AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2473
OFFERED BY MR. GRIJALVA OF ARIZONA

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Securing Access for
3 the central Valley and Enhancing Water Resources Act”
4 or the “SAVE Water Resources Act”.

5 SEC. 2. WATER INFRASTRUCTURE FUND.

6 (a) ESTABLISHMENT.—There is established in the
7 Treasury of the United States a fund, to be known as the
8 “Water Infrastructure and Drought Solutions Fund” (re-
9 ferred to in this section as the “Fund”), consisting of—
10 (1) such amounts as are deposited in the Fund
11 under subsection (b); and
12 (2) any interest earned on investment of
13 amounts in the Fund under subsection (c)(1)(B).
14 (b) DEPOSITS TO FUND.—
15 (1) IN GENERAL.—For each of fiscal years
16 2031 through 2061, the Secretary of the Treasury
17 shall deposit in the Fund $300,000,000 of the reve-
18 nues that would otherwise be deposited for the fiscal
year in the reclamation fund established by the first section of the Act of June 17, 1902 (32 Stat. 388, chapter 1093), of which—

(A) $100,000,000 shall be expended by the Secretary of the Interior for new surface or ground water storage projects provided that—

(i) expenditures are made for nonreimbursable public benefits under Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act); and

(ii) Federal expenditures account for no more than 50 percent of total costs for any project;

(B) $100,000,000 shall be expended by the Secretary of the Interior for water reclamation and reuse projects authorized under title XVI of Public Law 102–575 and section 4009 of Public Law 114–322; and

(C) $100,000,000 shall be expended by the Secretary of the Interior for WaterSMART grants authorized under the Omnibus Public Lands Management Act of 2009 (42 U.S.C. 10364).
(2) Availability of Amounts.—Amounts deposited in the Fund under this section shall—

(A) be made available in accordance with this section, without further appropriation; and

(B) be in addition to amounts appropriated for such purposes under any other provision of law.

(c) Expenditures From Fund.—

(1) In general.—Subject to subsection (b), for each of fiscal years 2031 through 2061, the respective Secretary may expend from the Fund, in accordance with this section, not more than an amount equal to the sum of—

(A) the amounts deposited in the Fund that year under subsection (b); and

(B) the amount of interest accrued in the Fund for the fiscal year in which the expenditures are made.

(2) Additional Expenditures.—

(A) In general.—The Secretary may expend more in any fiscal year than the amounts described in subsection (a) if the additional amounts are available in the Fund as a result of a failure of the Secretary to expend all of the
amounts available under subsection (a) in 1 or more prior fiscal years.

(B) RETENTION IN ACCOUNTS.—Any additional amounts referred to in paragraph (1) shall—

(i) accrue interest in accordance with this section; and

(ii) only be expended for the purposes for which expenditures from the Fund are authorized.

SEC. 3. GROUND WATER RECHARGE PLANNING.

(a) DEFINITIONS.—In this section:

(1) CRITICALLY OVERDRAFTED BASINS.—The term “Critically Overdrafted Basins” means those basins identified by the California Department of Water Resources pursuant to part 2.74 of the California Water Code (commonly known as the “California’s Sustainable Groundwater Management Act”).

(2) RECLAMATION STATE.—The term “Reclamation State” means a State or territory described in the first section of the Act of June 17, 1902 (32 Stat. 388, chapter 1093; 43 U.S.C. 391).
(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the United States Geological Survey.

(b) EVALUATION AND REPORT.—

(1) IN GENERAL.—Not later than 4 years after the date of the enactment of this Act, the Secretary shall complete an evaluation and report to Congress that identifies potential ground water storage and recharge opportunities in each Reclamation State including recharge opportunities in critically over-drafted basins to help inform future Federal, State, local, and other investment in ground water storage projects.

(2) REPORT.—The report to Congress shall include—

(A) an assessment of potentially beneficial storage and recharge locations based on the Secretary’s assessment of—

(i) hydrologic attributes;

(ii) geologic attributes;

(iii) engineering attributes;

(iv) water supply benefits;

(v) environmental benefits;
(vi) infrastructure benefits related to mitigation of subsidence-related infrastructure damage; and

(vii) sustainability benefits for critically overdrafted basins; and

(B) an assessment of potential conveyance infrastructure needs to move excess runoff to the recharge locations identified by the Secretary under this section.

