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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To increase the water supply available to the Colorado River Basin, expedite the construction of water, energy, and infrastructure in the Basin, provide Federal financial assistance for water augmentation projects, advance water augmentation for satisfaction of the Mexican Water Treaty, and authorize the development of additional Federal water infrastructure.

IN THE HOUSE OF REPRESENTATIVES

Mr. BIGGS of Arizona introduced the following bill; which was referred to the Committee on _____

A BILL

To increase the water supply available to the Colorado River Basin, expedite the construction of water, energy, and infrastructure in the Basin, provide Federal financial assistance for water augmentation projects, advance water augmentation for satisfaction of the Mexican Water Treaty, and authorize the development of additional Federal water infrastructure.

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. SHORT TITLE.**

2 This Act may be cited as the “Colorado River Basin
3 Water Security and Infrastructure Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **AUGMENT; AUGMENTATION.**—The terms
7 “augment” and “augmentation” have the meaning
8 given the terms in section 606 of the Colorado River
9 Basin Project Act (43 U.S.C. 1556).

10 (2) **COLORADO RIVER BASIN STATES.**—The
11 term “Colorado River Basin States” the meaning
12 given the term in section 606 of the Colorado River
13 Basin Project Act (43 U.S.C. 1556).

14 (3) **INDIAN TRIBE.**—The term “Indian Tribe”
15 has the meaning given such term in section 4 of the
16 Indian Self-Determination and Education Assistance
17 Act (25 U.S.C. 5304).

18 (4) **SECRETARY.**—The term “Secretary” means
19 the Secretary of the Interior.

20 (5) **STATES OF THE LOWER DIVISION.**—The
21 term “States of the Lower Division” means Arizona,
22 California, and Nevada.

23 (6) **STATES OF THE UPPER DIVISION.**—The
24 term “States of the Upper Division” means Colo-
25 rado, New Mexico, Utah, and Wyoming.

1 **TITLE I—EXPEDITED FEDERAL**
2 **REVIEW AND PERMITTING**

3 **SEC. 101. COVERED PROJECT DEFINED.**

4 In this title, the term “covered project” means a
5 project—

6 (1) located—

7 (A) in a Colorado River Basin State; and

8 (B) outside the Colorado River Basin but

9 designed to provide a water supply, energy sup-

10 ply, or other direct benefit to a Colorado River

11 Basin State; or

12 (2) that the Secretary determines will materi-

13 ally increase, preserve, transport, store, treat, or

14 otherwise support the availability of water for a Col-

15 orado River Basin State.

16 **SEC. 102. EXCLUSION FROM NATIONAL ENVIRONMENTAL**
17 **POLICY ACT.**

18 (a) IN GENERAL.—Notwithstanding any other provi-
19 sion of law—

20 (1) the National Environmental Policy Act of

21 1969 (42 U.S.C. 4321 et seq.) shall not apply to a

22 covered project; and

23 (2) a covered project shall not be considered a

24 proposed agency action requiring an environmental

1 document under section 106 of such Act (42 U.S.C.
2 4336).

3 (b) NO LIMITATION ON OTHER LAWS.—Nothing in
4 this section shall be construed to—

5 (1) waive a requirement imposed by another
6 Federal law unless expressly provided by this Act; or

7 (2) eliminate a substantive requirement applica-
8 ble to a covered project under another Federal law.

9 **SEC. 103. LEAD FEDERAL AGENCY.**

10 (a) DESIGNATION.—The President shall designate a
11 Federal agency as the lead Federal agency for each cov-
12 ered project requiring Federal approval.

13 (b) COORDINATION.—The lead Federal agency shall,
14 with respect to each covered project—

15 (1) identify each Federal permit, authorization,
16 approval, or other Federal action required;

17 (2) establish a single schedule for Federal re-
18 view;

19 (3) coordinate the review by Federal agencies;

20 (4) establish deadlines for each Federal agency
21 participating in the review; and

22 (5) to the maximum extent practicable, prevent
23 duplicative Federal review.

