



MEMORANDUM

TO: Water Resources Committee and Alternates, Board of Directors and Alternates

FROM: Scott Petersen, Water Policy Director

DATE: August 5, 2024

RE: Water Resources Committee to Consider Recommendations on Legislation /
Board of Directors to Consider Same

Recommendation

Recommend to the Board of Directors to adopt the following positions on legislation:

Support

- Adopt a position of “Support” on H.R. 5770 (Neguse), Water Monitoring and Tracking Essential Resources (WATER) Data Improvement Act
- Adopt a position of “Support” on H.R. 8308 (Harder), Nutria Eradication and Control Reauthorization Act of 2024

Federal Legislation

[H.R. 5770 \(Neguse\), Water Monitoring and Tracking Essential Resources \(WATER\) Data Improvement Act.](#)

RECOMMENDATION: Support

OBJECTIVE: Restore Central Valley Project Water Supply for Member Agencies, Improve Water Infrastructure Affecting Authority Member Agencies

Summary

This bill reauthorizes through FY2028 the United States Geological Survey's (1) Federal Priority Streamgauge network—previously known as the National Streamflow Information Program—that tracks the amount of water in streams and rivers; (2) groundwater monitoring program, including the National Groundwater Monitoring Network; and (3) grants for water estimation, measurement, and monitoring technologies and methodologies.

Status

H.R. 5770 was introduced on September 27, 2023, passed the U.S. House of Representatives on July 8, 2024, and has been referred to the Senate Committee on Energy and Natural Resources.



Importance to the Authority

The [Federal Priority Streamgage Program](#) and the [National Groundwater Resources Monitoring Program](#) both provide important datasets to enable more data-driven water management, in California and throughout the United States. There are a number of inactive sites in California that could be activated with sufficient federal funding for these programs, and this legislation would continue funding at current authorized levels of \$4 million annually.

Continuing the current authorization provides SLDMWA the opportunity to engage with USGS and Reclamation to expand the streamgage and Groundwater Monitoring network, working through the appropriations process, to collect additional data to inform improved water management.

Background

The water division under the U.S. Geological Survey (USGS) is charged with monitoring, assessing, conducting targeted research, and delivering information on water resources and conditions. As amended, H.R. 5770 reauthorizes the Federal Priority Streamgage (FPS) Program, the National Groundwater Resources Monitoring Program, and the Next Generation Water Observing System administered by the USGS through FY 2028 at existing funding levels.

The Federal Priority Streamgage (FPS) Program administers monitoring stations that track the amount of water in streams and rivers across the country. As of 2021, the USGS operated approximately 3,640 streamgages that were identified as meeting one or more federal priorities and responsibilities, which include:

- Forecasting floods, droughts, and other streamflow;
- Supporting water-quality assessments of major rivers and estuaries;
- Supporting interstate and international compacts, court decrees, treaties, and other border water agreements; and
- Tracking streamflow in major rivers and contributions from key basins to the next downstream basin, estuary, ocean, or the Great Lakes.

According to USGS, the priority streamgages work in concert with “the larger USGS streamgaging network of 11,531 sites nationwide with over 1,800 Federal, State, tribal, and local agencies or organizations.”

The National Groundwater Resources Monitoring Program administers a network of 17,665 water-level wells and 4,068 water-quality wells. These wells provide data to the public on the health of groundwater supply and quality in different geographic areas that can be used for planning, managing, and developing groundwater supply needs. This information is available to the public via the National Groundwater Monitoring Network Data Portal.



H.R. 8308 (Harder), Nutria Eradication and Control Reauthorization Act of 2024.

RECOMMENDATION: Support

OBJECTIVE: Restore Central Valley Project Water Supply for Member Agencies, Improve Water Infrastructure Affecting Authority Member Agencies

Summary

Amends the Nutria Eradication and Control Act of 2003 to extend the authorization of nutria control programs from 2025 to 2030.

Status

H.R. 8308 was introduced on May 8, 2024, and was referred to the House Natural Resources Subcommittee on Water, Wildlife, and Fisheries, where a hearing was held on the bill on July 9, 2024.

Importance to the Authority

Nutria breed rapidly and have destructive tendencies that can lead to breached levees, extensive erosion, damage to native vegetation and agricultural crops, displacement of indigenous species, and disease and parasite introduction, and they are found in California, particularly in and around the San Joaquin Valley, with Merced County being a particular hotspot. Nutria can damage infrastructure, particularly water conveyance infrastructure and increase O&M costs.

The Service is currently authorized to provide \$12 million annually in grant funding to states with nutria infestations and demonstrated need for assistance. H.R. 8308 extends these authorities and the current authorized appropriations through fiscal year 2030.

Guidelines for Taking Positions on Legislation

A number of controversial bills are introduced each year in the Congress and in the California Legislature. It is important to understand how the Authority takes positions on legislation.

Policy

By Agenda Item 7, dated December 7, 2023, the Board adopted the Fiscal Year 2025 Objectives.

Water Authority's Positions on Legislation

The Water Authority takes positions on legislation that, if enacted, would impact Water Authority members, consistent with Water Authority Board adopted Goals and Objectives. The Water Authority may take the following positions on legislation: Oppose, Support, Oppose Unless Amended, Support if Amended, Not Favor, Favor, Not Favor Unless Amended, Favor if Amended, and Watch (neutral). The Water Authority's staff and consultants testify and advocate with legislators and staff through meetings and member agency contacts on all positions except Watch, Favor and Not Favor. For Favor and Not Favor positions, written communication of the Water Authority's position is provided to the legislator. Nothing in this section should be read to preclude the Executive Director or his or her delegee from taking an informal support or informal oppose position on behalf of the Water Authority that is consistent with adopted legislative or policy objectives, or to preclude the Executive Director from communicating a position on emergency legislation after obtaining the concurrence of the Chair, or the Chair's designee,



provided that the Executive Director informs the Board regarding such positions on emergency legislation no later than the next regularly scheduled Board meeting.

