

(A) THE COMMISSION SHALL HAVE POWER TO ACQUIRE, CONSTRUCT, OPERATE, AND CONTROL PROJECTS AND FACILITIES FOR THE STORAGE AND RELEASE OF WATERS, FOR THE REGULATION OF FLOWS AND SUPPLIES OF SURFACE AND GROUND WATERS OF THE BASIN, FOR THE PROTECTION OF PUBLIC HEALTH, STREAM QUALITY CONTROL, ECONOMIC DEVELOPMENT, IMPROVEMENT OF FISHERIES, RECREATION, DILUTION AND ABATEMENT OF POLLUTION, THE PREVENTION OF UNDUE SALINITY, AND OTHER PURPOSES.

(B) NO SIGNATORY PARTY SHALL PERMIT ANY AUGMENTATION OF FLOW TO BE DIMINISHED BY THE DIVERSION OF ANY WATER OF THE BASIN DURING ANY PERIOD IN WHICH WATERS ARE BEING RELEASED FROM STORAGE UNDER THE DIRECTION OF THE COMMISSION FOR THE PURPOSE OF AUGMENTING SUCH FLOW, EXCEPT IN CASES WHERE THE DIVERSION IS AUTHORIZED BY THIS COMPACT, OR BY THE COMMISSION PURSUANT THERETO, OR BY THE JUDGMENT, ORDER, OR DECREE OF A COURT OF COMPETENT JURISDICTION.

4.3. ASSESSABLE IMPROVEMENTS. —THE COMMISSION MAY PROVIDE WATER MANAGEMENT AND REGULATION IN THE MAIN STREAM OR ANY TRIBUTARY IN THE BASIN AND, IN ACCORDANCE WITH THE PROCEDURES OF APPLICABLE STATE LAWS, MAY ASSESS ON AN ANNUAL BASIS OR OTHERWISE THE COST THEREOF UPON WATER USERS OR ANY CLASSIFICATION OF THEM SPECIALLY BENEFITED THEREBY TO A MEASURABLE EXTENT, PROVIDED THAT NO SUCH ASSESSMENT SHALL EXCEED THE ACTUAL BENEFIT TO ANY WATER USER. ANY SUCH ASSESSMENT SHALL FOLLOW THE PROCEDURE PRESCRIBED BY LAW FOR LOCAL IMPROVEMENT ASSESSMENTS AND SHALL BE SUBJECT TO REVIEW IN ANY COURT OF COMPETENT JURISDICTION.

4.4. COORDINATION. —PRIOR TO ENTERING UPON THE EXECUTION OF ANY PROJECT AUTHORIZED BY THIS ARTICLE, THE COMMISSION SHALL REVIEW AND CONSIDER ALL EXISTING RIGHTS, PLANS, AND PROGRAMS OF THE SIGNATORY PARTIES, THEIR POLITICAL SUBDIVISIONS, PRIVATE PARTIES, AND WATER USERS WHICH ARE PERTINENT TO SUCH PROJECT, AND SHALL HOLD A PUBLIC HEARING ON EACH PROPOSED PROJECT.

4.5. ADDITIONAL POWERS. —IN CONNECTION WITH ANY PROJECT AUTHORIZED BY THIS ARTICLE, THE COMMISSION SHALL HAVE POWER TO PROVIDE STORAGE, TREATMENT, PUMPING, AND TRANSMISSION FACILITIES, BUT NOTHING HEREIN SHALL BE CONSTRUED TO AUTHORIZE THE COMMISSION TO ENGAGE IN THE BUSINESS OF DISTRIBUTING WATER.

ARTICLE 5