

118TH CONGRESS
2D SESSION

S. 5011

To establish the Integrated Water Management Federal Leadership Committee, to provide for improved drought resilience and dam safety, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 10, 2024

Mr. PADILLA introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Integrated Water Management Federal Leadership Committee, to provide for improved drought resilience and dam safety, 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 “Sacramento River Im-
5 provement and Vitality for Ecosystem Restoration Act of
6 2024” or the “Sacramento RIVER Act of 2024”.

1 **SEC. 2. INTEGRATED WATER MANAGEMENT FEDERAL**
2 **LEADERSHIP COMMITTEE FOR ASSISTING**
3 **HABITAT RESTORATION PROJECTS.**

4 (a) DEFINITIONS.—In this section:

5 (1) COMMITTEE.—The term “Committee”
6 means the Integrated Water Management Federal
7 Leadership Committee established under subsection
8 (b).

9 (2) ELIGIBLE ENTITY.—The term “eligible enti-
10 ty” means an entity or qualified partner sponsoring
11 a habitat restoration project in a watershed in which
12 a Bureau of Reclamation project is located that re-
13 ceives a grant, cooperative agreement, or other fi-
14 nancial assistance agreement from the Secretary.

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

17 (b) ESTABLISHMENT.—Not later than 180 days after
18 the date on which an eligible entity submits to the Sec-
19 retary a request for the establishment of the Integrated
20 Water Management Federal Leadership Committee, the
21 Secretary may establish the Integrated Water Manage-
22 ment Federal Leadership Committee.

23 (c) CHAIRPERSON.—The Assistant Secretary for
24 Water and Science of the Department of the Interior
25 shall—

1 (1) serve as the chairperson of the Committee;
2 and

3 (2) coordinate the activities of, and communica-
4 tion among, members of the Committee.

5 (d) MEMBERSHIP.—The Committee shall include rep-
6 resentatives of Federal agencies, as appropriate, with re-
7 sponsibility for water and natural resource issues, includ-
8 ing representatives of—

9 (1) the Bureau of Reclamation;

10 (2) the United States Fish and Wildlife Service;

11 (3) the National Marine Fisheries Service;

12 (4) the Corps of Engineers;

13 (5) the Environmental Protection Agency; and

14 (6) the Department of Agriculture.

15 (e) DUTIES AND RESPONSIBILITIES.—The members
16 of the Committee shall establish the duties and respon-
17 sibilities of the Committee, including—

18 (1) facilitating communication and collaboration
19 among Federal agencies to support and advance any
20 habitat restoration projects for which an eligible en-
21 tity requests the assistance of the Committee;

22 (2) ensuring the effective coordination among
23 relevant Federal agencies and departments to ensure
24 accelerated implementation of any habitat restora-

1 tion projects for which an eligible entity requests the
2 assistance of the Committee;

3 (3) making policy and budgetary recommenda-
4 tions, if determined to be appropriate by the Com-
5 mittee, to support the implementation of habitat res-
6 toration projects; and

7 (4) reporting biannually to the Committee on
8 Energy and Natural Resources of the Senate and
9 the Committee on Natural Resources of the House
10 of Representatives on actions taken by, and rec-
11 ommendations of, the Committee under paragraphs
12 (1) through (3).

13 (f) PROJECT ASSISTANCE.—On request of an eligible
14 entity, the Committee shall assist the eligible entity with
15 permit processing and interagency coordination with re-
16 spect to the applicable habitat restoration project.

17 **SEC. 3. USE OF REVENUE FOR DROUGHT RESILIENCE IN-**
18 **VESTMENTS, EXTRAORDINARY MAINTEN-**
19 **NANCE ACTIVITIES, OR DAM SAFETY INVEST-**
20 **MENTS.**

21 (a) DEFINITIONS.—In this section:

22 (1) DAM SAFETY INVESTMENT.—The term
23 “dam safety investment” means a project to satisfy
24 dam safety standards—

1 (A) under the Federal Guidelines for Dam
2 Safety issued by the Federal Emergency Man-
3 agement Agency or the Interagency Committee
4 on Dam Safety;

5 (B) under the Bureau of Reclamation Dam
6 Safety Program carried out under the Reclama-
7 tion Safety of Dams Act of 1978 (43 U.S.C.
8 506 et seq.), including repayment of an obliga-
9 tion for a corrective action taken pursuant to
10 that program; or

11 (C) required by the State for a non-Fed-
12 eral dam in which a Bureau of Reclamation
13 project or facility is located.

