

AMENDMENT TO DIVISION C OF RULES
COMMITTEE PRINT 117-55
(ENERGY AND WATER DEVELOPMENT AND
RELATED AGENCIES APPROPRIATIONS DIVISION)
OFFERED BY MR. VALADAO OF CALIFORNIA

At the end of title V of division C, before the short title, insert the following:

1 SEC. 5 _____. (a) It is the sense of Congress that the
2 Central Valley Project and the State Water Project shall
3 be operated, notwithstanding any other law, in a manner
4 consistent with the Salmonid Biological Opinion and
5 Smelt Biological Opinion.

6 (b) Congress finds that the Biological Opinion on the
7 Long-Term Operational Criteria and Plan for coordination
8 of the Central Valley Project and State Water Project
9 issued by the United States Fish and Wildlife Service on
10 December 15, 2008, and the Biological Opinion on the
11 Long-Term Operations of the Central Valley Project and
12 State Water Project issued by the National Marine Fish-
13 eries Service on June 4, 2009, no longer reflect the best
14 available science and are not in compliance with the En-
15 dangered Species Act of 1973.

1 (c) None of the funds made available by this Act may
2 be used for the reinitiation of consultation on the long-
3 term operations of the Central Valley Project and State
4 Water Project.

5 (d) In this section:

6 (1) The term “Central Valley Project” has the
7 meaning given the term in section 3403 of the Cen-
8 tral Valley Project Improvement Act (106 Stat.
9 4707).

10 (2) The term “Salmonid Biological Opinion”
11 means the Biological Opinion issued by the National
12 Marine Fisheries Service for long-term operations of
13 the Central Valley Project and State Water Project
14 on October 21, 2019.

15 (3) The term “Secretaries” means—

16 (A) the Secretary of Commerce; and

17 (B) the Secretary of the Interior.

18 (4) The term “Smelt Biological Opinion” means
19 the Biological Opinion issued by the United States
20 Fish and Wildlife Service for long-term operations of
21 the Central Valley Project and State Water Project
22 on October 21, 2019.

23 (5) The term “State” means the State of Cali-
24 fornia.

1 (6) The term “State Water Project” means the
2 water project described by California Water Code
3 section 11550 et seq. and operated by the California
4 Department of Water Resources.

