

FUTURE Drought Resiliency Act Discussion Draft
Section by Section Summary

TITLE I—INFRASTRUCTURE DEVELOPMENT

Sec. 101: Competitive Grants for Water Recycling Program Authorization: Incorporates Rep. Napolitano’s Water Recycling Investment and Improvement Act (H.R. 1162) to support a grant program for water recycling projects.

- Raises the Title XVI water recycling program funding authorization to \$500 million through 2024 **to support the creation of approximately 650,000 acre-feet of water each year in additional average yield**
- Raises the \$20 million federal funding cap for individual Title XVI water recycling projects to \$30 million

Sec. 102: Storage Infrastructure Report to Congress: Creates a water storage project authorization process designed to authorize major water storage projects. The process is closely modeled on the existing process used to authorize U.S. Army Corps of Engineers water projects through the Water Resources Development Act (WRDA) process. The Department of the Interior would submit an annual report to Congress listing major potential water storage projects for congressional authorization.

Sec. 103: Surface and Groundwater Storage Project Authorization: Authorizes \$750 million for storage projects that meet certain standards. New authorization is also provided for natural water storage projects that use natural materials to increase aquifer recharge or floodplain water storage and watershed restoration projects that increase water storage yield.

Sec. 104: Modified Approval Process for Grandfathered Storage Projects: Extends the existing federal storage project approval process under current law to certain storage projects that are currently in the middle of the existing project approval process.

Sec. 105: Desalination Infrastructure Development: Incorporates Rep. Levin’s Desalination Development Act (H.R. 3723) to support a grant program for desalination projects. The bill raises the existing desalination program funding authorization to \$240 million through 2024 **to support the creation of approximately 100,000 acre-feet of water each year in additional average yield.**

Sec. 106: Water Infrastructure Fund: Establishes the Water Infrastructure Fund with \$300 million in annual funding for fiscal years 2031 through 2061 with revenues that would otherwise be deposited into the Reclamation Fund. The Reclamation Fund was established to support Western water projects and now has a surplus of more than \$17 billion because of insufficient congressional appropriations from the Fund. The following infrastructure investments will be made each year:

- \$100 million per year for Title XVI water recycling projects
- \$100 million per year for WaterSMART water-use efficiency projects
- \$100 million per year for Bureau of Reclamation dam safety projects

Sec. 107: WaterSMART Extension and Expansion: Permits non-governmental organizations to apply for water-use efficiency grants under the WaterSMART Water and Energy Efficiency Grant Program. Adds direction to incentivize funding for water-use efficiency projects that benefit both consumptive water users and non-consumptive ecological or recreational values. Increases authorization of appropriations through 2025.

Sec. 108: Assistance for Disadvantaged Communities without Adequate Drinking Water: Authorizes \$100 million for a new grant program to help disadvantaged communities facing significant declines in drinking water quantity or quality. Funding can be used for a variety of drinking water relief activities, including to help households connect to existing water distribution facilities and to pay for emergency drinking water supply projects.

TITLE II—IMPROVED TECHNOLOGY AND DATA

Sec. 201: Tax Rebate for Water Harvesting Systems: Incorporates Rep. Huffman’s H.R. 2313 to expand the income tax exclusion for homeowners who receive rebates from water utilities to purchase and install water conservation or stormwater management systems in residential homes.

Sec. 202: Water Availability and Use Assessment: Amends and authorizes funding for the Water Availability and Use Science (WAUSP) program. The WAUSP program helps states and stakeholders assess existing and future water availability for beneficial uses, including through the evaluation of water quantity and quality, the identification of long-term trends in water availability, and improved forecasting of future water availability for economic and environmental uses. Sec. 202 provides additional direction for the United States Geological Survey to evaluate national water availability trends in water reuse and desalination, reauthorizes appropriations for grants to improve states’ water data, expands data grant eligibility to Tribes, and removes the permanent cap in grant funding awards for states in order to permit continued data collection in future years.

Sec. 203: Desalination Technology Development: Expands the Department of the Interior’s support for desalination research to include research on brine management. Increases the research funding authorization from \$3 million to \$20 million annually through 2024.

Sec. 204: X-Prize for Desalination Breakthroughs: Establishes an expanded X-Prize for the development of new water desalination technologies.

