



Huffman Drought Bill

Section by Section Summary

In response to the drought in California and other western States, the legislation includes both immediate emergency measures as well as long-term investments in water supply reliability.

Title I: Emergency Drought Response Appropriations from Reclamation Fund

Tapping into the Reclamation Fund, this title provides almost \$1.2 billion in emergency appropriations for water supply for public health and safety; for investments in water recycling, reuse, and reclamation; and for meeting the emergency needs of drought-impacted communities. The Reclamation Fund was established in 1902 by public land sales to fund water infrastructure projects, and now has a surplus of more than \$10 billion.

- **Reclamation:** \$300 million, including \$100m for Title XVI, \$100 million for WaterSMART, and \$50 million for the Refuge Water Supply Program. Includes language to allow water reuse projects without authorizations to compete for funding. Directs funding to completing Cal-Fed water storage feasibility studies that have the financing and support to be under construction within 10 years.
- **EPA Superfund:** \$300 million for cleanup of contaminated groundwater.
- **Rural Utilities Service Rural Water Program:** \$5m to assist rural communities that have experienced a decline in quantity or quality of water.
- **Curtailing Water Theft from Illegal Marijuana Grows:** \$3m
- **Army Corps:** \$40m for Section 5039 of WRDA 2007, an environmental infrastructure (reuse and recycling) authorization for California that has never been funded.
- **Improving Groundwater Recharge and Upstream Watershed Protection for Water Quality and Quantity:** \$100m
- **Emergency Grants to Assist Low-Income Migrant and Seasonal Farmworkers:** \$25m
- **GAO Report on Duplication and Fragmentation in Water Agencies.**
- **Emergency EPA Appropriations:** \$500m (see below)
- **Emergency WIFIA Appropriations:** \$20m (see below)

Emergency EPA Appropriations: An emergency appropriation of \$500m for EPA's Clean Water and Drinking Water State Revolving Funds with priority for drought response projects. Increases repayment period to reflect the full life of the capital investment.

Emergency WIFIA Appropriations: An emergency appropriation of \$20 million for WIFIA, a new pilot water infrastructure financing program established by WRRDA 2014, with additional changes allowing the program to work with tax-exempt municipal financing for projects in areas with drought declarations. Also reduces the minimum project size that can be funded and allows higher federal cost share.

Title II: New Water Infrastructure Program Authorizations

New Water Recycling and Reclamation Program through EPA: Establishes a new EPA grant program to support water recycling projects. Designed to establish a nationwide program, not just in the Reclamation states, to support water recycling and supplement Reclamation's Title XVI program.

Reclamation Infrastructure Finance and Innovation Act (RIFIA): Three-part program of expanding the Bureau of Reclamation's toolbox in financing water infrastructure projects.

- **Innovative Financing:** Modeled after the Transportation Infrastructure Finance and Innovation Act (TIFIA) program, this title would offer long-term, low-cost financing for eligible water infrastructure projects associated with a Bureau of Reclamation project. Funds (\$50 million a year) would be available to finance the planning, design and construction as well as the acquisition of real property or an interest in real property if the acquisition is integral to an otherwise eligible project.
- **Integrated Regional Water Management, Reclamation, and Recycling Projects:** Allows Reclamation to participate as a technical and financial partner with state and local water agencies to

develop storage and conveyance associated with regional integrated water management, and water recycling projects. Allows Reclamation to participate in these projects with cost-shared grants of up to \$15 million, and makes funds available for up to five years. Authorizes \$150 million.

- **Local and Federal Coordination on Improvements to Reclamation Facilities:** Authorizes Interior, under specific conditions, to transfer ownership of a small Reclamation project to a non-federal entity, subject to the approval of Congress. This will allow for the non-federal operating entity to obtain a loan guarantee that would be favorably “scored” by CBO.

Innovative Stormwater Capture Program: Incorporates Congresswoman Edwards’s bill, the Innovative Stormwater Infrastructure Act, to establish national standards for stormwater runoff.

Title III: Improved Infrastructure and Water Management

Restoring America’s Watersheds and Increasing Water Yields Act: Incorporates Senator Heinrich’s bill, Restoring America’s Watersheds Act, to develop a Water Source Protection Program within the Forest Service to protect and restore watersheds, increasing water yields.

Reservoir Operation Improvement: Incorporates Congressman Huffman’s bill, FORECAST Act, to give the Secretary of the Army authority to review the operation of a reservoir, at the request of its non-Federal sponsor, and determine if a change in operation using improved weather forecasts and run-off forecasting would improve authorized project benefits, including water supply.

Reclamation Projects for Renewable Energy to Reduce Evaporation Loss: Reduces water loss from evaporation by allowing Reclamation to conduct lease sales for solar and wind energy projects covering federal reservoirs, canals, and other infrastructure. Royalties paid by the private developers of the projects are shared with states and localities, and will also fund fish and wildlife restoration.

Improved Reclamation Crop Data: Requires a survey of Reclamation’s agricultural water contracts to determine if the contractors have converted annual crops to water-intense permanent crops, hardening demands for water during periods of drought. Requires a report to Congress on the impacts that these conversions have on Reclamation’s ability to meet competing water demands.

Improved Oversight of State Injection Wells: Suspends a state’s delegated authority for the regulation of injection wells under the Safe Drinking Water Act if the state fails within ninety days to address deficiencies that have harmed groundwater aquifers.

Combating Water Theft for Illegal Marijuana Cultivation: Directs Justice to develop a plan to address illegal water diversions for marijuana cultivation. Creates a structure for funding remediation of trespass grow sites that threaten to impact watersheds and water quality.

SECURE Water Amendments: Reauthorizes the SECURE Water Act, extending authority for water conservation and sustainability programs within the Department of Interior, and expanding eligibility.

Tax Credit for Water-harvesting Systems: Establishes a new, refundable \$2,000 tax credit for the purchase and installation of water-capture and harvesting systems in residential homes.

Title IV: Planning for the Future

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

Drought Planning Assistance through NRCS and Reclamation: Requires these agencies to provide water supply planning assistance to prepare for and respond to drought.

Drought Preparedness for Fisheries: Requires a plan to address drought impacts on salmon populations.

National Emergency Planning Response: Directs the President to plan for a national response to prolonged droughts, utilizing all available resources of the federal government.

Military Preparedness for Desalination: Directs the Secretary of the Navy to report on the viability of providing relief to areas impacted by drought with existing defense desalination technology.