

1 (h) SUBMISSION OF INDIVIDUAL PROJECT RE-
2 PORTS.—Upon completion, project reports, including all
3 required documents and reports under subsection (b),
4 shall—

5 (1) be submitted to the relevant committees of
6 Congress; and

7 (2) include discussion of the following findings
8 by the Secretary—

9 (A) whether the project is deemed to be
10 feasible in accordance with the applicable feasi-
11 bility standards under section 81213 and the
12 reclamation laws;

13 (B) The degree to which the project will
14 provide benefits (or expected benefits, in the
15 case of a proposed project study) as described
16 in subsection (d)(1)(B)(ii) and other benefits
17 under the reclamation laws; and

18 (C) whether the project complies with Fed-
19 eral, State, and local laws.

20 **SEC. 81213. FUNDING FOR STORAGE AND SUPPORTING**
21 **PROJECTS.**

22 (a) DEFINITIONS.—In this section:

23 (1) DESIGN; STUDY.—

24 (A) IN GENERAL.—The terms “design”
25 and “study” include any design, permitting,

1 study (including a feasibility study), materials
2 engineering or testing, surveying, or
3 preconstruction activity relating to a Federal
4 storage project, a major federally assisted stor-
5 age project, a natural water storage project, or
6 a standard federally assisted storage project as
7 defined in this subsection.

8 (B) EXCLUSIONS.—The terms “design”
9 and “study” do not include an appraisal study
10 or other preliminary review intended to deter-
11 mine whether further study is appropriate for a
12 Federal storage project, a major federally as-
13 sisted storage project, a natural water storage
14 project, or a standard federally assisted storage
15 project as defined in this subsection.

16 (2) ELIGIBLE ENTITY.—The term “eligible enti-
17 ty” means—

18 (A) any State, political subdivision of a
19 State, department of a State, or public agency
20 organized pursuant to State law;

21 (B) an Indian Tribe or an entity controlled
22 by an Indian Tribe;

23 (C) a water users’ association;

24 (D) an agency established by an interstate
25 compact; and

1 (E) an agency established under State law
2 for the joint exercise of powers.

3 (3) FEDERAL STORAGE PROJECT.—The term
4 “Federal storage project” means—

5 (A) any project in a Reclamation State
6 that involves the construction, expansion, up-
7 grade, or capital repair of a water storage facil-
8 ity or a facility conveying water to or from a
9 surface or groundwater storage facility—

10 (i) to which the United States holds
11 title; and

12 (ii) that was authorized to be con-
13 structed, operated, and maintained pursu-
14 ant to—

15 (I) the reclamation laws; or

16 (II) the Act of August 11, 1939
17 (commonly known as the Water Con-
18 servation and Utilization Act (16
19 U.S.C. 590y et seq.)); or

20 (B) an ecosystem restoration project for
21 watershed function, including a forest or water-
22 shed restoration project, that reduces the risk
23 of water storage loss by reducing the risk of
24 erosion or sediment loading into a water storage
25 facility in a Reclamation State—

1 (i) to which the United States holds
2 title; and

3 (ii) that was authorized to be con-
4 structed, operated, and maintained pursu-
5 ant to—

6 (I) the reclamation laws; or

7 (II) the Act of August 11, 1939
8 (commonly known as the Water Con-
9 servation and Utilization Act (16
10 U.S.C. 590y et seq.)).

11 (4) FISH AND WILDLIFE BENEFITS.—The term
12 “fish and wildlife benefits” means overall benefits or
13 improvements to aquatic ecosystems and native fish
14 and wildlife within a Reclamation State, including
15 benefits for a wildlife refuge, that are in excess of—

16 (A) existing fish and wildlife mitigation or
17 compliance obligations under—

18 (i) the Federal Water Pollution Con-
19 trol Act (33 U.S.C. 1251 et seq.);

20 (ii) the Fish and Wildlife Coordina-
21 tion Act (16 U.S.C. 661 et seq.);

22 (iii) the Water Resources Develop-
23 ment Act of 1986 (Public Law 99–662;
24 100 Stat. 4082);

1 (iv) the Endangered Species Act of
2 1973 (16 U.S.C. 1531 et seq.);

3 (v) the National Environmental Policy
4 Act of 1969 (42 U.S.C. 4321 et seq.); and

5 (vi) any other Federal law, State law
6 or other existing requirement in regula-
7 tions, permits, contracts, licenses, grants,
8 or orders and decisions from courts or
9 State or Federal agencies; or

10 (B) existing environmental mitigation or
11 compliance obligations as defined in section
12 6001(a)(32) of title 23 of the California Code
13 of Regulations, with respect to benefits and im-
14 provements to aquatic ecosystems and native
15 fish and wildlife within the State of California,
16 in recognition of the State of California's exist-
17 ing prohibitions against the use of public funds
18 for environmental mitigation required under
19 Federal and State law.

20 (5) MAJOR FEDERALLY ASSISTED STORAGE
21 PROJECT.—The term “major federally assisted stor-
22 age project” means any project in a Reclamation
23 State that—

1 (A) involves the construction, expansion,
2 upgrade, or capital repair by an eligible entity
3 or qualified partner of—

4 (i) a surface or groundwater storage
5 facility that is not federally owned; or

6 (ii) a facility that is not federally
7 owned conveying water to or from a sur-
8 face or groundwater storage facility; or

9 (B) is an ecosystem restoration project for
10 watershed function, including a forest or water-
11 shed restoration project, that reduces the risk
12 of water storage loss by reducing the risk of
13 erosion or sediment loading for a project de-
14 scribed in subparagraph (A); and

15 (C) provides benefits described in section
16 81212(d)(1)(B)(ii); and

17 (D) has a total estimated cost of more
18 than \$250,000,000.