1 (c) CONCURRENT REVIEW.—To the maximum extent
2 practicable, Federal agencies shall conduct reviews of a
3 covered project concurrently rather than sequentially.

4 **SEC. 104. EXPEDITED PERMITTING.**

5 (a) COMPLETE APPLICATION.—If a covered project
6 requires a permit or authorization from a Federal agency,
7 not later than 30 days after receiving an application for
8 such permit or authorization, the applicable Federal agen-
9 cy shall—

10 (1) determine whether the application is com-
11 plete; or

12 (2) identify with specificity any additional infor-
13 mation required to complete the application.

14 (b) DEADLINE FOR FINAL AGENCY ACTION.—Except
15 as provided in subsection (c), not later than 180 days after
16 receiving a complete application for a permit or authoriza-
17 tion described in subsection (a), each Federal agency shall
18 issue a final decision on the permit or authorization.

19 (c) EXTENSION.—A Federal agency may extend the
20 deadline under subsection (b) by not more than 90 days
21 if the head of the agency determines in writing that the
22 extension is necessary to resolve a specific technical or
23 legal issue.

24 (d) FAILURE TO MEET DEADLINE.—If a Federal
25 agency fails to issue a final decision by the deadline estab-

1 lished under this section, the head of the agency shall sub-
2 mit to the Secretary and the Committee on Natural Re-
3 sources of the House of Representatives and the Com-
4 mittee on Energy and Natural Resources of the Senate
5 a written explanation identifying—

6 (1) the permit or authorization that remains
7 pending;

8 (2) the reason for the delay; and

9 (3) the date by which the agency will issue a
10 final decision.

11 **TITLE II—COLORADO RIVER**
12 **BASIN WATER AUGMENTA-**
13 **TION PROGRAM**

14 **SEC. 201. ESTABLISHMENT OF PROGRAM.**

15 (a) IN GENERAL.—The Secretary shall establish a
16 program, to be known as the “Colorado River Basin Water
17 Augmentation Program”, to provide financial assistance
18 for eligible water augmentation projects.

19 (b) PURPOSE.—The purpose of the Program shall be
20 to increase the supply of water available to the Colorado
21 River Basin States through projects that augment, store,
22 treat, transport, or otherwise increase the reliable supply
23 of water available for beneficial use.

1 **SEC. 202. ELIGIBLE PROJECTS.**

2 (a) IN GENERAL.—A project shall be eligible for fi-
3 nancial assistance under this title if the project—

4 (1) augments the water supply of the Colorado
5 River or its tributaries;

6 (2) increases the reliable supply of water avail-
7 able for municipal, industrial, agricultural, or other
8 beneficial use in a Colorado River Basin State;

9 (3) develops, expands, or rehabilitates water
10 storage or conveyance infrastructure;

11 (4) develops or expands desalination, water re-
12 cycling, advanced water treatment, aquifer recharge,
13 or other water supply infrastructure;

14 (5) removes, controls, or replaces invasive or
15 non-native vegetation, including saltcedar (*Tamarix*
16 spp.), in a manner that is expected to reduce
17 evapotranspiration, increase water salvage, improve
18 water delivery, or increase the reliable supply of
19 water available for beneficial use;

20 (6) develops infrastructure necessary to deliver
21 augmented water to users; or

22 (7) is otherwise determined by the Secretary to
23 provide a measurable increase in the reliable water
24 supply available to a Colorado River Basin State.

25 (b) INFRASTRUCTURE.—An eligible project may in-
26 clude—

- 1 (1) a reservoir or other storage facility;
- 2 (2) a pipeline, canal, aqueduct, or other convey-
- 3 ance facility;
- 4 (3) a desalination facility;
- 5 (4) a water recycling or advanced treatment fa-
- 6 cility;
- 7 (5) an aquifer recharge facility;
- 8 (6) a water treatment or distribution facility;
- 9 (7) electrical generation or transmission infra-
- 10 structure necessary to operate an eligible water sup-
- 11 ply project; and
- 12 (8) related and incidental works.

