

WRDA 2022 Exerpts that are relevant to Acequia's

Sec. 341. Acequias irrigation systems

This section amends section 1113 of WRDA 1986 (100 Stat. 4232) to increase the authorization amount for the Acequia program in New Mexico and authorizes the Corps to protect and restore Acequias located on land belonging to a federally recognized Indian Tribe in New Mexico. The non-Federal cost-share is 10 percent when a project benefits an economically disadvantaged community.

SEC. 1113. ACEQUIAS IRRIGATION SYSTEM.

(a)(1) The Congress finds that the irrigation ditch systems in New Mexico, known as the Acequia systems, date from the eighteenth century, and that these early engineering works have significance in the settlement and development of the western portion of the United States.

(2) The Congress, therefore, declares that the restoration and preservation of the Acequia systems has cultural and historic values to the region.

(b) Subject to section 903(a) of this Act, the Secretary is authorized and directed to undertake

(b) Authorization.—Subject to section 903(a), the Secretary shall carry out, without regard to economic analysis, such measures as are necessary to protect and restore the river diversion structures and associated canals attendant to the operations of the community ditch and Acequia systems in New Mexico that are declared to be a political subdivision of the State of New Mexico, at a total cost of \$53,300,000, with an estimated first Federal cost of \$40,000,000 and an estimated first non-Federal cost of \$13,300,000.

The non-Federal share of any work undertaken under this section shall be 25 percent channels attendant to the operations of the community ditch and Acequia systems in New Mexico that—

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

(2) belong to a federally recognized Indian Tribe.

(c) Inclusions.—The measures described in subsection (b) shall, to the maximum extent practicable—

(1) ensure greater resiliency of diversion structures, including to flow variations, prolonged drought conditions, invasive plant species, and threats from changing hydrological and climatic conditions; or

(2) support research, development, and training for innovative management solutions, including those for controlling invasive aquatic plants that affect Acequias.

(d) Costs.—

(1) Total cost.—The measures described in subsection (b) shall be carried out at a total cost of \$80,000,000.

(2) Cost sharing.—

(A) In general.—Except as provided in subparagraph (B), the non-Federal share of the cost of carrying out the measures described in subsection (b) shall be 25 percent.

(B) Special rule.—In the case of a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)), the Federal share of the cost of carrying out the measures described in subsection (b) shall be 90 percent.

(c) (e) The Secretary is further authorized and directed to

(e) Public Entity Status.—

(1) In general.—The Secretary shall consider the historic Acequia systems (community ditches) of the southwestern United States as public entities, if these systems are chartered by the respective State laws as political subdivisions of that State or belong to a federally recognized Indian Tribe within the State of New Mexico. This public entity status will allow the officials of these Acequia systems.

(2) Effect.—The public entity status provided pursuant to paragraph (1) shall allow the officials of the Acequia systems described in that paragraph to enter into agreements and serve as local sponsors of water-related projects of the Secretary.