19 (6) NATURAL WATER STORAGE PROJECT.—The
20 term “natural water storage project” means a single
21 project, a number of distributed projects across a
22 watershed, or the redesign and replacement, or re-
23 moval, of built infrastructure to incorporate ele-
24 ments, where the project or elements have the fol-
25 lowing characteristics:

1 (A) Uses primarily natural materials ap-
2 propriate to the specific site and landscape set-
3 ting.

4 (B) Largely relies on natural riverine, wet-
5 land, hydrologic, or ecological processes.

6 (C) Results in aquifer recharge, transient
7 floodplain water retention, or reconnection of
8 historic floodplains to their stream channels
9 with water retention benefits within a Reclama-
10 tion State.

11 (D) Is designed to produce two or more of
12 the following environmental benefits—

13 (i) stream flow changes beneficial to
14 watershed health.

15 (ii) fish and wildlife habitat or migra-
16 tion corridor restoration.

17 (iii) floodplain reconnection and inun-
18 dation.

19 (iv) riparian or wetland restoration
20 and improvement.

21 (7) STANDARD FEDERALLY ASSISTED STORAGE
22 PROJECT.—The term “standard federally assisted
23 storage project” means any project in a Reclamation
24 State that—

1 (A) involves the construction, expansion,
2 upgrade, or capital repair by an eligible entity
3 or qualified partner of—

4 (i) a surface or groundwater storage
5 facility that is not federally owned; or

6 (ii) a facility that is not federally
7 owned conveying water to or from a sur-
8 face or groundwater storage facility; or

9 (B) is an ecosystem restoration project for
10 watershed function, including a forest or water-
11 shed restoration project, that reduces the risk
12 of water storage loss by reducing the risk of
13 erosion or sediment loading for a project de-
14 scribed in subparagraph (A); and

15 (C) provides benefits described in section
16 81212(d)(1)(B)(ii); and

17 (D) has a total estimated cost of
18 \$250,000,000 or less.

19 (8) QUALIFIED PARTNER.—The term “qualified
20 partner” means a non-profit organization operating
21 in a Reclamation State.

22 (9) RECLAMATION LAWS.—The term “reclama-
23 tion laws” means Federal reclamation law (the Act
24 of June 17, 1902 (32 Stat. 388; chapter 1093)), and
25 Acts supplemental to and amendatory of that Act.

1 (b) STORAGE PROJECT FUNDING.—There is author-
2 ized to be appropriated a total of \$750 million for use
3 by the Secretary through fiscal year 2026 to advance—

4 (1) Federal storage projects within a Reclama-
5 tion State in accordance with subsection (c);

6 (2) major federally assisted storage projects
7 within a Reclamation State in accordance with sub-
8 section (d);

9 (3) natural water storage projects within a Rec-
10 lamation State in accordance with subsection (e);

11 (4) standard federally assisted storage projects
12 within a Reclamation State in accordance with sub-
13 section (f); or

14 (5) grandfathered storage projects in accord-
15 ance with section 81214.

16 (c) FEDERAL STORAGE PROJECTS.—

17 (1) AGREEMENTS.—On request of an eligible
18 entity or qualified partner and in accordance with
19 this subsection, the Secretary may negotiate and
20 enter into an agreement on behalf of the United
21 States for the design, study, construction, expansion,
22 upgrade, or capital repair of a Federal storage
23 project located in a Reclamation State.

24 (2) FEDERAL SHARE.—Subject to the require-
25 ments of this subsection, the Secretary may fund up

1 to 50 percent of the design and study costs of a
2 Federal storage project and up to 50 percent of the
3 construction costs of a Federal storage project.

4 (3) CONDITIONS FOR FEDERAL DESIGN AND
5 STUDY FUNDING.—Funding provided under this
6 subsection may be made available for the design and
7 study of a Federal storage project if—

8 (A) the Secretary secures a cost share
9 agreement for design and study costs providing
10 sufficient upfront funding to pay the non-Fed-
11 eral share of the design and study costs of the
12 Federal storage project; and

13 (B) the feasibility study for the Federal
14 storage project is congressionally authorized by
15 reference to the annual Report to Congress on
16 Future Storage Project Development prepared
17 under section 81212.

18 (4) CONDITIONS FOR FEDERAL CONSTRUCTION
19 FUNDING.—Funding provided under this subsection
20 for the construction of a Federal storage project
21 may be made available to a project if—

22 (A) the project has been authorized by
23 name in a Federal statute;

24 (B) the project is a multi-benefit project
25 that would, at a minimum, provide water supply

1 reliability benefits (including additional storage,
2 conveyance, or new firm yield) and fish and
3 wildlife benefits as determined by the final esti-
4 mate prepared pursuant to subsection (g);

5 (C) construction funding for the project is
6 congressionally approved by reference to the an-
7 nual Report to Congress on Future Storage
8 Project Development prepared under section
9 81212;

10 (D) the Secretary secures an agreement
11 providing sufficient upfront funding to pay the
12 non-Federal share of the construction costs of
13 the Federal storage project; and

14 (E) The Secretary determines—

15 (i) the project is technically and finan-
16 cially feasible;

17 (ii) the project provides water supply
18 reliability benefits for a State or local gov-
19 ernment and fish and wildlife benefits; and

20 (iii) in return for the Federal cost-
21 share investment in the project, at least a
22 proportionate share of the project benefits
23 are for—

24 (I) fish and wildlife benefits as
25 determined under subsection (g); or

1 (II) non-reimbursable expenses
2 authorized under the reclamation laws
3 other than fish and wildlife expenses.

4 (5) NOTIFICATION.—The Secretary shall sub-
5 mit to the relevant committees of Congress and
6 make publicly available on the internet a written no-
7 tification of the Secretary’s determinations regarding
8 the satisfaction of the requirements under para-
9 graphs (3) and (4) by not later than 30 days after
10 the date of the determinations.

