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

Page 92, line 19, insert the following:

SEC. 611. RESERVOIR OPERATION IMPROVEMENT.

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

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

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

(3) The year for any subsequent revisions to the water control plan and manual of the project.
(4) A list of projects for which operational deviations for drought contingency have been requested, and the status of the request.

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

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

(b) Project Identification.—Not later than 60 days after the date of completion of the report under subsection (a), the Secretary of the Army shall identify any projects described in the report that meet the following criteria:

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

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

(3) The non-Federal sponsor or sponsors of an Army Corps project have jointly submitted to the Secretary of the Army a formal request to revise
water operations manuals, including flood control
rule curves, based on the use of improved weather
forecasting or run-off forecasting methods, new wa-
tershed data, or changes to project operations, for
the project is likely to enhance the existing author-
ized project purposes for water supply storage capac-
ity and reliability and flood control operations.

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

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

and

(2) the following 2 criteria:

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

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

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

(A) forecast-informed operations;

(B) new watershed data; and

(C) if applicable, in the case of non-Federal projects, structural improvements.

(2) CONSULTATION.—In implementing the pilot projects pursuant to this subsection, the Secretary of the Army shall consult with all affected interests, including non-Federal entities responsible for operations and maintenance costs of a Corps of Engineers facility, individuals and entities with storage entitlements, and local agencies with flood control responsibilities downstream of a Corps of Engineers facility.
(e) COORDINATION WITH NON-FEDERAL PROJECT ENTITIES.—If a project identified under subsection (b) or (c) is—

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

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

(B) enter into a cooperative agreement, memorandum of understanding, or other agreement with the non-Federal project owner describing the scope and goals of the activity and the coordination among the parties; and

(2) owned and operated by the Corps of Engineers, the Secretary of the Army, prior to carrying out an activity under this section, shall—

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

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

(ii) is responsible for operations and maintenance costs; and
(B) enter into a cooperative agreement, memorandum of understanding, or other agreement with each such entity describing the scope and goals of the activity and the coordination among the parties.

(f) **CONSIDERATION.**—In designing and implementing a forecast-informed reservoir operations plan, the Secretary of the Army may consider—

(1) the relationship between ocean and atmospheric conditions, including the El Nino and La Nina cycles, and the potential for above-normal, normal, and below-normal rainfall for the coming water year, including consideration of atmospheric river forecasts;

(2) the precipitation and runoff index specific to the basin and watershed of the relevant dam or reservoir, including incorporating knowledge of hydrological and meteorological conditions that influence the timing and quantity of runoff;

(3) improved hydrologic forecasting for precipitation, snowpack, and soil moisture conditions;

(4) an adjustment of operational flood control rule curves to optimize water supply storage and reliability, hydropower production, environmental benefits for flows and temperature, and other authorized
project benefits, without a reduction in flood safety;
and
(5) proactive management in response to changes in forecasts.

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

(h) EFFECT.—
(1) MANUAL REVISIONS.—A revision of a manual shall not interfere with the authorized purposes of an Army Corps project or the existing purposes of non-Federal projects regulated for flood control by the Secretary of the Army.

(2) EFFECT OF ACT.—

(A) Nothing in this Act authorizes the Secretary of the Army to carry out, at a Corps of Engineers or non-Federal dam or reservoir, any project or activity for a purpose not otherwise authorized as of the date of enactment of this Act.
(B) Nothing in this section affects or modifies any obligation of the Secretary of the Army under State law.

(3) BUREAU OF RECLAMATION PROJECTS EXCLUDED.—This section shall not apply to any dam or reservoir owned by the Bureau of Reclamation.

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