(3) COORDINATION.—To the maximum extent practicable, the Secretary shall coordinate research activities with Reclamation State agencies, ground water sustainability agencies, universities and non-profit organizations in a manner designed to assist with implementation of State-led initiatives such as part 2.74 of the California Water Code (commonly known as the “Sustainable Groundwater Management Act”).

SEC. 4. RECLAMATION INFRASTRUCTURE FINANCE AND INNOVATION PILOT PROGRAM.

(a) SHORT TITLE.—This section may be cited as the “Reclamation Infrastructure Finance and Innovation Act”.

(b) ESTABLISHMENT.—The Secretary of the Interior (referred to in this section as the “Secretary”) shall estab-
lish and carry out a pilot program under which the Sec-
retary shall provide to eligible entities described in section
5025 of the Water Resources Reform and Development
Act of 2014 (33 U.S.C. 3904) financial assistance in ac-
cordance with this section to carry out eligible projects de-
scribed in subsection (c).

(c) ELIGIBLE PROJECTS.—

(1) IN GENERAL.—A project eligible to receive
assistance under the pilot program under this sec-
tion is a water supply or water conservation project
that, as determined by the Secretary—

(A) is located in—

(i) the State of Alaska;

(ii) the State of Hawaii; or

(iii) a State or territory described in

the first section of the Act of June 17,
1902 (32 Stat. 388, chapter 1093; 43
U.S.C. 391);

(B) would—

(i) contribute directly or indirectly (in-
cluding through ground water recharge) to
a safe, adequate water supply for domestic,
agricultural, environmental, municipal, or
industrial use; or
(ii) promote water conservation or water use efficiency;

(C) complies with all applicable State and Federal laws;

(D) would quantifiably demonstrate net ecosystem benefits in excess of required environmental mitigation measures or compliance obligations pursuant to State and Federal law if the eligible project is a dam or water storage project, unless—

(i) the dam or water storage project would be located within the State of California and has been evaluated for State storage funding awards by the California Water Commission pursuant to the California Water Quality, Supply, and Infrastructure Improvement Act, approved by California voters on November 4, 2014; and

(ii) has been found by the California Water Commission to have sufficient public benefits to warrant a maximum conditional eligibility determination of at least $200 million;

(E) is economically feasible; and
(F) is otherwise eligible for assistance under this section.

(2) Small Community Projects.—For projects eligible for assistance under this section and section 5028(a)(2)(B) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3907(a)(2)(B)), the Secretary may assist applicants in combining 1 or more projects into a single application in order to meet the minimum project cost of $5,000,000 required under that section.

(d) Eligible Entities.—The following entities are eligible to receive assistance under this section:


(2) A conservancy district, reclamation district, irrigation district, or water district.

(3) A canal company or mutual water company.

(4) A water users’ association.

(5) An agency established by an interstate compact.

(6) Any other individual or entity that has the capacity to contract with the United States under the reclamation laws.

(e) Requirements.—
(1) PROJECT SELECTION.—In selecting eligible projects to receive assistance under the pilot program under this section, the Secretary shall ensure diversity with respect to—

(A) project type; and

(B) geographical location within the States referred to in subsection (e)(1).

(2) IMPORTATION OF OTHER REQUIREMENTS.—The following shall apply to the pilot program under this section:

(A) Sections 5022, 5024, 5027, 5028, 5029, 5030, 5031, 5032, 5034 and 5035 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3903, 3906, 3907, 3908, 3909, 3910, 3911), except that—

(i) any reference contained in those sections to the Secretary of the Army shall be considered to be a reference to the Secretary of the Interior;

(ii) any reference contained in those sections to an eligible project shall be considered to be a reference to an eligible project described in subsection (b);

(iii) paragraphs (1)(E) and (6)(B) of subsection (a), and subsection (b)(3), of
section 5028 of that Act (33 U.S.C. 3907) shall not apply with respect to this section;

(iv) subsections (e) and (f) of section 5030 of that Act (33 U.S.C. 3909) shall not apply with respect to this section; and

(v) any reference contained in those sections to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives shall be considered to be a reference to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives with respect to this section.

(B) The agreement between the Administrator of the Environmental Protection Agency and the Commissioner of Reclamation required under section 4301 of the America’s Water Infrastructure Act of 2018 (Public Law 115–270).