11 (6) ENVIRONMENTAL LAWS.—In participating
12 in a Federal storage project under this subsection,
13 the Secretary shall comply with all applicable Fed-
14 eral environmental laws, including the National En-
15 vironmental Policy Act of 1969 (42 U.S.C. 4321 et
16 seq.), and all State environmental laws of the Rec-
17 lamation State in which the project is located involv-
18 ing the construction, expansion or operation of a
19 water storage project or fish and wildlife protection,
20 provided that no law or regulation of a State or po-
21 litical subdivision of a State relieve the Secretary of
22 any Federal requirement otherwise applicable under
23 this section.

1 (7) ADDITIONAL GUIDELINES FOR RESTORA-
2 TION PROJECTS THAT REDUCE THE RISK OF WATER
3 STORAGE LOSSES.—

4 (A) REQUIREMENTS.—A restoration
5 project described in section 81213(a)(3)(B)
6 that receives funding under this subsection
7 must—

8 (i) have the potential to reduce the
9 risk of water storage losses for a Federal
10 storage project described in subsection
11 (a)(3)(A) by reducing the risk of erosion or
12 sediment loading; and

13 (ii) be designed to result in fish and
14 wildlife benefits.

15 (B) DRAFT FEASIBILITY STUDY.—Not
16 later than 180 days after the date of the enact-
17 ment of this Act, the Secretary shall issue draft
18 requirements for feasibility studies for Federal
19 storage projects described in section
20 81213(a)(3)(B).

21 (C) FEASIBILITY STUDY REQUIRE-
22 MENTS.—The draft feasibility study require-
23 ments issued under subparagraph (B) shall be
24 consistent with requirements for a title XVI
25 Feasibility Study Report, including the eco-

1 nomic analysis, contained in the Reclamation
2 Manual Directives and Standards numbered
3 WTR 11–01, subject to any additional require-
4 ments necessary to provide sufficient informa-
5 tion for making determinations under this sec-
6 tion.

7 (D) FINAL FEASIBILITY STUDY REQUIRE-
8 MENTS.—The Secretary shall finalize the feasi-
9 bility study requirements under subparagraph
10 (C) by not later than 1 year after the date of
11 the enactment of this Act.

12 (E) ELIGIBLE PARTNER.—The Secretary
13 is authorized to participate in a restoration
14 project described in subsection (a)(3)(B) with a
15 partner that is—

16 (i) an eligible entity as defined in sub-
17 section (a)(2); or

18 (ii) a qualified partner as defined in
19 subsection (a)(8).

20 (d) MAJOR FEDERALLY ASSISTED STORAGE
21 PROJECTS.—

22 (1) IN GENERAL.—In accordance with this sub-
23 section, the Secretary shall establish a competitive
24 grant program to participate in the design, study,
25 construction, expansion, upgrade, or capital repair of

1 a major federally assisted storage project on request
2 of an eligible entity or qualified partner. The com-
3 petitive grant program established under this para-
4 graph shall—

5 (A) allow any project sponsor of a major
6 federally assisted storage project to apply for
7 funding for the design, study, construction, ex-
8 pansion, upgrade, or capital repair of a major
9 federally assisted storage project;

10 (B) include the issuance of annual sollicita-
11 tions for major federally assisted storage
12 project sponsors to apply for funding for the
13 design, study, construction, expansion, upgrade,
14 or capital repair of a major federally assisted
15 storage project; and

16 (C) permit the Secretary to fund up to 25
17 percent of the design and study costs of a
18 major federally assisted storage project and up
19 to 25 percent of the construction costs of a
20 major federally assisted storage project.

21 (2) FUNDING PRIORITY FOR MULTI-BENEFIT
22 PROJECTS.—In making grants under this subsection,
23 the Secretary shall give funding priority to multi-
24 benefit projects that provide greater—

1 (A) water supply reliability benefits for
2 States and local governments; and

3 (B) fish and wildlife benefits.

4 (3) CONDITIONS FOR FEDERAL DESIGN AND
5 STUDY FUNDING.—The Secretary may fund a design
6 or study activity for a major federally assisted stor-
7 age project under this subsection if—

8 (A) the Governor of the State in which the
9 major federally assisted storage project is lo-
10 cated provides written concurrence for the de-
11 sign and study activities;

12 (B) the Secretary secures an agreement for
13 design and study costs providing sufficient up-
14 front funding to pay the non-Federal share of
15 the design and study costs of the major feder-
16 ally assisted storage project; and

17 (C) the feasibility study for the major fed-
18 erally assisted storage project is congressionally
19 authorized by reference to the annual Report to
20 Congress on Future Storage Project Develop-
21 ment prepared under section 81212.

22 (4) CONDITIONS FOR FEDERAL CONSTRUCTION
23 FUNDING.—Funding provided under this subsection
24 for the construction of a major federally assisted

1 storage project may be made available to a project
2 if—

3 (A) the project has been authorized by
4 name in a Federal statute;

5 (B) the project is a multi-benefit project
6 that would, at a minimum, provide water supply
7 reliability benefits (including additional storage,
8 conveyance, or new firm yield) and fish and
9 wildlife benefits as determined by the estimate
10 prepared pursuant to subsection (g);

11 (C) the Governor of the State in which the
12 major federally assisted storage project is lo-
13 cated has requested Federal participation at the
14 time construction is initiated;

15 (D) the Secretary secures an agreement
16 committing to pay the non-Federal share of the
17 capital costs of the major federally assisted
18 storage project; and

19 (E) the Secretary determines—

20 (i) the project is technically and finan-
21 cially feasible;

22 (ii) the project provides water supply
23 reliability benefits for a State or local gov-
24 ernment and fish and wildlife benefits; and

1 (iii) in return for the Federal cost-
2 share investment in the project, at least a
3 proportionate share of the project benefits
4 are for—

5 (I) fish and wildlife benefits as
6 determined under subsection (g); or

7 (II) other non-reimbursable ex-
8 penses authorized under the reclama-
9 tion laws other than fish and wildlife
10 expenses.

