

December 19, 2016

President Signs Sweeping Water Legislation to Address Nation's Water Woes and to Aid Parched California

On Friday, President Obama signed S. 612, the **Water Infrastructure Improvements for the Nation** (WIIN) Act into law, a bipartisan bill authorizing the U.S. Army Corps of Engineers to execute water infrastructure projects. The \$12 billion measure authorizes funding for numerous water, wastewater, and flood protection projects throughout the nation. Notably, WIIN is seen as a huge victory for certain stakeholders in California as it will increase water deliveries to drought-stricken Southern California and Central Valley farmers. It will also fund new water supply projects and ecosystem restoration for some of the state's most sensitive water bodies.

WIIN includes \$558 million in funding for California to augment state and local funding sources for 137 water supply projects previously identified in the **Feinstein drought bill** (S. 2533). **Key projects** include the Los Angeles River Ecosystem Restoration Project, flood protection for West Sacramento, the San Francisco shoreline and the American and Sacramento Rivers, Salton Sea restoration and harbor maintenance for ports in Hueneme and San Diego. WIIN also reauthorizes the Lake Tahoe Restoration Act to support continued efforts to improve water quality, restore habitat and combat the spread of invasive species throughout the Lake Tahoe watershed.

Funding earmarked for California includes:

- \$335 million for storage and groundwater projects
- \$30 million for desalination projects
- \$100 million for WaterSMART projects including water recycling, reuse and conservation
- \$43 million for endangered fish and wildlife projects, including fish passage, spawning habitat, water purchases to support sufficient flow and refuges

WIIN also aims to address California's ongoing drought by: (1) easing environmental restrictions that limit the amount of water that can be captured from the Bay-Delta and (2) expediting water transfers to encourage the sale of Central Valley and State Water Project water to drier regions. For example, WIIN requires daily monitoring of fish to enable the Delta pumps to operate more efficiently, ends the Delta's winter storm "payback" requirement to capture more water during winter storms, and requires agencies to maximize water supplies. WIIN also extends the water transfer window by five months (April to November) to make more state and federal project water available during the spring planting season and requires expedited review of water transfer applications. The Delta-related provisions are set to expire after five years, the anticipated timeline of drought recovery.

While Sen. Barbara Boxer and environmental groups oppose diverting more water to Southern California water users and San Joaquin Valley agriculture, WIIN includes a savings clause that Sen. Feinstein notes "**is stronger than the clause included in Feinstein's February 2016 drought bill**" that "**prohibits any federal agency from taking any action that would violate any environmental laws, including the Endangered Species Act and biological opinions**" and "**makes clear nothing in the bill overrides or amends any obligations to manage coastal fisheries off the Coasts of California, Oregon and Washington.**" WIIN also includes funding to improve salmon habitat on the Sacramento River and to conduct further Delta smelt studies.

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California water agencies are optimistic that this legislation, which was overwhelmingly approved by Congress, will “**substantially complement and support the goals of Governor Brown’s comprehensive California Water Action Plan, including investing in drought resilience and ecosystem improvements.**”

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