(C) Other applicable environmental laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(f) AUTHORIZATION OF APPROPRIATIONS.—
(1) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out the pilot program under this section $150,000,000 for fiscal years 2021 through 2025, to remain available until expended.

(2) ADMINISTRATIVE COSTS.—Of the funds made available under paragraph (1), the Secretary may use for administrative costs of carrying out the pilot program under this section (including for the provision of technical assistance to project sponsors pursuant to paragraph (3) and in obtaining necessary approvals and transfer to the Administrator of the Environmental Protection Agency to provide assistance in administering and servicing Federal credit instruments under the pilot program) not more than $5,000,000 for each applicable fiscal year.

(3) SMALL COMMUNITY PROJECTS.—

(A) IN GENERAL.—Subject to subparagraph (B), the Commissioner may use the funds made available under paragraph (2) to provide assistance, including assistance to pay the costs of acquiring the rating opinion letters under section 5028(a)(1)(D) of the Water Resources Reform and Development Act of 2014
(33 U.S.C. 3907(a)(1)(D)), to assist project
sponsors in obtaining the necessary approval for
small community projects that are eligible for
assistance under section 5028(a)(2)(B) of the
Water Resources Reform and Development Act
of 2014 (33 U.S.C. 3907(a)(1)(D)) or sub-
section (b)(3).

(B) LIMITATION.—Assistance provided to
a project sponsor under subparagraph (A) may
not exceed an amount equal to 75 percent of
the total administrative costs incurred by the
project sponsor in securing financial assistance
under this section.

(g) LIMITATION.—No project that receives financial
assistance under this section may be financed (directly or
indirectly), in whole or in part, with proceeds of any obli-
gation the interest on which is exempt from the tax im-
posed under chapter 1 of the Internal Revenue Code of
1986.

(h) ELIGIBILITY FOR ASSISTANCE.—
(1) ELIGIBLE PROJECTS.—The following
projects may be carried out using assistance made
available under this section:

(A) A project for the reclamation and
reuse of municipal, industrial, domestic, and ag-
ricultural wastewater, and naturally impaired
ground water, which the Secretary, acting
through the Commissioner of Reclamation, is
authorized to support.

(B) Any water infrastructure project not
specifically authorized by law that—

(i) the Secretary determines, through
the completion of an appraisal investiga-
tion and feasibility study, would contribute
to a safe, adequate water supply for do-
meric, agricultural, environmental, or mu-
icipal and industrial use; and

(ii) is otherwise eligible for assistance
under this section.

(C) A new water infrastructure facility
project, including a water conduit, pipeline,
channel, pumping, power, and associated facilities.

(D) A project for enhanced energy effi-
ciency in the operation of a water system.

(E) A project for accelerated repair and re-
placement of all or a portion of an aging water
distribution facility.

(F) A brackish or sea water desalination
project.
(G) Acquisition of real property or an interest in real property for water storage, reclaimed or recycled water, or wastewater, if the acquisition is integral to a project described in subparagraphs (A) through (F).

(H) A project to deliver water to wildlife refuges.

(I) A combination of projects, each of which is eligible under subparagraphs (A) through (H), for which an eligible entity submits a single application.

(2) ACTIVITIES ELIGIBLE FOR ASSISTANCE.—For the purposes of this section, an eligible activity with respect to an eligible project under subsection (a) includes the cost of—

(A) development-phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, permitting, transaction costs, preliminary engineering and design work, and other preconstruction activities;

(B) construction, reconstruction, rehabilitation, and replacement activities;

(C) the acquisition of real property (including water rights, land relating to the project,
and improvements to land), environmental mitigation, construction contingencies, and acquisition of equipment;

(D) capitalized interest necessary to meet market requirements, reasonably required reserve funds, capital issuance expenses, and other carrying costs during construction;

(E) refinancing interim construction funding, long-term project obligations, or a secured loan, loan guarantee, or other credit enhancement made under this section;

(F) refinancing long-term project obligations or Federal credit instruments, if that refinancing provides additional funding capacity for the completion, enhancement, or expansion of any project selected for assistance under this Act;

(G) reimbursement or success payments to any public or private entity that achieves predetermined outcomes on a pay-for-performance or pay-for-success basis; and

(H) grants, loans, or credit enhancement for community development financial institutions, green banks, and other financial inter-
mediaries providing ongoing finance for projects that meet the purposes of this section.

