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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To amend the Infrastructure Investment and Jobs Act to increase surface water and groundwater storage, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. COSTA introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Infrastructure Investment and Jobs Act to increase surface water and groundwater storage, 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 “Every Drop Counts
5 Act”.

6 **SEC. 2. ELIGIBLE WATER STORAGE PROJECTS.**

7 (a) IN GENERAL.—Subparagraph (B) of section
8 40903(b)(1) of the Infrastructure Investment and Jobs

1 Act (43 U.S.C. 3203(b)(1)(B)) is amended to read as fol-
2 lows:

3 “(B) ELIGIBLE PROJECTS.—The following
4 projects shall be eligible for consideration for a
5 grant under this section:

6 “(i) GENERAL ACRE-FEET CAPAC-
7 ITY.—A project that—

8 “(I) has water storage capacity
9 of not less than 200 acre-feet and not
10 more than 30,000 acre-feet; and

11 “(II)(aa) increases surface water
12 or groundwater storage; or

13 “(bb) conveys water, directly or
14 indirectly, to or from surface water or
15 groundwater storage.

16 “(ii) AVERAGE ANNUAL PROJECT LIFE
17 ACRE-FEET CAPACITY.—A project that—

18 “(I) has water storage capacity
19 of recharges not less than 200 acre-
20 feet and not more than 150,000 acre-
21 feet on an average annual basis over
22 the life of the project for storage or
23 use; and

24 “(II)(aa) increases groundwater
25 aquifer storage;

1 “(bb) conveys water, directly or
2 indirectly, to or recovers water from
3 groundwater storage;

4 “(cc) both increases groundwater
5 aquifer storage and conveys water, di-
6 rectly or indirectly, to or recovers
7 water from groundwater storage;

8 “(dd) stabilizes groundwater lev-
9 els.”.

10 (b) **AUTHORITY.**—Section 40903(e) of the Infrastruc-
11 ture Investment and Jobs Act (43 U.S.C. 3203(e)) is
12 amended by striking “5” and inserting “10”.

13 **SEC. 3. STATUTORY CONSTRUCTION.**

14 Nothing in the amendment made by section 2 shall
15 be construed—

16 (1) to supersede or in any manner affect or
17 conflict with State water law, Federal water law,
18 interstate compacts, or treaty obligations;

19 (2) to authorize any acquisition of water by the
20 Federal Government; or

21 (3) to supersede or infringe on any water
22 rights.