

**[Discussion Draft]****AMENDMENT TO H.R. 5303****OFFERED BY MR. HUFFMAN OF CALIFORNIA**

Add at the end the following:

1                   **TITLE V—RESERVOIR**  
2                   **OPERATIONS IMPROVEMENT**

3   **SECTION 501. SHORT TITLE.**

4           This title may be cited as the “Reservoir Operations  
5 Improvement Act”.

6   **SEC. 502. REVISION OF WATER MANUALS.**

7           (a) IN GENERAL.—Not later than 18 months after  
8 the date on which the Secretary of the Army, acting  
9 through the Chief of Engineers, identifies all eligible  
10 projects under section 503(e), the Secretary shall revise  
11 the water manuals of not more than 15 such projects (in-  
12 cluding not fewer than 6 projects that are not wholly  
13 owned and operated by the Corps of Engineers, if a suffi-  
14 cient number of such projects are identified) in accordance  
15 with this section.

16           (b) DATA FOR REVISIONS.—A revision of a water  
17 manual under subsection (a) shall incorporate—

18                   (1) a forecast-informed reservoir operations  
19                   plan, in accordance with subsection (c);

1 (2) new watershed data; and

2 (3) as applicable, the effects of any structural  
3 improvement completed after the date of the most  
4 recent revision of the water manual.

5 (c) FORECAST-INFORMED RESERVOIR OPERATIONS

6 PLAN.—The Secretary, in collaboration with the Adminis-  
7 trator of the National Oceanic and Atmospheric Adminis-  
8 tration, shall create a forecast-informed reservoir oper-  
9 ations plan for each selected project and incorporate such  
10 a plan into the applicable revision of a water manual under  
11 subsection (a). A forecast-informed reservoir operations  
12 plan shall include each of the following components:

13 (1) A consideration of the relationship between  
14 ocean and atmospheric conditions, including the El  
15 Nino and La Nina cycles, and the potential for  
16 above-normal, normal, or below-normal rainfall for  
17 the coming water year, including a consideration of  
18 atmospheric river forecasts.

19 (2) The precipitation and runoff index specific  
20 to the basin and watershed in which the relevant  
21 project is located, including information regarding  
22 the hydrological and meteorological conditions, at  
23 each 10-digit hydrologic unit (as defined by the U.S.  
24 Geological Survey) within such watershed, that influ-  
25 ence the timing and quantity of runoff.

1           (3) Updated hydrologic forecasting for precipi-  
2           tation, snowpack, and soil moisture conditions.

3           (4) An adjustment of flood control rule curves  
4           to optimize, as applicable, water supply storage and  
5           reliability, hydropower production, environmental  
6           benefits related to flows and temperature, or other  
7           authorized project benefits, without a reduction in  
8           flood safety.

9           (5) Proactive management in response to  
10          changes in forecasts.

11          (d) CONSULTATION AND COORDINATION REQUIRE-  
12          MENT.—In revising a water manual under subsection (a),  
13          the Secretary shall—

14               (1) consult with affected entities, including—

15                   (A) non-Federal interests responsible for  
16                   the operations and maintenance costs of the  
17                   flood control project for which the water man-  
18                   ual is to be revised;

19                   (B) water rights holders;

20                   (C) individuals or entities with a right to  
21                   any portion of the water within the reservoir of  
22                   such project; and

23                   (D) local agencies with flood control re-  
24                   sponsibilities downstream of such project; and

1           (2) enter into a cooperative agreement, memo-  
2           randum of understanding, or other agreement with  
3           each non-Federal interest for the project, describing  
4           the scope and goals of the revision and the coordina-  
5           tion among the parties.

6           (e) REPORT.—Not later than 180 days after the date  
7           on which the Secretary completes a revision of a water  
8           manual under subsection (a), the Secretary shall submit  
9           to Congress a report regarding the components of the fore-  
10          cast-informed reservoir operations plan incorporated into  
11          such revision.

12          (f) FUNDING.—The Secretary may accept and expend  
13          amounts from non-Federal interests to fund all or a por-  
14          tion of the costs of carrying out a revision of a water man-  
15          ual under this section.

