

119TH CONGRESS
2D SESSION

S. _____

To provide for the establishment of a Water Project Navigators Program,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. HICKENLOOPER (for himself and Mr. MORAN) introduced the following
bill; which was read twice and referred to the Committee on

A BILL

To provide for the establishment of a Water Project
Navigators Program, 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 “Water Project Naviga-
5 tors Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **DISADVANTAGED COMMUNITY.**—Except as
9 otherwise defined by the Secretary of the Interior
10 based on current methodologies, the term “disadvan-

1 taged community” means a community (including a
2 city, town, county, or reasonably isolated and divis-
3 ible segment of a larger municipality) with an an-
4 nual median income that is less than the statewide
5 annual median income for the State in which the
6 community is located, according to the most recent
7 decennial census.

8 (2) ELIGIBLE ENTITY.—The term “eligible enti-
9 ty” means—

10 (A) a State;

11 (B) an Indian Tribe;

12 (C) any acequia, land grant-merced, local
13 government, water supplier, special district,
14 conservation district, or municipal water district
15 located in an eligible State;

16 (D) any State, regional, or local authority
17 located in an eligible State, the members of
18 which include 1 or more organizations with
19 water or power delivery authority;

20 (E) a nonprofit conservation organization
21 with a demonstrated history of working in part-
22 nership with 1 or more entities described in any
23 of subparagraphs (A) through (D); or

24 (F) a combination of entities described in
25 subparagraphs (A) through (E).

1 (3) ELIGIBLE STATE.—The term “eligible
2 State” means—

3 (A) a State or territory described in the
4 first section of the Act of June 17, 1902 (43
5 U.S.C. 391; 32 Stat. 388, chapter 1093);

6 (B) the State of Alaska;

7 (C) the State of Hawaii; and

8 (D) the Commonwealth of Puerto Rico.

9 (4) INDIAN TRIBE.—The term “Indian Tribe”
10 has the meaning given the term in section 4 of the
11 Indian Self-Determination and Education Assistance
12 Act (25 U.S.C. 5304).

13 (5) MULTI-BENEFIT WATER PROJECT.—The
14 term “multi-benefit water project” means any
15 project in an eligible State that—

16 (A) enhances the overall resilience of a
17 community or region to climate-related impacts
18 on water supplies, including through activi-
19 ties—

20 (i) to increase water use efficiency;

21 (ii) to reduce consumptive use of
22 water;

23 (iii) to promote system conservation;

24 (iv) to reduce water supply-demand
25 imbalances;

1 (v) to promote water recycling and
2 other advanced water treatments to aug-
3 ment water supplies;

4 (vi) to improve management or deliv-
5 ery of water resources;

6 (vii) to address risks to water infra-
7 structure from weather-related events and
8 climate change;

9 (viii) to provide or improve access to
10 safe drinking water in communities that
11 lack reliable access to adequate clean water
12 supplies;

13 (ix) to promote investment in the
14 economies of rural communities, Tribal
15 communities, or disadvantaged commu-
16 nities through water projects;

17 (x) to enhance water-based rec-
18 reational opportunities for the benefit of
19 community members and the local rec-
20 reational economy; or

21 (xi) to encourage sustainable surface
22 water or groundwater management; and

23 (B) provides benefits to ecosystems and
24 watersheds, including through activities—

- 1 (i) to conserve or enhance fish and
- 2 wildlife habitat;
- 3 (ii) to protect or improve water qual-
- 4 ity;
- 5 (iii) to improve watershed health and
- 6 function;
- 7 (iv) to protect against invasive species;
- 8 (v) to restore aspects of the natural
- 9 ecosystem; or
- 10 (vi) to maintain sustainable ground-
- 11 water supplies for multiple uses, including
- 12 for riparian or wetland ecosystems.

13 (6) NATURAL FEATURE.—The term “natural
14 feature” means a feature that is created through the
15 action of physical, geological, biological, and chem-
16 ical processes over time.

