

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.

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## 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

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## 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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