

1 **DIVISION H—WATER**
 2 **RESOURCES**
 3 **TITLE LXXXI—WATER RE-**
 4 **SOURCES DEVELOPMENT ACT**
 5 **OF 2022**

4 **SEC. 8311. ACEQUIAS IRRIGATION SYSTEMS.**

5 Section 1113 of the Water Resources Development
 6 Act of 1986 (100 Stat. 4232; 110 Stat. 3719) is amend-
 7 ed—

8 (1) in subsection (b)—

9 (A) by striking “(b) Subject to section
 10 903(a) of this Act, the Secretary is authorized
 11 and directed to undertake” and inserting the
 12 following:

13 “(b) **AUTHORIZATION.**—The Secretary shall carry
 14 out”; and

15 (B) by striking “canals” and all that fol-
 16 lows through “100 percent.” and inserting the
 17 following: “channels attendant to the operations
 18 of the community ditch and Acequia systems in
 19 New Mexico that—

20 “(1) are declared to be a political subdivision of
 21 the State; or

22 “(2) belong to an Indian Tribe (as defined in
 23 section 4 of the Indian Self-Determination and Edu-
 24 cation Assistance Act (25 U.S.C. 5304)).”;

1 (2) by redesignating subsection (c) as sub-
 2 section (f);

3 (3) by inserting after subsection (b) the fol-
 4 lowing:

5 “(c) **INCLUSIONS.**—The measures described in sub-
 6 section (b) shall, to the maximum extent practicable—

7 “(1) ensure greater resiliency of diversion struc-
 8 tures, including to flow variations, prolonged
 9 drought conditions, invasive plant species, and

10 threats from changing hydrological and climatic con-
11 ditions; or

12 “(2) support research, development, and train-
13 ing for innovative management solutions, including
14 those for controlling invasive aquatic plants that af-
15 fect acequias.

16 “(d) COST SHARING.—The non-Federal share of the
17 cost of carrying out the measures described in subsection
18 (b), including study costs, shall be 25 percent, except that
19 in the case of a measure benefitting an economically dis-
20 advantaged community (as defined by the Secretary under
21 section 160 of the Water Resources Development Act of
22 2020 (33 U.S.C. 2201 note)), including economically dis-
23 advantaged communities located in urban and rural areas,
24 the Federal share of the cost of carrying out such measure
25 shall be 90 percent.

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1 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated to carry out the measures
3 described in subsection (b) \$80,000,000.”; and

4 (4) in subsection (f) (as so redesignated)—

5 (A) in the first sentence—

6 (i) by striking “(f) The Secretary is
7 further authorized and directed to” and in-
8 serting the following:

9 “(f) PUBLIC ENTITY STATUS.—

10 “(1) IN GENERAL.—The Secretary shall”; and

11 (ii) by inserting “or belong to an In-
12 dian Tribe within the State of New Mex-
13 ico” after “that State”; and

14 (B) in the second sentence, by striking
15 “This public entity status will allow the officials
16 of these Acequia systems” and inserting the fol-
17 lowing:

18 “(2) EFFECT.—The public entity status pro-
19 vided under paragraph (1) shall allow the officials of
20 the Acequia systems described in such paragraph”.

SEC. 1355. ACEQUILAS IRRIGATION SYSTEMS.

Section 1113 of the Water Resources Development Act of 1986 (100 Stat. 4232; 110 Stat. 3719, 136 Stat. 3781) is amended—

(1) in subsection (d)—

(A) by striking “The non-Federal” and inserting the following:

“(1) IN GENERAL.—The non-Federal”; and

(B) by adding at the end the following:

“(2) PRE-DESIGN PLANNING COSTS.—Notwithstanding paragraph (1), the Federal share of pre-design planning costs under this section shall be 100 percent.”; and

(2) in subsection (e), by striking “\$80,000,000” and inserting “\$90,000,000”.