17 (7) NATURE-BASED FEATURE.—The term “na-
18 ture-based feature” means a feature that is created
19 by human design, engineering, and construction to
20 provide a means to reduce water supply and demand
21 imbalances or drought or flood risk by acting in con-
22 cert with natural processes.

23 (8) PROGRAM.—The term “Program” means
24 the Water Project Navigators Program established
25 under section 3(a).

1 (9) RURAL COMMUNITY.—The term “rural
2 community” means a community or group of com-
3 munities, each of which has a population of not
4 more than 50,000 inhabitants, which may include
5 Indian Tribes, Tribal organizations, dispersed home-
6 sites, and rural areas.

7 (10) SECRETARY.—The term “Secretary”
8 means the Secretary of the Interior (acting through
9 the Commissioner of Reclamation).

10 **SEC. 3. WATER PROJECT NAVIGATORS PROGRAM.**

11 (a) ESTABLISHMENT.—Not later than 180 days after
12 the date of enactment of this Act, the Secretary shall es-
13 tablish a program to support the development and imple-
14 mentation of multi-benefit water projects within eligible
15 States, to be known as the “Water Project Navigators
16 Program”.

17 (b) AUTHORITY.—In carrying out the Program, the
18 Secretary may award grants or cooperative agreements to
19 eligible entities to support the creation or continuation of
20 multi-benefit water project navigator positions.

21 (c) CRITERIA AND GUIDELINES; PRIORITY.—

22 (1) CRITERIA AND GUIDELINES.—

23 (A) IN GENERAL.—The Secretary shall de-
24 velop criteria and guidelines for awarding

1 grants and cooperative agreements under the
2 Program that consider—

3 (i) the potential of the eligible entity
4 to accelerate development and implementa-
5 tion of multi-benefit water projects with-
6 in—

7 (I) the jurisdiction or service
8 area of the eligible entity; or

9 (II) in the case of an eligible en-
10 tity that is a nongovernmental appli-
11 cant, an area in which the eligible en-
12 tity has a demonstrated history of
13 productive engagement with the com-
14 munity and stakeholders;

15 (ii) any history of development of
16 multi-benefit water projects by the eligible
17 entity; and

18 (iii) any potential multi-benefit water
19 projects identified to meet needs in the
20 area to be served by the multi-benefit
21 water project navigator that the eligible
22 entity has not yet implemented due to lack
23 of capacity.

24 (B) PUBLIC COMMENT.—Before finalizing
25 the criteria and guidelines developed under sub-

1 paragraph (A), the Secretary shall make the
2 criteria and guidelines available for public com-
3 ment.

4 (2) PRIORITY.—In awarding grants or coopera-
5 tive agreements under the Program, the Secretary
6 shall prioritize applications from eligible entities that
7 would directly serve Indian Tribes, disadvantaged
8 communities, rural communities, and other eligible
9 entities with limited resources and capacity to de-
10 velop multi-benefit water projects, including—

11 (A) applications from eligible entities—

12 (i) with a demonstrated intent and
13 ability to incorporate improvements to the
14 condition of a natural feature or nature-
15 based feature in multi-benefit water
16 projects designed under the Program;

17 (ii) with demonstrated support from
18 multiple stakeholders, including Indian
19 Tribes, representatives of irrigated agricul-
20 tural production, hydroelectric production,
21 municipal and industrial water users, local
22 governments, community-based organiza-
23 tions, and nonprofit conservation organiza-
24 tions;

1 (iii) that may promote job creation
2 and retention in Tribal communities, dis-
3 advantaged communities, and rural com-
4 munities; and

5 (iv) with the capability to work in co-
6 ordination with other projects that have
7 been funded under, or help advance the ob-
8 jectives of, other Department of the Inte-
9 rior programs, including programs focused
10 on drought resilience and watershed
11 health; and

12 (B) applications that address any other
13 priorities that the Secretary determines to be
14 appropriate.