Amendment Development Process

If the Water Authority takes an Oppose Unless Amended or Support if Amended position, the Water Authority will typically discuss the concepts for the amendments at the meeting. Then Water Authority staff, in consultation with Committee and/or Board Members as needed, will develop the amendments after the meeting.

Information Sharing

To provide adequate information to the entire Water Authority membership, the Water Authority provides legislative updates, posts positions and other information on our website, and sends out advisories and alerts on key legislation.

The Water Authority's legislative department is available to provide specific information on bills on request and Board Members are encouraged to communicate Water Authority positions on priority legislation in meetings with legislative staff, consistent with Water Authority policy. The Water Authority's Water Policy Director appreciates being informed by Water Authority members of positions taken by Water Authority members on legislation.

BILL TEXT

118TH CONGRESS
2D SESSION

H. R. 5770

IN THE SENATE OF THE UNITED STATES

JULY 9, 2024

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To reauthorize certain United States Geological Survey water
data enhancement programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Water Monitoring and
3 Tracking Essential Resources (WATER) Data Improve-
4 ment Act”.

5 **SEC. 2. WATER DATA ENHANCEMENT BY UNITED STATES**
6 **GEOLOGICAL SURVEY.**

7 Section 9507 of the Omnibus Public Land Manage-
8 ment Act of 2009 (42 U.S.C. 10367) is amended—

9 (1) in subsection (a)—

10 (A) by striking the heading and inserting
11 “FEDERAL PRIORITY STREAMGAGE PROGRAM”;

12 (B) in paragraph (1), by striking “national
13 streamflow information program, as reviewed by
14 the National Research Council in 2004” and in-
15 serting “Federal priority streamgage program”;

16 (C) in paragraph (2), by striking “national
17 streamflow information program” each place it
18 appears and inserting “Federal priority
19 streamgage program”;

20 (D) in paragraph (4)—

21 (i) in subparagraph (A)—

22 (I) by striking “2009” and in-
23 serting “2023”; and

24 (II) in clause (ii), by inserting
25 “precipitation” before “water-quality
26 sensors”; and

1 (ii) in subparagraph (B), by striking
2 “National Streamflow Information Pro-
3 gram as reviewed by the National Research
4 Council.” and inserting “Federal needs es-
5 tablished through regular solicitation of
6 feedback, such as that documented in the
7 report titled ‘Re-prioritization of the U.S.
8 Geological Survey Federal Priority
9 streamgauge program, 2022’ (Open-file Re-
10 port 2023-1032).”;

11 (E) in paragraph (5), by striking “national
12 streamgaging network” each place it appears
13 and inserting “Federal priority streamgauge net-
14 work”;

15 (F) in paragraph (6)—

16 (i) in subparagraph (A)—

17 (I) by striking “national
18 streamflow information program” and
19 inserting “Federal priority
20 streamgauge program”;

21 (II) by striking “2023” and in-
22 serting “2028”;

23 (ii) in subparagraph (B), by striking
24 “2019” and inserting “2028”;

25 (2) in subsection (b)—

- 1 (A) in paragraph (2)—
- 2 (i) in subparagraph (B), by inserting
- 3 “and Tribes” after “agencies” and
- 4 (ii) in subparagraph (C)—
- 5 (I) by inserting “or Tribal lands”
- 6 after “within a State”; and
- 7 (II) by inserting “or Tribe” after
- 8 “water resource agency”;
- 9 (B) in paragraph (6), by inserting “, a
- 10 Tribe” after “a State”; and
- 11 (C) in paragraph (7)—
- 12 (i) by striking “such sums as are nec-
- 13 essary” and inserting “\$4,000,000 per fis-
- 14 cal year”; and
- 15 (ii) by striking “2009 through 2023”
- 16 and inserting “2023 through 2028”;
- 17 (3) by striking subsection (c);
- 18 (4) by redesignating subsection (d) as sub-
- 19 section (c); and

1 (5) in subsection (c)(4) (as so redesignated by
2 this subsection), by striking “2019” and inserting
3 “2028”.

Passed the House of Representatives July 8, 2024.

Attest: KEVIN F. MCCUMBER,
Clerk.

118TH CONGRESS
2D SESSION

H. R. 8308

To reauthorize the Nutria Eradication and Control Act of 2003.

IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2024

Mr. HARDER of California (for himself, Mr. GRAVES of Louisiana, Mr. VALADAO, Mr. GARAMENDI, and Mr. PANETTA) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To reauthorize the Nutria Eradication and Control Act of 2003.

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 “Nutria Eradication
5 and Control Reauthorization Act of 2024”.

6 **SEC. 2. REAUTHORIZATION OF NUTRIA ERADICATION AND**
7 **CONTROL ACT OF 2003.**

8 (a) IN GENERAL.—Section 3(e) of the Nutria Eradi-
9 cation and Control Act of 2003 (16 U.S.C. 8102(e)) is
10 amended by striking “2025” and inserting “2030”.

1 (b) TECHNICAL CORRECTION.—Section 3(a) of the
2 Nutria Eradication and Control Act of 2003 (16 U.S.C.
3 8102(a)) is amended by striking “‘Secretary),” and in-
4 serting “‘Secretary)’”.

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