13 **SEC. 203. ELIGIBLE RECIPIENTS.**

14 The Secretary may provide financial assistance under
15 this title to—

- 16 (1) a State;
- 17 (2) a political subdivision of a State;
- 18 (3) an interstate water district or authority;
- 19 (4) a public utility;
- 20 (5) an Indian Tribe;
- 21 (6) a private entity; or
- 22 (7) a consortium of 2 or more entities described
- 23 in paragraphs (1) through (6).

1 **SEC. 204. FEDERAL COST SHARE.**

2 (a) IN GENERAL.—Subject to the availability of ap-
3 propriations, the Secretary shall provide \$2 in Federal fi-
4 nancial assistance for each \$1 of non-Federal funds com-
5 mitted to an eligible project.

6 (b) NON-FEDERAL SHARE.—The non-Federal share
7 of a project may consist of—

8 (1) State funds;

9 (2) local funds;

10 (3) private funds;

11 (4) in-kind contributions, as determined appro-
12 priate by the Secretary; or

13 (5) a combination of amounts described in
14 paragraphs (1) through (4).

15 (c) FEDERAL SHARE.—The Federal share of an eligi-
16 ble project may not exceed $66\frac{2}{3}$ percent of the total
17 project cost.

18 **SEC. 205. STATE CONSULTATION.**

19 (a) CONSULTATION REQUIRED.—Before providing fi-
20 nancial assistance for a project under this title, the Sec-
21 retary shall consult with the State or States—

22 (1) in which the project is located; or

23 (2) that would receive a substantial benefit
24 from the project.

25 (b) NO STATE APPROVAL REQUIRED.—Except to the
26 extent approval is independently required under applicable

1 State law governing water rights, nothing in this title shall
2 be construed to require the approval of a State as a condi-
3 tion of Federal financial assistance.

4 **SEC. 206. PROJECT PRIORITIES.**

5 In selecting projects for financial assistance under
6 this title, the Secretary shall give priority to projects
7 that—

8 (1) provide benefits to more than one Colorado
9 River Basin State;

10 (2) produce measurable additional water sup-
11 plies;

12 (3) involve substantial non-Federal financial
13 participation;

14 (4) increase municipal water supplies;

15 (5) increase food security;

16 (6) ensure national defense supply chains;

17 (7) are located in a State that has enacted laws
18 or regulations designed to facilitate the development
19 of additional water supplies for new residential con-
20 struction; or

21 (8) reduce reliance on existing Colorado River
22 water supplies.

23 **SEC. 207. USE OF EXISTING STUDIES AND ANALYSES.**

24 (a) IN GENERAL.—For purposes of determining
25 whether a project is eligible for financial assistance or au-

1 thorized for construction under this title, the Secretary
2 may accept and rely upon a feasibility study, financial
3 analysis, engineering analysis, technical study, environ-
4 mental analysis, or other relevant study or analysis that
5 was completed before or after the date of enactment of
6 this Act by a Federal or non-Federal entity.

7 (b) NON-FEDERAL STUDIES.—A study or analysis
8 described in subsection (a) may include a study or analysis
9 prepared by—

- 10 (1) a State;
- 11 (2) a political subdivision of a State;
- 12 (3) an interstate water district or authority;
- 13 (4) an Indian Tribe;
- 14 (5) a private entity;
- 15 (6) an academic institution; or
- 16 (7) another non-Federal entity.

17 (c) SECRETARY REVIEW.—The Secretary shall deter-
18 mine whether a study or analysis described in subsection
19 (a) is sufficiently reliable, complete, and current to satisfy,
20 in whole or in part, an applicable requirement under this
21 title.

22 (d) NO DUPLICATION REQUIRED.—The Secretary
23 shall not require a project sponsor to reproduce or sub-
24 stantially duplicate a study or analysis that the Secretary

1 determines is sufficient to satisfy an applicable require-
2 ment under this title.