SEC. 5. FEASIBILITY STUDIES.

As soon as practicable after the date of the enactment of this Act, in compliance with all environmental and other applicable laws, the Secretary of the Interior shall complete all remaining feasibility studies associated with the following projects:

(1) North-Of-Delta Offstream Storage (Sites Reservoir Project) in Colusa County, California.

(2) Del Puerto Canyon Reservoir, located in the foothills of the Coast Range mountains west of Patterson, California.

(3) Los Vaqueros Reservoir in Contra Costa County, California.

(4) San Luis Reservoir expansion in the San Joaquin Valley, California.

(5) Pacheco Reservoir expansion in Santa Clara County, California.

SEC. 6. RURAL WATER SUPPLY PROGRAM REAUTHORIZATION.

The Rural Water Supply Act of 2006 (Public Law 109–451) is amended—

(1) in section 109(a) (43 U.S.C. 2408(a)), by striking “2016” and inserting “2026”; and
(2) in section 110 (43 U.S.C. 2409), by striking “2016” and inserting “2026”.

SEC. 7. COMPETITIVE GRANT PROGRAM FOR THE FUNDING OF WATER RECYCLING AND REUSE PROJECTS.

(a) COMPETITIVE GRANT PROGRAM FOR THE FUNDING OF WATER RECYCLING AND REUSE PROJECTS.—Section 1602(f) of the Reclamation Wastewater and Groundwater Study and Facilities Act (title XVI of Public Law 102–575; 43 U.S.C. 390h et seq.) is amended by striking paragraphs (2) and (3) and inserting the following:

“(2) PRIORITY.—When funding projects under paragraph (1), the Secretary shall give funding priority to projects that meet one or more of the following criteria:

“(A) Projects that are likely to provide a more reliable water supply for States and local governments.

“(B) Projects that are likely to increase the water management flexibility and reduce impacts on environmental resources from projects operated by Federal and State agencies.

“(C) Projects that are regional in nature.

“(D) Projects with multiple stakeholders.
“(E) Projects that provide multiple benefits, including water supply reliability, ecosystem benefits, groundwater management and enhancements, and water quality improvements.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1602(g) of the Reclamation Wastewater and Groundwater Study and Facilities Act (title XVI of Public Law 102–575; 43 U.S.C. 390h et seq.) is amended—

(1) by striking “$50,000,000” and inserting “$500,000,000 through fiscal year 2025”; and

(2) by striking “if enacted appropriations legislation designates funding to them by name,”.

(c) DURATION.—Section 4013 of the WIIN Act (43 U.S.C. 390b(2)) is amended—

(1) in paragraph (1), by striking “and”;

(2) in paragraph (2), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(3) section 4009(c).”.

(d) LIMITATION ON FUNDING.—Section 1631(d) of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h–13(d)) is amended by striking “$20,000,000 (October 1996 prices)” and inserting “$30,000,000 (January 2019 prices)”.
SEC. 8. WATER TECHNOLOGY AWARD PROGRAM AND INVESTMENT PROGRAMS.

(a) Award Program Established.—The Secretary of the Interior, working through the Bureau of Reclamation, shall establish a program to award prizes to eligible persons described in subsection (b) for achievement in 1 or more of the following applications of water technology:

(1) Demonstration of wastewater and industrial process water purification for reuse or desalination of brackish or sea water with significantly less energy than current municipally and commercially adopted technologies.

(2) Demonstration of portable or modular desalination units that can process 1 to 5,000,000 gallons per day that could be deployed for temporary emergency uses in coastal communities or communities with brackish ground water supplies.

(3) Demonstration of significant advantages over current municipally and commercially adopted reverse osmosis technologies as determined by the board established under subsection (c).

(4) Reducing open water evaporation.

(5) Improving methods to treat and reuse agricultural drainage waters.

(6) Reducing the loss of threatened and endangered fish due to fish predation.
(7) Reducing the entrainment of fish larvae on screens and intakes.

(b) ELIGIBLE PERSON.—An eligible person described in this subsection is—

(1) an individual who is—

(A) a citizen or legal resident of the United States; or

(B) a member of a group that includes citizens or legal residents of the United States;

(2) an entity that is incorporated and maintains its primary place of business in the United States; or

(3) a public water agency.