16   **SEC. 503. IDENTIFICATION OF ELIGIBLE PROJECTS.**

17          (a) REPORT ON FLOOD CONTROL PROJECTS.—Not  
18          later than 180 days after the date of enactment of this  
19          Act, the Secretary shall submit to the Committees on Ap-  
20          propriations and Environment and Public Works of the  
21          Senate and the Committees on Appropriations and Trans-  
22          portation and Infrastructure of the House of Representa-  
23          tives a report that includes, with respect to any State that  
24          is a drought State during water year 2015 or 2016—

1 (1) a list of each flood control project located  
2 in such a State;

3 (2) the year during which the original water  
4 manual for each such project was approved;

5 (3) the year or years during which any revisions  
6 to the water manual of any such project occurred or  
7 are requested to occur;

8 (4) a list of each such project for which oper-  
9 ational deviations for drought contingency have been  
10 requested, and the status of such request;

11 (5) a list of each such project for which perma-  
12 nent or seasonal changes to storage allocations have  
13 been requested, and the status of such request; and

14 (6) a description of the means by which water  
15 conservation and water quality improvements were  
16 addressed in any response to a request under para-  
17 graph (4) or (5).

18 (b) INCORPORATION OF PRIOR STUDIES.—The Sec-  
19 retary shall incorporate into the report under subsection  
20 (a) any information or finding that is—

21 (1) included in or gathered for a report re-  
22 quired by section 1046(a)(2) of the Water Resources  
23 Reform and Development Act of 2014 (33 U.S.C.  
24 2319 note); and

1           (2) relevant to the subject matter of the report  
2           under subsection (a) of this section.

3           (c) ELIGIBLE PROJECTS.—Not later than 60 days  
4 after the date on which the report under subsection (a)  
5 is submitted, the Secretary shall identify each flood con-  
6 trol project—

7           (1) that is included in the report under sub-  
8           section (a);

9           (2) that includes a reservoir; and

10           (3) for which a non-Federal interest has sub-  
11 mitted to the Secretary a written request, pursuant  
12 to subsection (d), to revise the water manual for the  
13 project.

14           (d) WRITTEN REQUEST.—Not later than 60 days  
15 after the date of enactment of this Act, the Secretary shall  
16 publish in the Federal Register the manner in which a  
17 non-Federal interest for a flood control project may sub-  
18 mit to the Secretary a written request under subsection  
19 (c)(3) to revise the water manual for the project.

20 **SEC. 504. EFFECTS.**

21           (a) AUTHORIZED PURPOSES OF PROJECTS.—

22           (1) NO EFFECT ON EXISTING PURPOSES.—In  
23 accordance with all applicable laws, a revision of a  
24 water manual under section 502(a) may not reduce

1 the water supply for any authorized purpose, other  
2 than flood control, of a flood control project.

3 (2) NEW PURPOSES NOT AUTHORIZED.—Nothing  
4 ing in this title authorizes the Secretary to carry  
5 out, with respect to any flood control project, any  
6 activity for a purpose not authorized on the day be-  
7 fore the date of enactment of this Act.

8 (b) STATE LAW.—Nothing in this title—

9 (1) affects or modifies any obligation of the  
10 Secretary under State law; or

11 (2) authorizes the diversion or use of water in  
12 a manner that is inconsistent with State water  
13 rights law.

14 (c) FEDERAL LAW.—Nothing in this title preempts  
15 or waives any provision of Federal law concerning the pro-  
16 cedures that apply to a revision of a water manual.

17 **SEC. 505. DEFINITIONS.**

18 In this title:

19 (1) DROUGHT STATE.—The term “drought  
20 State” means a State—

21 (A) for which the Governor has declared a  
22 drought; or

23 (B) that contains at least one county for  
24 which the Secretary of Agriculture has des-  
25 ignated a drought disaster.

1           (2) FLOOD CONTROL PROJECT.—The term  
2           “flood control project” means a project operated,  
3           wholly or in part, for flood control, in accordance  
4           with rules prescribed by the Secretary pursuant to  
5           section 7 of the Act of December 22, 1944 (com-  
6           monly known as the “Flood Control Act of 1944”)  
7           (33 U.S.C. 709).

8           (3) WATER MANUAL.—The term “water man-  
9           ual” means, with respect to a flood control project,  
10          the water operations manual, the flood control rule  
11          curves, and the water control manual, as applicable.