3 (e) ADDITIONAL INFORMATION.—If the Secretary de-
4 termines that a study or analysis described in subsection
5 (a) is insufficient to satisfy an applicable requirement
6 under this title, the Secretary may require the project
7 sponsor to provide only such additional information or
8 analysis as the Secretary determines is necessary to satisfy
9 that requirement.

10 (f) NON-FEDERAL FEASIBILITY STUDIES.—The Sec-
11 retary shall administer this section consistent with the
12 treatment of feasibility studies prepared by non-Federal
13 interests under section 203 of the Water Resources Devel-
14 opment Act of 1986 (33 U.S.C. 2231).

15 **SEC. 208. WATER AUGMENTATION FUND.**

16 (a) ESTABLISHMENT.—There is established in the
17 Treasury of the United States a fund to be known as the
18 “Colorado River Basin Water Augmentation Fund”.

19 (b) USE OF FUND.—Amounts in the fund established
20 under subsection (a) shall be available to the Secretary,
21 without further appropriation, to carry out this title.

22 (c) AVAILABILITY.—Amounts appropriated pursuant
23 to this section shall remain available until expended.

1 **TITLE III—MEXICAN WATER**
2 **TREATY AUGMENTATION**

3 **SEC. 301. YUMA DESALTING PLANT.**

4 (a) OPERATION.—Not later than 180 days after the
5 date of enactment of this Act, the Secretary shall—

6 (1) restore the Yuma Desalting Plant (referred
7 to in this section as the “plant”) to operational sta-
8 tus; and

9 (2) operate the plant at the maximum tech-
10 nically feasible capacity consistent with applicable
11 law and the physical operating limitations of the
12 plant.

13 (b) WATER BENEFIT.—The Secretary shall operate
14 the plant in a manner that maximizes the quantity of
15 water that may be used to satisfy the requirements of the
16 Mexican Water Treaty while preserving an equivalent
17 quantity of water in the Colorado River system to the
18 maximum extent practicable.

19 (c) REPORT.—Not later than 180 days after the date
20 of enactment of this Act, and annually thereafter, the Sec-
21 retary shall submit to Congress a report describing—

22 (1) the operational status of the plant;

23 (2) the quantity of water produced;

24 (3) the quantity of Colorado River water pre-
25 served as a result of plant operations; and

1 (4) any additional investments necessary to in-
2 crease the capacity or reliability of the plant.

3 **SEC. 302. MEXICO DESALINATION PROGRAM.**

4 (a) IN GENERAL.—The Secretary, in consultation
5 with the Secretary of State and the United States Com-
6 missioner of the International Boundary and Water Com-
7 mission, shall develop and implement a program to facili-
8 tate the development of one or more seawater desalination
9 facilities in Mexico for the purpose of producing water that
10 may be used to satisfy, offset, replace, or otherwise reduce
11 the quantity of Colorado River water required to satisfy
12 the obligations of the United States under the Mexican
13 Water Treaty (Treaty Series 994).

14 (b) NEGOTIATION WITH MEXICO.—The Secretary of
15 State shall seek to enter into an agreement with the Gov-
16 ernment of Mexico providing for—

17 (1) the construction, financing, ownership, oper-
18 ation, or maintenance of one or more seawater de-
19 salination facilities;

20 (2) the delivery of desalinated water to Mexico;

21 (3) recognition of the desalinated water, to the
22 maximum extent authorized by applicable law and
23 agreed to by the parties, as satisfying, offsetting, re-
24 placing, or otherwise reducing the obligation of the

1 United States to deliver Colorado River water to
2 Mexico; and

3 (4) a corresponding reduction in the amount of
4 Colorado River water required to be delivered from
5 the Colorado River system.

6 (c) FEDERAL FINANCIAL ASSISTANCE.—The Sec-
7 retary may provide financial assistance for a facility de-
8 scribed in subsection (a), including through grants, loans,
9 loan guarantees, or direct Federal construction.

10 (d) LIMITATION.—No facility located outside the
11 United States may be constructed or operated under this
12 section without the consent of the country in which the
13 facility is located.

