

California Emergency Drought Relief and Water Storage Act of 2015
Section-by-Section
12-3-2015

Sec. 1. Title, Table of Contents, Findings

- *Origination:* House
- *Authorization:* None
- *Summary:* California Emergency Drought Relief and Water Storage Act of 2015; Includes finding on water gap.

Sec. 2. Emergency Operations

- *Origination:* Senate & House
- *Authorization:* None
- *Summary:* Requires the Secretaries to provide maximum amount of water to CVP & SWP contractors by approving temporary operations or projects as quickly as possible, including: keeping the Cross Channel Gates open for the maximum extent possible, implement turbidity control measures to for smelt to increase water supplies; expand water transfers windows and shorten approval timing; and creates a process for the governor of a state to request that the Feds implement the emergency authorities under this subsection to approve projects to provide emergency water supplies or address the drought.

Sec. 3. Actions to Benefit Fish

- *Origination:* Senate (with House modifications)
- *Authorization:* \$21M
- *Summary:* Requires the agencies to take various actions to benefit fish, such as gravel & rearing area additions on the Sacramento River, improvements to fish passages, trap & barge programs, etc.

Sec. 4. Scientifically supported implementation of OMR flow requirements

- *Origination:* House (with significant modifications)
- *Authorization:* None
- *Summary:* Requires pumping to occur at -5,000 CFS. Authorizes a reduction in pumping only if there are no additional adverse impacts to listed species beyond the range of effects anticipated to occur to the listed species for the duration of the biological opinions. Prohibits the Secretaries from initiating re-consultation unless there are additional adverse impacts to listed species beyond the range of effects anticipated to occur to the listed species for the duration of the biological opinions.

Sec. 5. Temporary operational flexibility for first few storms of the water year.

- *Origination:* House (with significant modifications)
- *Authorization:* None

- Summary: Under certain conditions, this section authorizes the Secretaries to pump at rates more negative than -5,000 CFS to capture water during the first few storms of the water year provided there are no additional adverse impacts to listed species beyond the range of effects anticipated to occur to the listed species for the duration of the biological opinions. Prohibits the Secretaries from initiating re-consultation unless there are additional adverse impacts to listed species beyond the range of effects anticipated to occur to the listed species for the duration of the biological opinions.

Sec. 6. State Water Project Offset and Water Rights Protections

- Origination: House & Senate, revised
- Authorization: None

Sec. 7. Westwide Storage Provisions.

- Origination: Senate
- Authorization: \$600M
- Summary: Creates a process by which certain Federally-owned or State Led storage projects can be authorized without Congressional action. Created a 50% Federal cost share for Federally-owned project and a 25% cost share for State Led projects. Authorizes \$600M for these storage projects.

Sec. 8. CALFED Storage Feasibility Studies

- Origination: Senate (with House modifications)
- Authorization: None
- Summary: Requires Reclamation to finish the five CALFED feasibility studies by the deadlines prescribed in this section. Requires the Secretary prioritize water supply benefits from Temperance Flat first, then the Wild & Scenic River recommendation. Requires the Secretary to personally testify before Congress if the Interior Department fails to finish the CALFED feasibility studies by the date prescribed in this section.

Sec. 9. Losses Caused by Construction and Operation of Water Storage Projects

- Origination: House – new material
- Authorization: None
- Summary: This language repeats & clarifies existing law regarding takings of private property adversely impacted by construction of raise of various dams.

Sec. 10. Assistance for Drought Stricken Communities

- Origination: Senate
- Authorization: \$15M
- Summary: Creates a grant program to help drought stricken communities with

a population between 10,000 and 60,000 for fund various activities to increase water supply, like wastewater, point of use, point of treatment, distribution facilities, connection feeds, and well construction.

Sec. 11. Conservation Fish Hatcheries

- Origination: House (with significant modifications)
- Authorization: None
- Summary: Requires the Secretary in two years to establish expanded use of conservation fish hatcheries for Delta smelt and listed salmonids to to minimize water supply reductions to CVP and SWP contractors. Also authorizes the Secretaries to enter into agreements with other entities to establish and promote conservation fish hatcheries for smelt and salmon.

Sec. 12. Non-federal program to protect native anadromous fish in the Stanislaus River.

- Origination: House
- Authorization: None. Non-Federal stakeholders will pay for the program.
- Summary: Authorizes a pilot fish predatory suppression on the Stanislaus River.

Sec. 13. Pilot program to implement CALFED invasive species program

- Origination: House
- Authorization: None
- Summary: Requires that predator fish suppression programs authorized in PL 108-361 (CALFED) begin to be implemented in the Sacramento-San Joaquin River Delta.

Sec. 14. Additional storage at New Melones

- Authorization: None
- Origination: House
- Summary: Directs Reclamation to work with water districts within the Stanislaus River basin to increase available storage for conservation, conjunctive use, transfers, and rescheduled water projects for maximum storage in the reservoir.

Sec. 15. Reauthorization of the Desalination Act

- Authorization: \$100M
- Origination: Senate
- Summary: Reauthorizes the Desalination Act and increases the annual authorization from \$5M to \$10M for 5 years research and \$50M for 5 years for construction.

Sec. 16. New water recycling and reuse projects

- Authorization: \$200M
- Origination: Senate

- Summary: Expands Title XVI by creating a new water recycling grant program and authorizes \$200 for this new program.

Sec. 17. Accelerated revenue, repayment, and surface water storage enhancement.

- Authorization: Revenue generator, about \$721M
- Origination: House
- Summary: Allows water agencies to pre-pay Federal debt. Based on prior law enacted by the Democrats.

Sec. 18. Deauthorization of inactive projects

- Authorization: Savings around \$250M
- Origination: Senate - new material
- Summary: Creates a process to deauthorize old Bureau of Reclamation projects that have not received Federal funds in the past 5 years.

Sec. 19. Compliance with Endangered Species Act

- Authorization: None
- Origination: House – new material
- Summary: State that nothing in this bill shall or be construed to modify the Endangered Species Act

Sec. 20. Sunset

- Authorization: None
- Origination: New Material
- Summary: The entire bill expires in five years except for Sections 17 and 18.