(e) ESTABLISHMENT OF BOARD.—

(1) IN GENERAL.—The Secretary of the Interior shall establish a board to administer the program established under subsection (a).

(2) MEMBERSHIP.—The board shall be composed of not less than 15 and not more than 21 members appointed by the President, of whom—

(A) not less than 1 shall—

(i) be a representative of the interests of academic, business, and nonprofit organizations; and

(ii) have expertise in—
(I) the field of water technology;

or

(II) administering award competitions; and

(B) not less than 1 shall be—

(i) a representative of agricultural water users;

(ii) a representative of municipal and industrial water users;

(iii) a representative of the Bureau of Reclamation of the Department of the Interior; and

(iv) a representative of the National Science Foundation.

(d) AWARDS.—Subject to the availability of appropriations, the board established under subsection (e) may make awards under the program established under subsection (a) as follows:

(1) FINANCIAL PRIZE.—The board may hold a financial award competition and award a financial award in an amount determined before the commencement of the competition to the first competitor to meet such criteria as the board shall establish.

(2) RECOGNITION PRIZE.—
(A) **IN GENERAL.**—The board may recognize an eligible person for superlative achievement in 1 or more applications described in subsection (a).

(B) **NO FINANCIAL REMUNERATION.**—An award under this paragraph shall not include any financial remuneration.

(C) **NATIONAL TECHNOLOGY AND INNOVATION MEDAL RECOMMENDATIONS.**—For each eligible person recognized under this paragraph, the board shall recommend to the Secretary of Commerce that the Secretary recommend to the President under section 16(b) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3711) that the President award the National Technology and Innovation Medal established under section 16(a) of such Act to such eligible person.

(e) **ADMINISTRATION.**—

(1) **CONTRACTING.**—The board established under subsection (c) may contract with a private organization to administer a financial award competition described in subsection (d)(1).

(2) **SOLICITATION OF FUNDS.**—A member of the board or any administering organization with
which the board has a contract under paragraph (1) may solicit gifts from private and public entities to be used for a financial award under subsection (d)(1).

(3) LIMITATION ON PARTICIPATION OF DONORS.—The board may allow a donor who is a private person described in paragraph (2) to participate in the determination of criteria for an award under subsection (d), but such donor may not solely determine the criteria for such award.

(4) NO ADVANTAGE FOR DONATION.—A donor who is a private person described in paragraph (3) shall not be entitled to any special consideration or advantage with respect to participation in a financial award competition under subsection (d)(1).

(f) INTELLECTUAL PROPERTY.—The Federal Government may not acquire an intellectual property right in any product or idea by virtue of the submission of such product or idea in any competition under subsection (d)(1).

(g) LIABILITY.—The board established under subsection (c) may require a competitor in a financial award competition under subsection (d)(1) to waive liability against the Federal Government for injuries and damages that result from participation in such competition.
(h) ANNUAL REPORT.—Each year, the board established under subsection (c) shall submit to Congress a report on the program established under subsection (a).

(i) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated sums for the program established under subsection (a) as follows:

(A) For administration of prize competitions under subsection (d), $750,000 for each fiscal year.

(B) For the awarding of a financial prize award under subsection (d)(1), in addition to any amounts received under subsection (e)(2), $2,000,000 for each fiscal year.

(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) shall remain available until expended.

(j) WATER TECHNOLOGY INVESTMENT PROGRAM ESTABLISHED.—The Secretary of the Interior, working through the Bureau of Reclamation, shall establish a program, pursuant to the Reclamation Wastewater and Groundwater Study and Facilities Act (Public Law 102–575, title XVI), the Water Desalination Act of 1996 (Public Law 104–298), and other applicable laws, to promote the expanded use of technology for improving availability
and resiliency of water supplies and power deliveries, which shall include—

(1) investments to enable expanded and accelerated deployment of desalination technology;

(2) investments to enable expanded and accelerated use of recycled water; and

(3) investments that improve water management, using best available science, and include real-time monitoring of wildlife and water deliveries.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for each fiscal year for the Secretary to carry out the purposes and provisions of subsection (j). Funds made available under this subsection shall be considered a nonreimbursable Federal expenditure and shall remain available until expended.