Sec. 205: Study Examining Sediment Flows from Removal of Sediment-filled Dams: Directs the National Academies of Sciences to examine sediment flows related to dam removal and to identify appropriate actions to mitigate environmental impacts from these flows.

Sec. 206: Water Supply Allocations: Directs the Department of the Interior to incorporate data from emerging technologies for snowpack measurement such as LIDAR when determining water supply allocations.

Sec. 207: Federal Priority Streamgages: Directs the Department of the Interior to make all streamgages identified by the USGS as “Federal Priority Streamgages” operational within 10 years. Authorizes appropriations to achieve this directive.

Sec. 208: Improved Reclamation Crop Data: Directs the Bureau of Reclamation to compile data for congressional authorizing committees on the planting of water-intensive permanent crops with Reclamation-provided water in areas experiencing extreme or exceptional drought. Requires an annual report to the authorizing committees on the impact of new plantings on Reclamation’s ability to meet competing water demands while reducing water-related conflicts in the Western States.

Sec. 209: Study Examining Climate Vulnerabilities at Dams: Directs the National Academies of Sciences to assess the impact of climate change on the safety of Bureau of Reclamation dams and identify the Reclamation dams most vulnerable to climate-related safety risks in upcoming years.

TITLE III—ECOSYSTEM PROTECTION AND RESTORATION

Sec. 301: Combating Water Theft for Illegal Marijuana Cultivation: Directs several federal agencies to develop a plan to address illegal water diversions for marijuana cultivation in California and other drought-prone states. Creates a structure for funding remediation of trespass marijuana grow sites that threaten to impact watersheds and water quality.

Sec. 302: Waterfowl Habitat Creation Program: Establishes a grant program to provide incentives to farmers to create temporary habitat by flooding farmlands at crucial times for bird migration. The program would be authorized at \$3.5 million annually through 2026.

Sec. 303: Sustaining Biodiversity During Droughts: Directs the Bureau of Reclamation to analyze drought impacts on native biodiversity in major Western river basins and to consider and develop strategies to help sustain native biodiversity during future droughts.

Sec. 304: Cooperative Watershed Management Extension and Expansion: Authorizes funding for the Department of the Interior’s Cooperative Watershed Management Program. Adds direction to include disadvantaged communities in cooperative watershed management decision-making and encourages the development of cooperative management projects that generate water supply and environmental benefits.

Sec. 305: Multi-benefit Projects to Improve Watershed Health: Directs the Department of the Interior to establish a grant program for habitat restoration projects designed to improve watershed health, mitigate against climate change, and benefit ecosystems.

Sec. 306: Actions to Support Refuge Water Deliveries: Directs the Department of the Interior to provide information on the impediments to compliance with the Central Valley Project Improvement Act's required water deliveries to wildlife refuges. Also requires the development of an ecological monitoring and evaluation program for Central Valley wildlife refuges and the development of a construction priority list for the completion of conveyance construction projects at wildlife habitat areas.

Sec. 307: Drought Planning and Preparedness for Critically Important Fisheries: Requires federal agencies to develop proactive plans to sustain the survival of commercially and recreationally important fisheries and listed fish during future droughts in the Western states. Provides a list of strategies that should be investigated and authorizes funding for fish, stream, and hatchery activities related to fish recovery efforts.

Sec. 308: Dam Removal and Fish Passage Projects: Authorizes a new Department of the Interior program modeled on an existing U.S. Army Corps of Engineers program to fund voluntary, broadly supported fish passage projects.

Sec. 309: Reauthorization of the Fisheries Restoration and Irrigation Mitigation Act: Authorizes \$25 million through 2027 for fish passage projects under the Fisheries Restoration and Irrigation Mitigation Act to support voluntary fish screen and passage projects in Oregon, Washington, California, Montana, and Idaho.

TITLE IV—MISCELLANEOUS

Sec. 401: Offset: Establishes a one-time process to identify and deauthorize inactive Bureau of Reclamation water projects where no application for federal funding has been received and no construction has occurred in the previous 10 years. Project sponsors would have the opportunity to provide notice of intent to initiate construction of the project to forestall deauthorization. The deauthorization process is closely modeled on a deauthorization process used for U.S. Army Corps of Engineers water projects.

Sec. 402: Water Industry Career Training: Directs the Department of the Interior to establish a grant program for water sector career training. Authorizes \$25 million annually through 2026 to address water industry concerns about a looming "brain drain" in the water sector and help train the next generation of water managers.