

119TH CONGRESS
1ST SESSION

H. R. 338

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 13, 2025

Mr. COSTA (for himself, Mr. FULCHER, and Mr. VALADAO) introduced the following bill; which was referred to the Committee on Natural Resources

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

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

“(i) GENERAL ACRE-FEET CAPACITY.—A project that—

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

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

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

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

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

“(II)(aa) increases groundwater 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; and

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.

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