

**AMENDMENT TO RULES COMMITTEE PRINT FOR  
H.R. 2898  
OFFERED BY MR. COSTA OF CALIFORNIA**

Page 92, line 19, insert the following:

**1 SEC. 611. RESERVOIR OPERATION IMPROVEMENT.**

2 (a) REPORT.—Not later than 90 days after the date  
3 of enactment of this Act, the Secretary of the Army shall  
4 submit to the Committees on Appropriations of the Senate  
5 and the House of Representatives a report including the  
6 following information for any State under a gubernatorial  
7 drought declaration during water year 2015:

8 (1) A list of Corps of Engineer projects and  
9 non-Federal projects operated for flood control in  
10 accordance with rules prescribed by the Secretary of  
11 the Army pursuant to section 7 of the Act of De-  
12 cember 22, 1944 (commonly known as the “Flood  
13 Control Act of 1944”) (58 Stat. 890, chapter 665)).

14 (2) The year the original water control manual  
15 was approved.

16 (3) The year for any subsequent revisions to  
17 the water control plan and manual of the project.

1           (4) A list of projects for which operational devi-  
2           ations for drought contingency have been requested,  
3           and the status of the request.

4           (5) How water conservation and water quality  
5           improvements were addressed.

6           (6) A list of projects for which permanent  
7           changes to storage allocations have been requested,  
8           and the status of the request.

9           (b) PROJECT IDENTIFICATION.—Not later than 60  
10          days after the date of completion of the report under sub-  
11          section (a), the Secretary of the Army shall identify any  
12          projects described in the report that meet the following  
13          criteria:

14           (1) The project is located in a State in which  
15           a drought emergency has been declared or was in ef-  
16           fect during the 1-year period preceding the date of  
17           final review by the Secretary.

18           (2) The water control manual and  
19           hydrometeorological information establishing the  
20           flood control rule curves of the project have not been  
21           substantially revised during the 20-year period end-  
22           ing on the date of review by the Secretary.

23           (3) The non-Federal sponsor or sponsors of an  
24           Army Corps project have jointly submitted to the  
25           Secretary of the Army a formal request to revise

1 water operations manuals, including flood control  
2 rule curves, based on the use of improved weather  
3 forecasting or run-off forecasting methods, new wa-  
4 tershed data, or changes to project operations, for  
5 the project is likely to enhance the existing author-  
6 ized project purposes for water supply storage capac-  
7 ity and reliability and flood control operations.

8 (c) ADDITIONAL PROJECTS IDENTIFIED.—Not later  
9 than 60 days after the date of completion of the report  
10 under subsection (a), the Secretary of the Army shall iden-  
11 tify any non-Federal projects that meet—

12 (1) the criteria in subsection (b) (1) and (b)(2);

13 and

14 (2) the following 2 criteria:

15 (A) The owner of the non-Federal project  
16 has submitted to the Secretary of the Army a  
17 formal request to review or revise the oper-  
18 ations manual or flood control rule curves to ac-  
19 commodate new watershed data or projected  
20 project modifications or operational changes.

21 (B) The modifications or operational  
22 changes proposed by the owner of the non-Fed-  
23 eral project are likely to enhance water supply  
24 benefits and flood control operations.

25 (d) PILOT PROJECTS.—

1           (1) IN GENERAL.—Not later than 1 year after  
2           the date of identification of the projects under sub-  
3           sections (b) and (c), if any, the Secretary of the  
4           Army shall carry out not more than 5 pilot projects,  
5           including at least 2 non-Federal projects (within the  
6           meaning of subsection (a)(1)) (if any are identified  
7           under subsection (b) or (c)), to implement revisions  
8           of water operations manuals, including flood control  
9           rule curves, based on the best available science,  
10          which may include—

11                   (A) forecast-informed operations;

12                   (B) new watershed data; and

13                   (C) if applicable, in the case of non-Fed-  
14           eral projects, structural improvements.

