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(Original Signature of Member)

115TH CONGRESS
2D SESSION

H. R. _____

To amend the Endangered Species Act of 1973 to prohibit designation as critical habitat of certain areas in artificial water diversion or delivery facilities.

IN THE HOUSE OF REPRESENTATIVES

Mr. GOSAR introduced the following bill; which was referred to the Committee
on _____

A BILL

To amend the Endangered Species Act of 1973 to prohibit designation as critical habitat of certain areas in artificial water diversion or delivery facilities.

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 “Stop Takings On Re-
5 serves Antithetical to Germane Encapsulation Act of
6 2018” or the “STORAGE Act of 2018”.

1 **SEC. 2. PROHIBITION OF DESIGNATION OF CERTAIN HABI-**
2 **TAT IN AN ARTIFICIAL WATER DELIVERY OR**
3 **STORAGE FACILITY AS CRITICAL HABITAT.**

4 Section 4(a)(3) of the Endangered Species Act of
5 1973 (16 U.S.C. 1533(a)(3)) is amended by adding at the
6 end the following:

7 “(C) The Secretary shall not designate as critical
8 habitat any area in a water storage reservoir, water diver-
9 sion structure, canal, or other water storage, diversion, or
10 delivery facility, where habitat is periodically created and
11 destroyed as a result of changes in water levels caused
12 by the operation of such facility.”.