11 (5) NOTIFICATION.—The Secretary shall sub-
12 mit to the relevant committees of Congress and
13 make publicly available on the internet a written no-
14 tification of the Secretary's determinations regarding
15 the satisfaction of the requirements under para-
16 graphs (3) and (4) by not later than 30 days after
17 the date of the determinations.

18 (6) ENVIRONMENTAL LAWS.—In participating
19 in a major federally assisted storage project under
20 this subsection, the Secretary shall comply with all
21 applicable Federal environmental laws, including the
22 National Environmental Policy Act of 1969 (42
23 U.S.C. 4321 et seq.), and all State environmental
24 laws of the Reclamation State in which the project
25 is located involving the construction, expansion or

1 operation of a water storage project or fish and wild-
2 life protection, provided that no law or regulation of
3 a State or political subdivision of a State relieve the
4 Secretary of any Federal requirement otherwise ap-
5 plicable under this section.

6 (7) INFORMATION.—

7 (A) IN GENERAL.—In participating in a
8 major federally assisted storage project under
9 this subsection, the Secretary—

10 (i) may consider the use of feasibility
11 or equivalent studies prepared by the spon-
12 sor of the major federally assisted storage
13 project; but

14 (ii) shall retain responsibility for de-
15 termining whether the feasibility or equiva-
16 lent studies satisfy the requirements of re-
17 ports prepared by the Secretary.

18 (B) GUIDELINES.—

19 (i) DRAFT.—Not later than 180 days
20 after the date of the enactment of this Act,
21 the Secretary shall issue draft guidelines
22 for feasibility or equivalent studies for
23 major federally assisted storage projects
24 prepared by a project sponsor that shall be
25 consistent with requirements for a title

1 XVI Feasibility Study Report, including
2 the economic analysis, contained in the
3 Reclamation Manual Directives and Stand-
4 ards numbered WTR 11-01, subject to—

5 (I) any additional requirements
6 necessary to provide sufficient infor-
7 mation for making any determinations
8 or assessments under paragraphs (2),
9 (3), and (4); and

10 (II) the condition that the Bu-
11 reau of Reclamation shall not bear re-
12 sponsibility for the technical adequacy
13 of any design, cost estimate, or con-
14 struction relating to a major federally
15 assisted storage project.

16 (ii) FINAL.—The Secretary shall final-
17 ize the guidelines under clause (i) by not
18 later than 1 year after the date of the en-
19 actment of this Act.

20 (C) TECHNICAL ASSISTANCE FOR FEASI-
21 BILITY STUDIES.—

22 (i) TECHNICAL ASSISTANCE.—At the
23 request of an eligible entity or qualified
24 partner, the Secretary shall provide to the
25 eligible entity or qualified partner technical

1 assistance relating to any aspect of a feasi-
2 bility study carried out by the eligible enti-
3 ty or qualified partner under this sub-
4 section if the eligible entity or qualified
5 partner contracts with the Secretary to pay
6 all costs of providing the technical assist-
7 ance.

8 (ii) IMPARTIAL DECISIONMAKING.—In
9 providing technical assistance under clause
10 (i), the Secretary shall ensure that the use
11 of funds accepted from an eligible entity or
12 qualified partner will not affect the impar-
13 tial decisionmaking responsibilities of the
14 Secretary, either substantively or proce-
15 durally.

16 (iii) EFFECT OF TECHNICAL ASSIST-
17 ANCE.—The provision of technical assist-
18 ance by the Secretary under clause (i) shall
19 not be considered to be an approval or en-
20 dorsement of a feasibility study.

21 (8) ELIGIBLE PARTNER.—The Secretary is au-
22 thorized to participate in a restoration project de-
23 scribed in subsection (a)(4)(B) with a partner that
24 is—

1 (A) an eligible entity as defined in sub-
2 section (a)(2); or

3 (B) a qualified partner as defined in sub-
4 section (a)(8).

5 (e) NATURAL WATER STORAGE PROJECTS.—

6 (1) IN GENERAL.—In accordance with this sub-
7 section, the Secretary shall establish a competitive
8 grant program to participate in the design, study,
9 construction, expansion, upgrade, or capital repair of
10 a natural water storage project in a Reclamation
11 State on request of an eligible entity or qualified
12 partner. The competitive grant program established
13 under this paragraph shall—

14 (A) allow any project sponsor of a natural
15 water storage project to apply for funding for
16 the design, study, construction, expansion, up-
17 grade, or capital repair of a natural water stor-
18 age project; and

19 (B) include the issuance of annual solicita-
20 tions for natural water storage project sponsors
21 to apply for funding for the design, study, con-
22 struction, expansion, upgrade, or capital repair
23 of a natural water storage project.

24 (2) FUNDING PRIORITY FOR MULTI-BENEFIT
25 PROJECTS.—In making grants under this subsection,

1 the Secretary shall give funding priority to multi-
2 benefit projects that provide greater—

3 (A) water supply reliability benefits for
4 States and local governments; and

5 (B) fish and wildlife benefits.

6 (3) FEDERAL SHARE.—Subject to the require-
7 ments of this subsection, the Secretary may provide
8 funding to an eligible entity or qualified partner for
9 the design, study, construction, expansion, upgrade,
10 or capital repair of a natural water storage project
11 in an amount equal to not more than 80 percent of
12 the total cost of the natural water storage project.

13 (4) CONDITIONS FOR FEDERAL DESIGN AND
14 STUDY FUNDING.—The Secretary may fund a design
15 or study activity for a natural water storage project
16 under this subsection if the Governor of the State in
17 which the natural water storage project is located
18 provides written concurrence for design and study
19 activities.

