

111TH CONGRESS  
1ST SESSION

# H. R. 3750

To authorize certain transfers of water in the Central Valley Project, and  
for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 2009

Mr. COSTA (for himself and Mr. CARDOZA) introduced the following bill; which  
was referred to the Committee on Natural Resources

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## A BILL

To authorize certain transfers of water in the Central Valley  
Project, 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 “Water Transfer Facili-  
5 tation Act of 2009”.

6 **SEC. 2. AUTHORIZATION OF IRRIGATION WATER TRANS-**  
7 **FERS, CENTRAL VALLEY PROJECT.**

8 (a) IN GENERAL.—Subject to subsection (b), the fol-  
9 lowing voluntary water transfers shall be considered to  
10 meet the conditions described in subparagraphs (A) and

1 (I) of section 3405(a)(1) of the Reclamation Projects Au-  
2 thorization and Adjustment Act of 1992 (Public Law 102-  
3 575; 106 Stat. 4709):

4 (1) A transfer of irrigation water among Cen-  
5 tral Valley Project contractors from the Friant, San  
6 Felipe, West San Joaquin, and Delta divisions.

7 (2) A transfer of water among current or prior  
8 temporary or long-term water service, repayment,  
9 water rights settlement, or exchange contractors  
10 within a division of the Central Valley Project.

11 (b) **CONDITION.**—A transfer under subsection (a)  
12 shall be subject to the condition that the transfer not  
13 interfere with—

14 (1) the San Joaquin River Restoration Settle-  
15 ment Act (Public Law 111–11; 123 Stat. 1349), in-  
16 cluding the priorities described in section  
17 10004(a)(4)(B) of that Act (123 Stat. 1350) relat-  
18 ing to implementation of paragraph 16 of the Settle-  
19 ment (as defined in section 10003 of that Act (123  
20 Stat. 1349)); and

21 (2) the Settlement.

22 **SEC. 3. FACILITATION OF WATER TRANSFERS, CENTRAL**  
23 **VALLEY PROJECT.**

24 (a) **IN GENERAL.**—As soon as practicable after the  
25 date of enactment of this Act, the Secretary of the Inte-

1 rior, acting through the Director of the United States Fish  
2 and Wildlife Service and the Commissioner of the Bureau  
3 of Reclamation (referred to in this section as the “Sec-  
4 retary”), using such sums as are necessary, shall initiate  
5 and complete, on the most expedited basis practicable, the  
6 programmatic development of environmental documenta-  
7 tion to facilitate voluntary water transfers within the Cen-  
8 tral Valley Project.

9 (b) INCLUSIONS.—The environmental documentation  
10 under subsection (a) shall include all applicable environ-  
11 mental reviews, permitting, and consultations, including  
12 the environmental documentation needed to address con-  
13 cerns with respect to the Giant Garter Snake  
14 (*Thamnophis gigas*).

15 **SEC. 4. REPORT ON CENTRAL VALLEY PROJECT WATER**  
16 **TRANSFERS.**

17 (a) IN GENERAL.—Not later than January 10, 2010,  
18 the Commissioner of the Bureau of Reclamation (referred  
19 to in this section as the “Commissioner”) shall submit to  
20 the appropriate committees of Congress a report that—

21 (1) describes the status of efforts to help facili-  
22 tate and improve the water transfers under this Act,  
23 including water transfers originating from the Sac-  
24 ramento Valley; and

1           (2) provides recommendations on ways to facili-  
2           tate, and improve the process for—

3                   (A) water transfers within the Central Val-  
4           ley Project; and

5                   (B) water transfers between the Central  
6           Valley Project and State water projects.

7           (b) UPDATES.—Not later than July 15, 2010, and  
8           every 180 days thereafter until the Commissioner deter-  
9           mines that no further Federal action is warranted or au-  
10          thorized with respect to the water transfers under this  
11          Act, the Commissioner shall update the report submitted  
12          under subsection (a).

13   **SEC. 5. TECHNICAL AMENDMENTS.**

14          Section 3405(a)(1) of the Central Valley Project Im-  
15          provement Act (title XXXIV of Public Law 102–575; 106  
16          Stat. 4710) is amended as follows:

17                  (1) By striking “to” in the first place it ap-  
18                  pears and inserting “of”.

19                  (2) In subparagraph (A), by striking “to” in  
20                  the first place it appears and inserting “or”.

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