added pars. (3) to (5).

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-569 effective Oct. 30, 1984, see section 6 of Pub. L. 98-569, set out as a note under section 1591 of this title.

§ 1594. Colorado River Basin Salinity Control Advisory Council

(a) There is created the Colorado River Basin Salinity Control Advisory Council composed of no more than three members from each State appointed by the Governor of each of the Colorado River Basin States.

(b) The Council shall be advisory only and shall—

(1) act as liaison between both the Secretaries of Interior and Agriculture and the Administrator of the Environmental Protection Agency and the States in accomplishing the purposes of this subchapter;

(2) receive reports from the Secretary on the progress of the salinity control program and review and comment on said reports; and

(3) recommend to both the Secretary and the Administrator of the Environmental Protection Agency appropriate studies of further projects, techniques, or methods for accomplishing the purposes of this subchapter.

(Pub. L. 93-320, title II, §204, June 24, 1974, 88 Stat. 272.)

TERMINATION OF ADVISORY COUNCILS

Advisory councils established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by the Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 1595. Salinity control units; authority and functions of Secretary of the Interior

(a) Allocation of costs

The Secretary shall allocate the total costs (excluding costs borne by non-Federal participants) of the on-farm measures authorized by section 1592(c) of this title, of all measures to replace incidental fish and wildlife values foregone, and of each unit or separable feature thereof authorized by section 1592(a) of this title, as follows:

(1) In recognition of Federal responsibility for the Colorado River as an interstate stream and for international comity with Mexico, Federal ownership of the lands of the Colorado River Basin from which most of the dissolved salts originate, and the policy embodied in the Federal Water Pollution Control Act Amendments of 1972 (86 Stat. 816) [33 U.S.C. 1251 et seq.], 75 per centum of the total costs of construction, operation, maintenance, and replacement of each unit or separable feature thereof authorized by section 1592(a)(1), (2), and (3) of this title, including 75 per centum of the total costs of construction, operation, and maintenance of the associated measures to replace incidental fish and wildlife values foregone, 70 per centum of the

total costs of construction, operation, maintenance, and replacement of each unit, or separable feature thereof authorized by paragraphs (4) through (6) of section 1592(a) of this title, including 70 per centum of the total costs of construction, operation, and maintenance of the associated measures to replace incidental fish and wildlife values foregone, and 70 per centum of the total costs of implementation of the on-farm measures authorized by section 1592(c) of this title, including 70 per centum of the total costs of the associated measures to replace incidental fish and wildlife values foregone, shall be non-reimbursable. The total costs remaining after these allocations shall be reimbursable as provided for in paragraphs (2), (3), (4), and (5),¹ of subsection (a)²

(2) The reimbursable portion of the total costs shall be allocated between the Upper Colorado River Basin Fund established by section 5(a) of the Colorado River Storage Project Act (70 Stat. 107) [43 U.S.C. 620d(a)] and the Lower Colorado River Basin Development Fund established by section 1543(a) of this title, after consultation with the Advisory Council created in section 1594(a) of this title and consideration of the following items:

(i) benefits to be derived in each basin from the use of water of improved quality and the use of works for improved water management;

(ii) causes of salinity; and

(iii) availability of revenues in the Lower Colorado River Basin Development Fund and increased revenues to the Upper Colorado River Basin Fund made available under section 620d(d)(5) of this title: *Provided*, That costs allocated to the Upper Colorado River Basin Fund under this paragraph (2) shall not exceed 15 per centum of the costs allocated to the Upper Colorado River Basin Fund and the Lower Colorado River Basin Development Fund.

(3) Costs of construction and replacement of each unit or separable feature thereof authorized by sections³ 1592(a)(1), (2), and (3) of this title and costs of construction of measures to replace incidental fish and wildlife values foregone, when such measures are a part of the units authorized by sections³ 1592(a)(1), (2), and (3) of this title, allocated to the upper basin and to the lower basin under subsection (a)(2) shall be repaid within a fifty-year period or within a period equal to the estimated life of the unit, separable feature thereof, or replacement, whichever is less, without interest from the date such unit, separable feature, or replacement is determined by the Secretary to be in operation.

(4)(i) Costs of construction and replacement of each unit or separable feature thereof authorized by paragraphs (4) through (6) of section 1592⁴ of this title, costs of construction of measures to replace incidental fish and wildlife values foregone, when such measures are a part of the on-farm measures authorized by section 1592(c) of this title or of the units authorized by paragraphs (4) through (6) of section 1592⁴ of this

¹ So in original. The comma probably should not appear.

² So in original. Probably should be followed by a period.

³ So in original. Probably should be "section".

⁴ So in original. Probably should be section "1592(a)".