20 (5) CONDITIONS FOR FEDERAL CONSTRUCTION
21 FUNDING.—Funding provided under this subsection
22 for the construction of a natural water storage
23 project may be made available to a project if—

24 (A) the Governor of the State in which the
25 natural water storage project is located has re-

1 requested Federal participation at the time con-
2 struction was initiated;

3 (B) the Secretary determines or the appli-
4 cable non-Federal sponsor determines through
5 the preparation of a feasibility or equivalent
6 study prepared in accordance to paragraph (9),
7 and the Secretary concurs, that—

8 (i) the project is technically and finan-
9 cially feasible;

10 (ii) the project provides water supply
11 reliability benefits for a State or local gov-
12 ernment and fish and wildlife benefits; and

13 (iii) in return for the Federal cost-
14 share investment in the project, at least a
15 proportionate share of the project benefits
16 are for non-reimbursable expenses author-
17 ized under the reclamation laws or for fish
18 and wildlife benefits as defined in this sec-
19 tion, which shall be considered a fully non-
20 reimbursable Federal expenditure; and

21 (C) the Secretary secures an agreement
22 committing to pay the non-Federal share of the
23 construction costs of the project.

24 (6) ENVIRONMENTAL LAWS.—In participating
25 in a natural water storage project under this sub-

1 section, the Secretary shall comply with all applica-
2 ble Federal environmental laws, including the Na-
3 tional Environmental Policy Act of 1969 (42 U.S.C.
4 4321 et seq.), and all State environmental laws of
5 the Reclamation State in which the project is located
6 involving the construction, expansion or operation of
7 a water storage project or fish and wildlife protec-
8 tion, provided that no law or regulation of a State
9 or political subdivision of a State relieve the Sec-
10 retary of any Federal requirement otherwise applica-
11 ble under this section.

12 (7) INFORMATION.—In participating in a nat-
13 ural water storage project under this subsection, the
14 Secretary—

15 (A) may consider the use of feasibility or
16 equivalent studies prepared by the sponsor of
17 the natural water storage project if the sponsor
18 elects to prepare such reports; but

19 (B) shall retain responsibility for deter-
20 mining whether the feasibility or equivalent
21 studies satisfy the requirements of studies pre-
22 pared by the Secretary.

23 (8) NOTIFICATION.—The Secretary shall sub-
24 mit to the relevant committees of Congress and
25 make publicly available on the internet a written no-

1 tification of the Secretary's determinations regarding
2 the satisfaction of the requirements under para-
3 graphs (4) and (5) by not later than 30 days after
4 the date of the determinations.

5 (9) GUIDELINES.—

6 (A) DRAFT.—Not later than 180 days
7 after the date of the enactment of this Act, the
8 Secretary shall issue draft guidelines for feasi-
9 bility or equivalent studies for natural water
10 storage projects prepared by a project sponsor
11 that shall be consistent with this subsection,
12 provided that the Department of the Interior
13 shall not bear responsibility for the technical
14 adequacy of any design, cost estimate, or con-
15 struction relating to a natural water storage
16 project.

17 (B) FINAL.—The Secretary shall finalize
18 the guidelines under subparagraph (A) by not
19 later than 1 year after the date of the enact-
20 ment of this Act.

21 (C) TECHNICAL ASSISTANCE FOR FEASI-
22 BILITY STUDIES.—

23 (i) TECHNICAL ASSISTANCE.—At the
24 request of an eligible entity or qualified
25 partner, the Secretary shall provide to the

1 eligible entity or qualified partner technical
2 assistance relating to any aspect of a feasi-
3 bility study carried out by an eligible entity
4 or qualified partner under this subsection
5 if the eligible entity or qualified partner
6 contracts with the Secretary to pay all
7 costs of providing the technical assistance.

8 (ii) IMPARTIAL DECISIONMAKING.—In
9 providing technical assistance under clause
10 (i), the Secretary shall ensure that the use
11 of funds accepted from an eligible entity or
12 qualified partner will not affect the impar-
13 tial decisionmaking responsibilities of the
14 Secretary, either substantively or proce-
15 durally.

16 (iii) EFFECT OF TECHNICAL ASSIST-
17 ANCE.—The provision of technical assist-
18 ance by the Secretary under clause (i) shall
19 not be considered to be an approval or en-
20 dorsement of a feasibility study.

21 (f) STANDARD FEDERALLY ASSISTED STORAGE
22 PROJECTS.—

23 (1) IN GENERAL.—In accordance with this sub-
24 section, the Secretary shall establish a competitive
25 grant program to participate in the design, study,

1 construction, expansion, upgrade, or capital repair of
2 a standard federally assisted storage project on re-
3 quest of an eligible entity or qualified partner. The
4 competitive grant program established under this
5 paragraph shall—

6 (A) allow any project sponsor of a stand-
7 ard federally assisted storage project to apply
8 for funding for the design, study, construction,
9 expansion, upgrade, or capital repair of a feder-
10 ally assisted storage project;

11 (B) include the issuance of annual solicita-
12 tions for standard federally assisted storage
13 project sponsors to apply for funding for the
14 design, study, construction, expansion, upgrade
15 or capital repair of a standard federally assisted
16 storage project; and

17 (C) permit the Secretary to fund up to 25
18 percent of the total cost of a federally assisted
19 storage project.

20 (2) SELECTION OF PROJECTS.—In making
21 grants under this subsection, the Secretary shall give
22 funding priority to projects that—

23 (A) provide greater water supply reliability
24 benefits for States and local governments, in-
25 cluding through aquifer storage and recovery

1 wells, in-lieu recharge activities that could be
2 effectuated or expanded through additional in-
3 frastructure investments including interties,
4 and the establishment and use of recharge
5 ponds, including in an urban environment;

6 (B) provide greater fish and wildlife bene-
7 fits; and

8 (C) cost not more than \$30,000,000 to
9 allow greater participation and wider distribu-
10 tion of funds and program benefits.

11 (3) CONDITIONS FOR FEDERAL DESIGN AND
12 STUDY FUNDING.—The Secretary may fund a design
13 or study activity for a standard federally assisted
14 storage project under this subsection if the Governor
15 of the State in which the federally assisted storage
16 project is located provides written concurrence for
17 design and study activities.

