

116TH CONGRESS
2D SESSION

H. R. 5752

To provide for restoration of the original carrying capacity of water conveyance facilities impacted by land subsidence, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 2020

Mr. COSTA (for himself, Mr. COX of California, and Mr. HARDER of California) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To provide for restoration of the original carrying capacity of water conveyance facilities impacted by land subsidence, 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 “Conveyance Capacity
5 Correction Act”.

6 **SEC. 2. CONVEYANCE CAPACITY CORRECTION PROJECTS.**

7 (a) IN GENERAL.—The Secretary may provide fund-
8 ing to States and joint powers authorities for the initi-
9 ation, acceleration, and completion of repairs to—

1 (1) water conveyance facilities at transferred
2 works located in a Reclamation State; or

3 (2) water conveyance facilities that distribute
4 irrigation water and untreated municipal water sup-
5 plies from water storage facilities that are owned by
6 the United States under the jurisdiction of the Bu-
7 reau of Reclamation and operated by a State entity.

8 (b) ELIGIBILITY.—A project eligible for funding
9 under this section is a project where—

10 (1) damage caused by land subsidence has re-
11 sulted in the need to undertake non-recurring re-
12 pairs on a conveyance facility that conveys water
13 from an estuary to a joint powers authority or public
14 water agency;

15 (2) the Secretary has determined that the con-
16 veyance facilities have lost 10 percent or more of
17 their designed carrying capacity along some portion
18 of the facility; or

19 (3) restoring carrying capacity of a conveyance
20 facility would assist in meeting groundwater sustain-
21 ability goals defined under State law.

22 (c) INELIGIBLE PROJECTS.—On-farm conveyance fa-
23 cilities and conveyance facilities that serve only one water
24 district are not eligible for funding under this Act.

1 (d) PRIORITY.—The Secretary shall give funding pri-
2 ority to projects that—

3 (1) are located in both—

4 (A) a State that has been identified by the
5 United States Drought Monitor as experiencing
6 severe, extreme, or exceptional drought during
7 some or all of at least 7 calendar years during
8 the 10-year period ending immediately before
9 such funds are made available; and

10 (B) an area that has been identified by the
11 United States Drought Monitor as experiencing
12 exceptional drought during some or all of at
13 least 4 calendar years during the 10-year period
14 ending immediately before such funds are made
15 available;

16 (2) restore conveyance capacity lost as a result
17 of subsidence;

18 (3) have commenced an appraisal or feasibility
19 level analysis in consultation with the Bureau of
20 Reclamation or performed by a State; or

21 (4) support water supply benefits, including
22 through groundwater recharge, to disadvantaged
23 communities.

24 (e) COST SHARING.—

1 (1) FEDERAL SHARE.—The Federal share of
2 the cost of carrying out a project described in this
3 section shall not be more than 50 percent.

4 (2) NON-FEDERAL SHARE.—The non-Federal
5 share of the cost of carrying out a project described
6 in the section—

7 (A) shall be not less than 50 percent; and

8 (B) may be provided in cash or in kind.

9 (f) SAVINGS.—Federal funds provided under this sec-
10 tion shall be—

11 (1) in addition to any and all Federal funds au-
12 thorized by statute for such purposes; and

13 (2) non-reimbursable.

14 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

15 There is authorized to be appropriated to the Sec-
16 retary \$400,000,000 to carry out this Act.

17 **SEC. 4. DEFINITIONS.**

18 For the purposes of this Act:

19 (1) RECLAMATION FACILITY.—The term “Rec-
20 lamation facility” means each of the infrastructure
21 assets that are owned by the Bureau of Reclamation
22 at a Reclamation project.

23 (2) RECLAMATION STATE.—The term “Rec-
24 lamation State” has the meaning given the term in
25 section 4014(8) of the Water Infrastructure Im-

1 provements for the Nation Act (43 U.S.C. 390b
2 note; Public Law 114–322).

3 (3) SECRETARY.—The term “Secretary” means
4 the Secretary of the Interior.

5 (4) TRANSFERRED WORKS.—The term “trans-
6 ferred works” means a Reclamation facility at which
7 operations and maintenance of the facility is carried
8 out by a non-Federal entity under the provisions of
9 a formal operations and maintenance transfer con-
10 tract or other legal agreement with the Bureau of
11 Reclamation.

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