15          (2) CONSULTATION.—In implementing the pilot  
16          projects pursuant to this subsection, the Secretary of  
17          the Army shall consult with all affected interests, in-  
18          cluding non-Federal entities responsible for oper-  
19          ations and maintenance costs of a Corps of Engi-  
20          neers facility, individuals and entities with storage  
21          entitlements, and local agencies with flood control  
22          responsibilities downstream of a Corps of Engineers  
23          facility.

1 (e) COORDINATION WITH NON-FEDERAL PROJECT  
2 ENTITIES.—If a project identified under subsection (b) or  
3 (c) is—

4 (1) a non-Federal project, the Secretary of the  
5 Army, prior to carrying out an activity under this  
6 section, shall—

7 (A) consult with the non-Federal project  
8 owner; and

9 (B) enter into a cooperative agreement,  
10 memorandum of understanding, or other agree-  
11 ment with the non-Federal project owner de-  
12 scribing the scope and goals of the activity and  
13 the coordination among the parties; and

14 (2) owned and operated by the Corps of Engi-  
15 neers, the Secretary of the Army, prior to carrying  
16 out an activity under this section, shall—

17 (A) consult with each non-Federal entity  
18 (including a municipal water district, irrigation  
19 district, joint powers authority, or other local  
20 governmental entity) that currently—

21 (i) manages (in whole or in part) a  
22 Corps of Engineers dam or reservoir; or

23 (ii) is responsible for operations and  
24 maintenance costs; and

1 (B) enter into a cooperative agreement,  
2 memorandum of understanding, or other agree-  
3 ment with each such entity describing the scope  
4 and goals of the activity and the coordination  
5 among the parties.

6 (f) CONSIDERATION.—In designing and imple-  
7 menting a forecast-informed reservoir operations plan, the  
8 Secretary of the Army may consider—

9 (1) the relationship between ocean and atmos-  
10 pheric conditions, including the El Nino and La  
11 Nina cycles, and the potential for above-normal, nor-  
12 mal, and below-normal rainfall for the coming water  
13 year, including consideration of atmospheric river  
14 forecasts;

15 (2) the precipitation and runoff index specific  
16 to the basin and watershed of the relevant dam or  
17 reservoir, including incorporating knowledge of  
18 hydrological and meteorological conditions that influ-  
19 ence the timing and quantity of runoff;

20 (3) improved hydrologic forecasting for precipi-  
21 tation, snowpack, and soil moisture conditions;

22 (4) an adjustment of operational flood control  
23 rule curves to optimize water supply storage and re-  
24 liability, hydropower production, environmental bene-  
25 fits for flows and temperature, and other authorized

1 project benefits, without a reduction in flood safety;  
2 and

3 (5) proactive management in response to  
4 changes in forecasts.

5 (g) FUNDING.—In general, the Secretary of the Army  
6 may accept non-Federal funds for all or a portion of the  
7 cost of carrying out a review or revision of water control  
8 manuals and flood control rule curves for Army Corps  
9 projects and non-Federal projects regulated for flood con-  
10 trol by the Secretary of the Army.

11 (h) EFFECT.—

12 (1) MANUAL REVISIONS.—A revision of a man-  
13 ual shall not interfere with the authorized purposes  
14 of a of an Army Corps project or the existing pur-  
15 poses of non-Federal projects regulated for flood  
16 control by the Secretary of the Army.

17 (2) EFFECT OF ACT.—

18 (A) Nothing in this Act authorizes the Sec-  
19 retary of the Army to carry out, at a Corps of  
20 Engineers or non-Federal dam or reservoir, any  
21 project or activity for a purpose not otherwise  
22 authorized as of the date of enactment of this  
23 Act.

1 (B) Nothing in this section affects or  
2 modifies any obligation of the Secretary of the  
3 Army under State law.

4 (3) BUREAU OF RECLAMATION PROJECTS EX-  
5 CLUDED.—This section shall not apply to any dam  
6 or reservoir owned by the Bureau of Reclamation.

7 (i) MODIFICATIONS TO MANUALS AND CURVES.—Not  
8 later than 180 days after the date of completion of a modi-  
9 fication to an operations manual or flood control rule  
10 curve, the Secretary of the Army shall submit to Congress  
11 a report regarding the components of the forecast-based  
12 reservoir operations plan incorporated into the change.