18 (4) CONDITIONS FOR FEDERAL CONSTRUCTION
19 FUNDING.—Funding provided under this subsection
20 for the construction of a standard federally assisted
21 storage project may be made available to a project
22 if—

23 (A) the Governor of the State in which the
24 federally assisted storage project is located has

1 requested Federal participation at the time con-
2 struction was initiated; and

3 (B) the Secretary determines or the appli-
4 cable non-Federal sponsor determines through
5 the preparation of a feasibility or equivalent
6 study prepared in accordance with paragraph
7 (7), and the Secretary concurs, that—

8 (i) the standard federally assisted
9 storage project is technically and finan-
10 cially feasible;

11 (ii) the standard federally assisted
12 storage project provides water supply reli-
13 ability benefits for a State or local govern-
14 ment and fish and wildlife benefits; and

15 (iii) in return for the Federal cost-
16 share investment in the project, at least a
17 proportionate share of the project benefits
18 are for non-reimbursable expenses author-
19 ized under the reclamation laws or for fish
20 and wildlife benefits as defined in this sec-
21 tion, which shall be considered a fully non-
22 reimbursable Federal expenditure; and

23 (C) the Secretary secures an agreement
24 committing to pay the non-Federal share of the
25 construction costs of the project.

1 (5) NOTIFICATION.—The Secretary shall sub-
2 mit to the relevant committees of Congress and
3 make publicly available on the internet a written no-
4 tification of the Secretary’s determinations regarding
5 the satisfaction of the requirements under para-
6 graphs (3) and (4) by not later than 30 days after
7 the date of the determinations.

8 (6) ENVIRONMENTAL LAWS.—In participating
9 in a standard federally assisted storage project
10 under this subsection, the Secretary shall comply
11 with all applicable Federal environmental laws, in-
12 cluding the National Environmental Policy Act of
13 1969 (42 U.S.C. 4321 et seq.), and all State envi-
14 ronmental laws of the Reclamation State in which
15 the project is located involving the construction, ex-
16 pansion or operation of a water storage project or
17 fish and wildlife protection, provided that no law or
18 regulation of a State or political subdivision of a
19 State relieve the Secretary of any Federal require-
20 ment otherwise applicable under this section.

21 (7) INFORMATION.—

22 (A) IN GENERAL.—In participating in a
23 standard federally assisted storage project
24 under this subsection, the Secretary—

1 (i) may consider the use of feasibility
2 or equivalent studies prepared by the spon-
3 sor of the standard federally assisted stor-
4 age project; but

5 (ii) shall retain responsibility for de-
6 termining whether the feasibility or equiva-
7 lent studies satisfy the requirements of re-
8 ports prepared by the Secretary.

9 (B) GUIDELINES.—

10 (i) DRAFT.—Not later than 180 days
11 after the date of the enactment of this Act,
12 the Secretary shall issue draft guidelines
13 for feasibility or equivalent studies for
14 standard federally assisted storage projects
15 prepared by a project sponsor that shall be
16 consistent with requirements for a title
17 XVI Feasibility Study Report, including
18 the economic analysis, contained in the
19 Reclamation Manual Directives and Stand-
20 ards numbered WTR 11–01, subject to—

21 (I) any additional requirements
22 necessary to provide sufficient infor-
23 mation for making any determinations
24 or assessments under paragraphs (2),
25 (3) and (4); and

1 (II) the condition that the De-
2 partment of the Interior shall not
3 bear responsibility for the technical
4 adequacy of any design, cost estimate,
5 or construction relating to a standard
6 federally assisted storage project.

7 (ii) FINAL.—The Secretary shall final-
8 ize the guidelines under clause (i) by not
9 later than 1 year after the date of the en-
10 actment of this Act.

11 (C) TECHNICAL ASSISTANCE FOR FEASI-
12 BILITY STUDIES.—

13 (i) TECHNICAL ASSISTANCE.—At the
14 request of an eligible entity or qualified
15 partner, the Secretary shall provide to the
16 eligible entity or qualified partner technical
17 assistance relating to any aspect of a feasi-
18 bility study carried out by an eligible entity
19 or qualified partner under this subsection
20 if the eligible entity or qualified partner
21 contracts with the Secretary to pay all
22 costs of providing the technical assistance.

23 (ii) IMPARTIAL DECISIONMAKING.—In
24 providing technical assistance under clause
25 (i), the Secretary shall ensure that the use

1 of funds accepted from an eligible entity or
2 qualified partner will not affect the impar-
3 tial decisionmaking responsibilities of the
4 Secretary, either substantively or proce-
5 durally.

6 (iii) EFFECT OF TECHNICAL ASSIST-
7 ANCE.—The provision of technical assist-
8 ance by the Secretary under clause (i) shall
9 not be considered to be an approval or en-
10 dorsement of a feasibility study.

11 (8) COMMITTEE RESOLUTION PROCEDURE.—

12 (A) IN GENERAL.—No appropriation shall
13 be made for a standard federally assisted stor-
14 age project under this subsection, the total esti-
15 mated cost of which exceeds \$100,000,000, if
16 such project has not been approved by a resolu-
17 tion adopted by the Committee on Natural Re-
18 sources of the House of Representatives and the
19 Committee on Energy and Natural Resources of
20 the Senate.

21 (B) REQUIREMENTS FOR SECURING CON-
22 sideration.—For the purposes of securing
23 consideration of approval under subparagraph
24 (A), the Secretary shall provide to a committee
25 referred to in subparagraph (A) such informa-

1 tion as the committee requests and the non-
2 Federal sponsor shall provide to the committee
3 information on the costs and relative needs for
4 the federally assisted storage project.

5 (9) ELIGIBLE PARTNER.—The Secretary is au-
6 thorized to participate in a restoration project de-
7 scribed in subsection (a)(7)(B) with a partner that
8 is—

9 (A) an eligible entity as defined in sub-
10 section (a)(2); or

11 (B) a qualified partner as defined in sub-
12 section (a)(8).