15 (3) PROHIBITION.—The Secretary may not
16 award a grant or cooperative agreement under the
17 Program that would fund activities to meet existing
18 environmental mitigation or compliance obligations
19 under Federal or State law.

20 (d) DUTIES OF NAVIGATORS.—A multi-benefit water
21 project navigator funded under the Program shall assist
22 the eligible entity in planning, developing, and imple-
23 menting multi-benefit water projects, including—

24 (1) grant writing;

25 (2) project management;

1 (3) technical assistance, such as feasibility, de-
2 sign, preliminary environmental review, and engi-
3 neering; and

4 (4) any other necessary activities.

5 (e) DURATION OF GRANTS AND COOPERATIVE
6 AGREEMENTS.—

7 (1) LIMITATION.—Subject to paragraph (2), a
8 grant or cooperative agreement under the Program
9 shall be limited to a period of not more than 3
10 years.

11 (2) CONTINUATION AND EXTENSION.—At the
12 discretion of the Secretary, the Secretary may issue
13 a continuation grant or extend a cooperative agree-
14 ment awarded under the Program for not more than
15 2 additional years, with additional funding to be
16 awarded, as determined to be appropriate by the
17 Secretary, if the recipient of the grant or cooperative
18 agreement has demonstrated satisfactory perform-
19 ance with implementation of the proposal under the
20 initial grant or cooperative agreement, as determined
21 by the Secretary.

22 (f) CONTINUOUS ENROLLMENT.—The Secretary
23 shall make funding opportunities for the Program avail-
24 able on a regular basis.

25 (g) COST SHARE.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (3), the Federal share of the cost of any activ-
3 ity awarded a grant or cooperative agreement under
4 the Program shall not exceed 75 percent of the cost
5 of the activity carried out under the grant or cooper-
6 ative agreement.

7 (2) FORM OF NON-FEDERAL COST SHARE.—The
8 non-Federal share of the cost of an activity awarded
9 a grant or cooperative agreement under the Program
10 may be in the form of cash or in-kind contributions.

11 (3) REDUCTION; WAIVER.—With respect to a
12 grant or cooperative agreement awarded to an In-
13 dian Tribe, acequia, land grant-merced, disadvan-
14 taged community, or any other eligible entity work-
15 ing in partnership with or on behalf of those entities,
16 the Secretary may reduce or waive the non-Federal
17 share of the cost of any activity that is the subject
18 of the grant or cooperative agreement if the Sec-
19 retary determines that contribution of the non-Fed-
20 eral share would result in a financial hardship for
21 the entity.

22 (h) COORDINATION.—In administering the Program,
23 the Secretary shall coordinate, to the maximum extent
24 practicable, with other Federal, Tribal, State, and local

1 government technical assistance programs to enhance
2 multi-benefit water project development.

3 (i) COMPLIANCE.—A multi-benefit water project nav-
4 igator funded under the Program shall comply with all ap-
5 plicable Federal and State laws in carrying out the duties
6 of the multi-benefit water project navigator under the Pro-
7 gram.

8 (j) REPORT TO CONGRESS.—Not later than 5 years
9 after the date of enactment of this Act, the Secretary shall
10 submit to the Committee on Energy and Natural Re-
11 sources of the Senate and the Committee on Natural Re-
12 sources of the House of Representatives a report that de-
13 scribes—

14 (1) the ways in which the Program assists the
15 Secretary in—

16 (A) reducing basin-wide or aquifer-wide
17 water supply-demand imbalances;

18 (B) enhancing drought and ecosystem re-
19 silience; and

20 (C) supporting multi-benefit water project
21 development and capacity building by disadvan-
22 taged communities, Indian Tribes, rural com-
23 munities, and other eligible entities; and

24 (2) the benefits that the Program provides, in-
25 cluding, to the maximum extent practicable, a quan-

1 titative analysis of the multiple benefits advanced
2 under the Program.

3 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

4 There is authorized to be appropriated to carry out
5 this Act \$15,000,000 for each of fiscal years 2027 through
6 2032, to remain available until expended.