14 **SEC. 303. IMPLEMENTATION OF SECTION 202 OF THE COLO-**
15 **RADO RIVER BASIN PROJECT ACT.**

16 (a) IN GENERAL.—The Secretary shall use the au-
17 thorities provided under this Act and section 202 of the
18 Colorado River Basin Project Act (43 U.S.C. 1512) to
19 maximize the extent to which augmentation of the Colo-
20 rado River system reduces the quantity of Colorado River
21 water required from the States of the Upper Division and
22 States of the Lower Division to satisfy the requirements
23 of the Mexican Water Treaty.

24 (b) MEXICAN COMPLIANCE.—Before crediting any
25 water produced through a project authorized under this

1 title toward satisfaction, reduction, replacement, or offset
2 of any obligation of the United States under the Mexican
3 Water Treaty, the Secretary, in consultation with the Sec-
4 retary of State, shall determine that Mexico is in compli-
5 ance with its applicable obligations under the Mexican
6 Water Treaty, including any obligation to deliver or return
7 water to the United States under the Mexican Water
8 Treaty.

9 (c) NONCOMPLIANCE.—If the Secretary determines
10 that Mexico is not in compliance with an applicable obliga-
11 tion under the Mexican Water Treaty, the Secretary
12 shall—

13 (1) notify the Secretary of State and the appro-
14 priate committees of Congress of the noncompliance;
15 and

16 (2) suspend any additional Federal benefit
17 under this title that is contingent upon Mexican
18 compliance until the Secretary determines that the
19 noncompliance has been remedied or otherwise re-
20 solved pursuant to the Mexican Water Treaty.

21 (d) PROCLAMATION.—Upon determining that means
22 are available and in operation that augment the water sup-
23 ply of the Colorado River system in a quantity sufficient
24 to satisfy the requirements of the Mexican Water Treaty
25 and associated losses, and that Mexico is in compliance

1 with its applicable obligations under the Mexican Water
2 Treaty, the Secretary shall make the determination and
3 proclamation required under section 202 of the Colorado
4 River Basin Project Act (43 U.S.C. 1512).

5 (e) NO REDUCTION OF MEXICAN DELIVERY.—Noth-
6 ing in this title shall be construed to reduce any obligation
7 of the United States to Mexico under the Mexican Water
8 Treaty.

9 (f) NO WAIVER OF MEXICAN OBLIGATIONS.—Noth-
10 ing in this title shall be construed to waive, reduce, modify,
11 or otherwise impair any obligation of Mexico under the
12 Mexican Water Treaty.

13 **TITLE IV—FEDERAL COLORADO** 14 **RIVER WATER INFRASTRUC-** 15 **TURE**

16 **SEC. 401. COLORADO RIVER BASIN FEDERAL WATER INFRA-** 17 **STRUCTURE PROGRAM.**

18 (a) ESTABLISHMENT.—The Secretary shall establish
19 a program to investigate, plan, design, and construct
20 major Federal water infrastructure projects that increase
21 the reliable water supply available to the Colorado River
22 Basin States.

23 (b) PROJECT CATEGORIES.—The program shall in-
24 clude—

1 (1) California water-supply augmentation
2 projects;

3 (2) Arizona and Nevada water-supply aug-
4 mentation projects; and

5 (3) Upper Basin water development projects.

6 **SEC. 402. CALIFORNIA WATER CAPTURE AND OCEAN DIS-**
7 **CHARGE PREVENTION.**

8 (a) INVESTIGATION.—The Secretary shall conduct a
9 feasibility study for Federal projects located in California,
10 including a project located outside the natural drainage
11 area of the Colorado River system, that—

12 (1) captures, stores, or otherwise makes avail-
13 able water that would otherwise be discharged to the
14 Pacific Ocean;

15 (2) provides additional water supplies to Cali-
16 fornia; and

17 (3) reduces California’s reliance on Colorado
18 River water.