13 (g) FISH AND WILDLIFE LOSSES AND BENEFITS.—

14 (1) DEFINITIONS.—In this subsection—

15 (A) The term “Best available scientific in-
16 formation and data” means the use of the high-
17 value information and data, specific to the deci-
18 sion being made and the time frame available
19 for making that decision, to inform and assist
20 management and policy decisions;

21 (B) The term “Director” means—

22 (i) the Director of the United States
23 Fish and Wildlife Service; or

24 (ii) the United States Secretary of
25 Commerce, acting through the Assistant

1 Administrator of the National Marine
2 Fisheries Service, if a determination or
3 fish and wildlife estimate made under this
4 subsection is for an anadromous species or
5 catadromous species.

6 (C) The term “major water storage
7 project” means a major federally assisted stor-
8 age project or Federal storage project as de-
9 fined under section 81212.

10 (2) PURPOSES.—The purposes of this sub-
11 section are the following:

12 (A) To reverse widespread fish and wildlife
13 species decline in the Reclamation States.

14 (B) To help fund and assist in the prepa-
15 ration of reports required under the Fish and
16 Wildlife Coordination Act for proposed water
17 development projects.

18 (C) To instruct the Director to prepare a
19 report described in section 2(b) of the Fish and
20 Wildlife Coordination Act (16 U.S.C. 662(b))
21 for each major water storage project that in-
22 cludes an estimate of fish and wildlife losses
23 and fish and wildlife benefits derived from each
24 such project, based on the best available sci-
25 entific information and data.

1 (D) To direct Federal funds to major
2 water storage projects that provide demon-
3 strable, measurable fish and wildlife benefits
4 and associated ecosystem services benefits for
5 taxpayers based on objective data and the ex-
6 pertise of the primary Federal agency with ju-
7 risdiction over the management of fish and
8 wildlife resources.

9 (E) To ensure that Federal funds provided
10 for fish and wildlife purposes under this section
11 are used effectively in a manner that maximizes
12 positive outcomes for fish and wildlife and asso-
13 ciated ecosystem services benefits for taxpayers,
14 including benefits related to the domestic sea-
15 food supply and the enhancement and expan-
16 sion of hunting, fishing, and other fish and
17 wildlife related outdoor recreation opportunities
18 within the Reclamation States.

19 (3) ESTIMATION OF FISH AND WILDLIFE BENE-
20 FITS AND LOSSES UNDER THE FISH AND WILDLIFE
21 COORDINATION ACT.—The Director shall prepare a
22 report described in section 2(b) of the Fish and
23 Wildlife Coordination Act (16 U.S.C. 662(b)), for
24 each major water storage project that—

1 (A) is based on the best available scientific
2 information and data available; and

3 (B) includes an estimate of fish and wild-
4 life losses and fish and wildlife benefits derived
5 from a major water storage project determined
6 in accordance with this subsection.

7 (4) DRAFT ESTIMATE.—

8 (A) USE OF BEST AVAILABLE SCIENTIFIC
9 INFORMATION AND DATA AVAILABLE.—The Di-
10 rector shall include in the Fish and Wildlife Co-
11 ordination Act report prepared under paragraph
12 (3) a draft estimate of fish and wildlife losses
13 and fish and wildlife benefits derived from a
14 major water storage project.

15 (B) COORDINATION.—A draft estimate re-
16 quired under subparagraph (A) shall be pre-
17 pared in coordination with the head of the State
18 agency with jurisdiction over the fish and wild-
19 life resources of the State in which the major
20 water storage project is proposed to be carried
21 out.

22 (C) APPLICABLE LAW; REQUIREMENTS.—
23 The draft estimate prepared under this para-
24 graph shall—

1 (i) meet all the evaluation require-
2 ments of section 2(b) of the Fish and
3 Wildlife Coordination Act (16 U.S.C.
4 662(b)) unless otherwise specified in this
5 subsection;

6 (ii) quantify and estimate the fish and
7 wildlife benefits and any losses to native
8 fish and wildlife from the proposed major
9 water storage project; and

10 (iii) estimate whether the fish and
11 wildlife benefits derived from the proposed
12 major water storage project are likely to
13 exceed the adverse fish and wildlife im-
14 pacts.

15 (D) REVIEW; AVAILABILITY.—The Direc-
16 tor shall ensure that any draft estimate pre-
17 pared under this paragraph is—

18 (i) made available for peer review by
19 an independent group of scientific experts;
20 and

21 (ii) made available for a public review
22 and comment period of not less than 30
23 days.

24 (5) FINAL ESTIMATE.—Using the best available
25 scientific information and data, the Director shall

1 prepare a final estimate of fish and wildlife benefits
2 for each proposed major water storage project based
3 on the applicable draft estimate prepared under
4 paragraph (4), after considering the results of the
5 independent scientific peer review and public com-
6 ment processes under paragraph (4)(D).

7 (6) TRANSMISSION; AVAILABILITY.—A final es-
8 timate prepared under paragraph (5) shall be—

9 (A) transmitted to—

10 (i) the project applicant;

11 (ii) the relevant State agency; and

12 (B) made available to the public.

13 (7) RECOMMENDATIONS.—If a final estimate
14 under paragraph (5) determines that the proposed
15 major water storage project fails to provide fish and
16 wildlife benefits, the final estimate may identify po-
17 tential recommendations to enable the project to
18 provide fish and wildlife benefits or to reduce the
19 project’s adverse fish and wildlife impacts.

20 (8) IMPORTATION OF REVIEW STANDARDS.—

21 Sections 207(i) and 207(j) of the Reclamation
22 Projects Authorization and Adjustment Act of 1992
23 (Public Law 102–575; 106 Stat. 4709) shall apply
24 to a final estimate prepared under paragraph (5),
25 except that—

1 (A) any reference contained in those sec-
2 tions to the Secretary shall be considered to be
3 a reference to the Director as defined in this
4 subsection;

5 (B) any reference contained in those sec-
6 tions to determination or determinations shall
7 be considered to be a reference to estimate or
8 estimates described in this subsection; and

9 (C) any reference contained in those sec-
10 tions to subsections (b), (f)(1), or (g) shall be
11 considered to be a reference to paragraph (5) of
12 this subsection.

