

[DISCUSSION DRAFT]

[To amend the Secure Water Act of 2009 to authorize the Secretary of the Interior to implement a surface water storage enhancement program, and for other purposes.]

1 **SECTION 1. SURFACE WATER STORAGE ENHANCEMENT**
2 **PROGRAM.**

3 (a) IN GENERAL.— Secure Water Act of 2009 (42
4 U.S.C. 10361 et seq.) is amended by inserting after sec-
5 tion 9503 the following section (and redesignating the sub-
6 sequent sections accordingly):

7 **“SEC. 9504. SURFACE WATER STORAGE ENHANCEMENT**
8 **PROGRAM.**

9 “(a) ESTABLISHMENT.—The Secretary shall con-
10 struct surface water storage and the Secretary may also
11 enter into cooperative agreements with water users asso-
12 ciations for the construction of surface water storage.

13 “(b) PURPOSES OF SURFACE WATER STORAGE.—
14 Construction of surface water storage shall be made for
15 the following purposes:

16 “(1) Increased municipal and industrial water
17 supply.

18 “(2) Agricultural floodwater, erosion, and sedi-
19 mentation reduction.

1 “(3) Agricultural drainage improvements.

2 “(4) Agricultural irrigation.

3 “(5) Increased recreation opportunities.

4 “(6) Reduced impacts to fish and wildlife.

5 “(7) Any other purposes consistent with Rec-
6 lamation laws or other Federal law.

7 “(c) SURFACE WATER STORAGE ACCOUNT REPAY-
8 MENT PROGRAM.—

9 “(1) ACCOUNT.—There is established in the
10 Treasury of the United States an Account to be
11 known as the ‘Reclamation Surface Water Storage
12 Account’ which shall be used to pay for surface
13 water storage projects under this section.

14 “(2) DEPOSITS TO ACCOUNT.—There shall be
15 deposited to the Account on October 1st of each fis-
16 cal year from 2015 through 2019 \$400,000,000 of
17 the revenues that would otherwise be deposited in
18 the reclamation fund established by the first section
19 of the Act of June 17, 1902 (32 Stat. 388, chapter
20 1093); and there shall be deposited to the Account
21 repayments made under this paragraph (3) at the
22 time of the repayment.

23 “(3) REPAYMENT.—Amounts used for surface
24 water storage construction from the Account shall be
25 fully reimbursed to the Account consistent with the

1 requirements under Federal reclamation law (the
2 law (the Act of June 17, 1902 (32 Stat. 388, chap-
3 ter 1093)), and Acts supplemental to and amend-
4 atory of that Act (43 U.S.C. 371 et seq.) except that
5 all funds reimbursed shall be deposited in the Ac-
6 count established under paragraph (1).

7 “(4) AVAILABILITY OF AMOUNTS.—Amounts
8 deposited in the Account under this subsection
9 shall—

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

12 “(B) be in addition to amounts appro-
13 priated for such purposes under any other pro-
14 vision of law.”.

15 (b) DEFINITIONS.—Section 9502 of the Secure
16 Water Act of 2009 (42 U.S.C. 10362) is amended by add-
17 ing at the end the following:

18 “(18) ACCOUNT.—The term ‘account’ means
19 the Reclamation Surface Water Storage Account es-
20 tablished under section 9504(c)(1).

21 “(19) WATER USERS ASSOCIATION.—An entity
22 organized and recognized under State laws that is
23 eligible to enter into contracts with Reclamation to
24 receive contract water for delivery to and users of
25 the water and to pay applicable charges. Refers to

1 a variety of entities with different names and dif-
2 fering functions, i.e. ‘associations’, ‘conservatory dis-
3 trict’, ‘irrigation district’, ‘municipality’, ‘water
4 project contract unit’, etc.

5 “(20) CONSTRUCTION.—The designing, mate-
6 rials engineering and testing, surveying, and build-
7 ing of surface water storage including additions to
8 existing surface water storage and construction of
9 new surface water storage facilities, exclusive of any
10 Federal statutory or regulatory obligations relating
11 to any permit, review, approval, or other such re-
12 quirement.

13 “(21) SURFACE WATER STORAGE.—Any feder-
14 ally owned facility under the jurisdiction of the Bu-
15 reau of Reclamation or any non-Federal facility used
16 for the surface storage and supply of water re-
17 sources.”.