19 (b) PRIORITY.—In conducting the study and evalu-
20 ating potential projects under this section, the Secretary
21 shall give priority to projects that—

22 (1) prevent water that would otherwise be avail-
23 able for beneficial use in California from being dis-
24 charged to the Pacific Ocean;

1 (2) develop, capture, store, recycle, desalinate,
2 or otherwise make available water from sources
3 other than the Colorado River; and

4 (3) produce a measurable and permanent reduc-
5 tion in California's reliance on Colorado River water.

6 (d) STATE WATER LAW.—Nothing in this section
7 shall be construed to establish or modify a water right
8 under State law.

9 **SEC. 403. ARIZONA AND NEVADA WATER-SUPPLY AUG-**
10 **MENTATION PROJECTS.**

11 (a) FEASIBILITY STUDY.—The Secretary shall con-
12 duct a feasibility study for a Federal water storage, con-
13 veyance, or augmentation project located in Arizona or
14 serving Arizona that increases the dependable water sup-
15 ply available to the Central Arizona Project.

16 (b) RELATION TO EXISTING LAW.—In carrying out
17 this section, the Secretary shall consider and update the
18 reconnaissance investigations authorized under section
19 201 of the Colorado River Basin Project Act (43 U.S.C.
20 1511) and the authorities governing the Central Arizona
21 Project under section 301 of that Act (43 U.S.C. 1521).

22 (c) PROJECT TYPES.—The projects studied under
23 this section may include—

24 (1) a dam and reservoir;

25 (2) an off-stream storage facility;

- 1 (3) a pipeline or other conveyance facility;
- 2 (4) a desalination or advanced water treatment
- 3 facility;
- 4 (5) an aquifer recharge facility; or
- 5 (6) another project that increases the depend-
- 6 able water supply available to the Central Arizona
- 7 Project.

8 (d) CONSTRUCTION.—Upon completion of a feasi-

9 bility study, the Secretary shall submit the recommended

10 project to Congress and may commence construction of

11 the project upon a determination that—

- 12 (1) the project is technically feasible;
- 13 (2) the project is economically feasible;
- 14 (3) the project will provide a measurable in-
- 15 crease in the dependable water supply available to
- 16 Arizona; and
- 17 (4) the project can be constructed and operated
- 18 consistent with applicable Federal law.

19 **SEC. 404. UPPER BASIN WATER DEVELOPMENT PROJECTS.**

20 (a) FEASIBILITY STUDY.—The Secretary shall con-

21 duct a feasibility study for a Federal project that increases

22 the ability of the States of the Upper Division to develop

23 their apportioned water supplies without impairing compli-

24 ance with applicable interstate compacts, treaties, decrees,

25 and Federal law.

1 (b) PROJECT TYPES.—Any projects studied under
2 this section may include—

- 3 (1) a new reservoir;
4 (2) an off-stream storage facility;
5 (3) a pipeline or other conveyance facility from
6 an existing reservoir;
7 (4) a water treatment or augmentation facility;
8 or

9 (5) another project that increases the reliable
10 water supply available for use in the Upper Basin.

11 (c) COMPLIANCE WITH EXISTING LAW.—A project
12 authorized under this section shall be planned and oper-
13 ated in a manner that does not increase the obligation of
14 the States of the Upper Basin to deliver water at Lees
15 Ferry under applicable law.

16 (d) REPORT.—Not later than 2 years after the date
17 of enactment of this Act, the Secretary shall submit to
18 Congress a report that identifies, and evaluates the feasi-
19 bility of each project studied under this section based on—

- 20 (1) the estimated cost of the project;
21 (2) the estimated additional water supply the
22 project would provide;
23 (3) the expected beneficiaries of the project;
24 (4) the expected effect of the project on Colo-
25 rado River system storage;

1 (5) the expected effect of the project on hydro-
2 power generation;

3 (6) the statutory authority necessary to con-
4 struct and operate the project; and

5 (7) any other factor the Secretary determines to
6 be material to the feasibility, cost, or operation of
7 the project.