13 (D) any reference contained in those sec-
14 tions to “this subsection” shall be considered to
15 be a reference to section 81213(g) of the Mov-
16 ing Forward Act.

17 (9) FUNDING FOR ESTIMATES.—There is au-
18 thorized to be appropriated \$10,000,000 through fis-
19 cal year 2026 for the United States Fish and Wild-
20 life Service to prepare draft estimates under para-
21 graph (4) and final estimates under paragraph (5).

22 (10) ADDITIONAL FUNDING FOR ESTIMATES.—
23 The authority under section 662(e) of the Fish and
24 Wildlife Coordination Act (16 U.S.C. 662(b)) to
25 transfer funds from the Bureau of Reclamation to

1 the United States Fish and Wildlife Service for Fish
2 and Wildlife Coordination Act reports for proposed
3 water development projects shall be deemed to ex-
4 tend to the preparation of a draft or final estimate
5 prepared under paragraphs (4) or (5), provided that
6 any transfer of funds generally adheres to the 1981
7 Transfer Funding Agreement between the United
8 States Fish and Wildlife Service and the Bureau of
9 Reclamation or any successor agreement, to the ex-
10 tent that any such agreement is consistent with the
11 requirements of this subsection.

12 (11) AGENCY RESPONSIBILITIES.—The respon-
13 sibility for preparing a draft and final estimate
14 under this subsection shall reside with the United
15 States Fish and Wildlife Service and may not be del-
16 egated to another entity, including another Federal
17 agency or bureau, except for the United States Sec-
18 retary of Commerce, acting through the Assistant
19 Administrator of the National Marine Fisheries
20 Service, for the preparation of a draft or final esti-
21 mate for anadromous species or catadromous spe-
22 cies.

23 (12) USE OF FISH AND WILDLIFE ESTIMATES
24 TO INFORM FEDERAL SPENDING FOR FISH AND
25 WILDLIFE PURPOSES.—With respect to a major

1 water storage project considered for Federal funding
2 under this section, the Director shall determine costs
3 allocated to the specific purpose of providing fish
4 and wildlife benefits, based on the fish and wildlife
5 benefits estimate for the applicable project or the
6 best available scientific information and data avail-
7 able at the time a cost allocation determination is
8 made. In determining a cost allocation under this
9 paragraph, the Director shall consult with the Com-
10 missioner of the Bureau of Reclamation and may
11 make a cost allocation determination for fish and
12 wildlife benefits in accordance with existing cost allo-
13 cation procedures, to the extent that such proce-
14 dures are consistent with the requirements of this
15 subsection. Cost allocation determinations for all
16 other non-reimbursable or reimbursable project pur-
17 poses for a major water storage project advanced
18 under this section shall be determined in accordance
19 with existing cost allocation procedures under the
20 reclamation laws.

21 (h) PRELIMINARY STUDIES.—Of the amounts made
22 available under subsection (b), not more than 25 percent
23 shall be provided for appraisal studies, feasibility studies,
24 or other preliminary studies.

1 (i) PROVIDING GREATER FEDERAL FUNDING AND
2 SUPPORT FOR MULTI-BENEFIT STORAGE PROJECTS.—
3 Notwithstanding any non-Federal cost share requirement
4 under the reclamation laws for water development
5 projects, any cost allocated to a water storage project
6 under this section for the sole purpose of providing fish
7 and wildlife benefits, determined in accordance with all ap-
8 plicable requirements under this section, shall be consid-
9 ered a 100 percent non-reimbursable Federal cost.

10 (j) CALFED REAUTHORIZATION.—

11 (1) REAUTHORIZATION.—Title I of Public Law
12 108–361 (118 Stat. 1681; 123 Stat. 2860; 128 Stat.
13 164; 128 Stat. 2312; 129 Stat. 2407; 130 Stat.
14 1866) is amended by striking “2020” each place it
15 appears and inserting “2024”.

16 (2) CALFED DESCRIPTION OF ACTIVITIES.—
17 Subparagraph 103(f)(1)(A) of Public Law 108–361
18 (118 Stat. 1694) is amended by striking “, except
19 that” and all that follows through the end of the
20 subparagraph.

21 (k) EFFECT.—Nothing in this section is intended to
22 authorize Federal funds made available under subsection
23 (b) for a project led by a non-profit organization, as de-
24 scribed in subsection (a)(7), except for a project that is
25 a natural water storage project or forest restoration, wa-

1 tersed restoration or other restoration project that re-
2 duces the risk of water storage loss described in subsection
3 (a).

4 **SEC. 81214. EXTENSION OF EXISTING REQUIREMENTS FOR**
5 **GRANDFATHERED STORAGE PROJECTS.**

6 (a) PURPOSE; DEFINITION.—

7 (1) PURPOSE.—The purpose of this section is
8 to establish an expedited project advancement proc-
9 ess for certain water storage projects that have al-
10 ready received some degree of evaluation under the
11 Water Infrastructure Improvements for the Nation
12 Act (Public Law 114–322) or under certain State
13 water storage project evaluations.

14 (2) DEFINITION OF GRANDFATHERED STORAGE
15 PROJECT.—In this section, the term “grandfathered
16 storage project” means a storage project that has al-
17 ready been recommended for funding made available
18 under section 4007 of the Water Infrastructure Im-
19 provements for the Nation Act (Public Law 114–
20 322) by the Secretary or a State governor prior to
21 June 1, 2020, except for any project within the
22 State of California that—

23 (A) has been evaluated for State storage
24 funding awards by the California Water Com-
25 mission pursuant to the California Water Qual-