14 (2) DROUGHT RESILIENCE INVESTMENT.—The
15 term “drought resilience investment” means an im-
16 provement or addition to an eligible facility that
17 would increase drought resilience in a Reclamation
18 State.

19 (3) ELIGIBLE FACILITY.—The term “eligible fa-
20 cility” means—

21 (A) a project or facility owned by the Bu-
22 reau of Reclamation; and

23 (B) a non-Federal facility that stores,
24 transports, or delivers water to or from a Bu-
25 reau of Reclamation project or facility.

1 (4) ELIGIBLE TEMPORARY TRANSFER.—The
2 term “eligible temporary transfer” means the tem-
3 porary and voluntary selling, leasing, or exchanging
4 of water or water rights among individuals or agen-
5 cies that is allowable under the reclamation laws and
6 the water law of the applicable State.

7 (5) EXTRAORDINARY MAINTENANCE ACTIV-
8 ITY.—The term “extraordinary maintenance activ-
9 ity” means annual payments on repayment obliga-
10 tions incurred under section 9603 of the Omnibus
11 Public Land Management Act of 2009 (43 U.S.C.
12 510b).

13 (6) TRANSFEROR.—The term “transferor”
14 means the holder of a water service, transferred
15 works, water repayment, or other contract that enti-
16 tles the holder to water from a Bureau of Reclama-
17 tion project or facility that undertakes an eligible
18 temporary transfer.

19 (b) USE OF REVENUE FOR DROUGHT RESILIENCE
20 INVESTMENTS, EXTRAORDINARY MAINTENANCE ACTIVI-
21 TIES, OR DAM SAFETY INVESTMENTS.—

22 (1) IN GENERAL.—Notwithstanding the Act of
23 February 25, 1920 (41 Stat. 451, chapter 86; 43
24 U.S.C. 521), or subsection J of section 4 of the Act
25 of December 5, 1924 (43 Stat. 703, chapter 4; 43

1 U.S.C. 526), a transferor may retain all amounts
2 derived from an eligible temporary transfer that
3 would otherwise be deposited in the reclamation
4 fund established by the first section of the Act of
5 June 17, 1902 (32 Stat. 388, chapter 1093; 43
6 U.S.C. 391), in accordance with this section.

7 (2) USE OF FUNDS.—Any funds retained by a
8 transferor under paragraph (1) may be used on com-
9 pletion of the repayment of capital, if the funds
10 are—

11 (A) used for a drought resilience invest-
12 ment, extraordinary maintenance activity, or
13 dam safety investment; or

14 (B) placed in the reserve account of the
15 transferor, to be used for future drought resil-
16 ience investments, extraordinary maintenance
17 activities, or dam safety investments, subject to
18 paragraph (3).

19 (3) TRANSFER OF UNUSED FUNDS TO REC-
20 LAMATION FUND.—Any funds placed in the reserve
21 account of the transferor pursuant to paragraph
22 (2)(B) that are not used for drought resilience in-
23 vestments, extraordinary maintenance activities, or
24 dam safety investments by the date that is 10 years
25 after the date of the placement shall be transferred

1 to the reclamation fund established by the first sec-
2 tion of the Act of June 17, 1902 (32 Stat. 388,
3 chapter 1093).

4 (4) REPORTING.—The transferor shall report to
5 the Commissioner of Reclamation on the use of any
6 uses of funds derived from an eligible temporary
7 transfer.

8 (5) EFFECT OF SECTION.—

9 (A) IN GENERAL.—Nothing in this sec-
10 tion—

11 (i) affects any other authority of the
12 Secretary of the Interior to use amounts
13 derived from revenues from a Bureau of
14 Reclamation project; or

15 (ii) creates, impairs, alters, or super-
16 sedes a State water right.

17 (B) APPLICABLE LAW.—Any eligible tem-
18 porary transfer shall comply with all applica-
19 ble—

20 (i) State water laws;

21 (ii) Federal laws and policies; and

22 (iii) interstate water compacts.

23 (c) RECLAMATION LAWS.—This section supplements
24 and amends the Act of June 17, 1902 (32 Stat. 388, chap-

1 ter 1093), and Acts supplemental to and amendatory of
2 that Act (43 U.S.C. 371 et seq.).

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