8 **SEC. 405. AUTHORIZATION OF CONSTRUCTION.**

9 (a) IN GENERAL.—The Secretary is authorized to
10 construct a project described in sections 402, 403, or 404
11 after—

12 (1) completion or acceptance of a feasibility
13 study;

14 (2) submission of the feasibility study to the ap-
15 propriate congressional committees;

16 (3) a determination by the Secretary that the
17 project is technically and economically feasible;

18 (4) certification that construction of the project
19 is consistent with applicable interstate compacts,
20 treaties, decrees, and Federal law; and

21 (5) availability of amounts authorized to be ap-
22 propriated for construction of the project.

23 (b) NO FURTHER CONGRESSIONAL AUTHORIZATION
24 REQUIRED.—A project that satisfies the requirements of
25 subsection (a) shall be considered authorized for construc-

tion, and the Secretary may commence construction without further authorization by an Act of Congress.

(c) FEDERAL RECLAMATION LAWS.—Except as otherwise provided in this Act, a project authorized under this title shall be constructed, operated, and maintained in accordance with the Federal reclamation laws, consistent with section 604 of the Colorado River Basin Project Act (43 U.S.C. 1554).

TITLE V—ADMINISTRATION AND GENERAL PROVISIONS

SEC. 501. STATE AND TRIBAL CONSULTATION.

(a) CONSULTATION.—In carrying out this Act, the Secretary shall consult with—

(1) the Colorado River Basin States;

(2) Indian Tribes with water rights or other interests affected by a project;

(3) affected water districts and local governments; and

(4) affected water users.

(b) NO VETO POWER IMPLIED.—Nothing in this section shall be construed to provide a State or political subdivision with authority to veto a project otherwise authorized by Federal law.

SEC. 502. WATER RIGHTS.

Nothing in this Act shall—

1 (1) establish, quantify, adjudicate, or modify a
2 water right under State law;

3 (2) alter the priority of a water right estab-
4 lished under State law;

5 (3) modify the decree entered by the Supreme
6 Court of the United States in *Arizona v. California*,
7 547 U.S. 150 (2006), or any subsequent decree or
8 order relating to the Colorado River; or

9 (4) modify an interstate compact except to the
10 extent expressly authorized by Congress.

11 **SEC. 503. PROTECTION OF EXISTING USES.**

12 Nothing in this Act shall be construed to reduce or
13 impair an existing lawful use of water, except to the extent
14 expressly provided by Federal law or a final judgment of
15 a court of competent jurisdiction.

16 **SEC. 504. REPORT TO CONGRESS.**

17 Not later than 1 year after the date of enactment
18 of this Act, and annually thereafter, the Secretary shall
19 submit to Congress a report describing—

20 (1) each project receiving financial assistance
21 under title II;

22 (2) the amount of Federal financial assistance
23 provided;

24 (3) the amount of non-Federal funds invested;

1 (4) the estimated and actual quantity of addi-
2 tional water produced;

3 (5) the quantity of additional water dedicated
4 to municipal and residential uses;

5 (6) the status of the Yuma Desalting Plant;

6 (7) the status of negotiations concerning sea-
7 water desalination for Mexico;

8 (8) the status of projects authorized under title
9 IV; and

10 (9) any additional legislative authority nec-
11 essary to increase water supplies in the Colorado
12 River Basin.

13 **SEC. 505. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) WATER AUGMENTATION PROGRAM.—There is au-
15 thorized to be appropriated \$5,000,000,000 to carry out
16 title II.

17 (b) YUMA DESALTING PLANT.—There is authorized
18 to be appropriated \$1,000,000,000 to restore, operate,
19 modernize, and expand the Yuma Desalting Plant.

20 (c) MEXICO DESALINATION.—There is authorized to
21 be appropriated \$1,000,000,000 to carry out section 302.

22 (d) FEDERAL WATER INFRASTRUCTURE.—There is
23 authorized to be appropriated \$12,000,000,000 to carry
24 out title IV.

- 1 (e) AVAILABILITY.—Amounts appropriated pursuant
- 2 to this section shall remain available until expended.