

HR 2640

Crooked River Collaborative Water Security and Jobs Act of 2014

Congress: 113 (2013–2015, Ended)

Chamber: House

Policy Area: Water Resources Development

Introduced: Jul 10, 2013

Current Status: Became Public Law No: 113-244.

Latest Action: Became Public Law No: 113-244. (Dec 18, 2014)

Law: 113-244 (Enacted Dec 18, 2014)

Official Text: <https://www.congress.gov/bill/113th-congress/house-bill/2640>

Sponsor

Name: Rep. Walden, Greg [R-OR-2]

Party: Republican • **State:** OR • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Energy and Natural Resources Committee	Senate	Discharged From	Dec 11, 2014
Natural Resources Committee	House	Discharged from	Jul 24, 2013
Natural Resources Committee	House	Discharged from	Jul 24, 2013

Subjects & Policy Tags

Policy Area:

Water Resources Development

Related Bills

Bill	Relationship	Last Action
113 HR 2	Related bill	Nov 17, 2014: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 601.

(This measure has not been amended since it was passed by the Senate on December 11, 2014. The summary of that version is repeated here.)

Crooked River Collaborative Water Security and Jobs Act of 2014 - (Sec. 2) Amends the Wild and Scenic Rivers Act to modify the boundary of the Crooked River, Oregon. Requires the applicant, in any license or lease of power privilege application relating to non-federal hydropower development at Bowman Dam, to:

- analyze any impacts to the scenic, recreational, and fishery resource values of the Crooked River from the center crest of such Dam to a point 1/4-mile downstream that may be caused by the proposed hydropower development;
- propose measures to minimize and mitigate such impacts; and
- propose measures to ensure that any access facilities associated with such hydropower development shall not impede the free-flowing nature of the Crooked River below the Dam.

(Sec. 3) Requires 5,100 acre-feet of water to be released annually from the Crooked River project to serve as mitigation for city of Prineville groundwater pumping, pursuant to and consistent with Oregon law; and (2) Prineville to make payments to the Secretary for the water released. Authorizes the Secretary to contract exclusively with Prineville for additional quantities of water at the city's request.

(Sec. 4) Directs the Secretary, on a first fill priority basis, to store in and, when called for in any year, release from the Reservoir an additional: (1) 68,273 acre feet of water annually to fulfill all 16 Bureau of Reclamation contracts existing as of January 1, 2011; (2) 2,740 acre feet of water annually to supply the McKay Creek land; (3) 10,000 acre feet of water annually, first to the North Unit Irrigation District and subsequently to any other holders of Reclamation contracts existing as of January 1, 2011, pursuant to Temporary Water Service Contracts, upon request; and (4) 5,100 acre feet of water annually to mitigate Prineville groundwater pumping pursuant to the release schedule developed pursuant to this Act. Requires water stored that is not called for and released by the end of the irrigation season to be: (1) carried over to the subsequent water year; and (2) accounted for as part of such first fill storage quantities of the subsequent water year.

Directs the Secretary to store in and release from Prineville Reservoir sufficient quantities of remaining stored quantities to be released pursuant to the annual release schedule developed pursuant to this Act and to provide instream flows consistent with the recommendations for in-channel strategies in the Northwest Power and Conservation Council's Deschutes Subbasin Plan, dated March 24, 2005, for flow between Bowman Dam and Lake Billy Chinook.

Directs the Commissioner of Reclamation to: (1) develop annual release schedules for the remaining stored water quantities that maximize benefits to downstream fish and wildlife; and (2) project reservoir water levels over the course of the year.

(Sec. 5) Authorizes any owner of land within Ochoco Irrigation District, Oregon, to repay construction costs of project facilities allocated to that land. Requires the Secretary, upon the request of a landowner who has repaid project construction costs, to provide certification of freedom from ownership and pricing limitations.

Modifies the District's reclamation contracts, on approval of the District directors, to: (1) authorize the use of water for instream purposes in order for the District to engage in, or take advantage of, conserved water projects and temporary instream leasing as authorized by Oregon law; (2) include within the District boundary approximately 2,742 acres in the vicinity of McKay Creek; (3) classify approximately 685 of such acres as irrigable land authorized to receive irrigation water pursuant to water rights issued by Oregon if the acres have received water pursuant to such rights in the past; and

(4) provide the District with stored water from Prineville Reservoir for supplying such 685 acres, contingent on the transfer of existing appurtenant McKay Creek water rights to instream use and Oregon issuing such water rights.

(Sec. 6) Directs the Bureau to: (1) participate in dry-year management planning meetings with Oregon, the Confederated Tribes of the Warm Springs Reservation of Oregon, and municipal, agricultural, conservation, recreation, and other interested stakeholders; and (2) develop a dry-year management plan that recommends strategies, measures, and actions that the irrigation districts and other Bureau contract holders voluntarily agree to implement.

Authorizes the Secretary, if North Unit Irrigation District or other eligible Bureau contract holders have not initiated contracting with the Bureau by June 1 of any calendar year for any quantity of the 10,000 acre feet of water to be released on a first fill priority basis, to release that quantity of water for the benefit of downstream fish and wildlife, with the voluntary agreement of such District and contract holders.

(Sec. 7) Directs the Commissioner to determine the applicability of the Commissioner's jurisdiction to non-federal hydropower development pursuant to the Memorandum of Understanding between the Federal Energy Regulatory Commission (FERC) and the Bureau entitled "Establishment of Processes for the Early Resolution of Issues Related to the Timely Development of Non-Federal Hydroelectric power at the Bureau of Reclamation Facilities," signed November 6, 1992, or any subsequent or related memorandum of understanding.

(Sec. 8) Provides that nothing in this Act authorizes the Secretary to store and release first fill quantities for any purposes other than those specified, except for: (1) the potential instream use resulting from conserved water projects and temporary instream leasing, (2) the potential release of additional amounts that may result from voluntary actions agreed to through the dry-year management plan, and (3) the potential release of the 10,000 acre feet for downstream fish and wildlife.

Actions Timeline

- **Dec 18, 2014:** Signed by President.
- **Dec 18, 2014:** Became Public Law No: 113-244.
- **Dec 13, 2014:** Presented to President.
- **Dec 11, 2014:** Senate Committee on Energy and Natural Resources discharged by Unanimous Consent.
- **Dec 11, 2014:** Measure laid before Senate by unanimous consent. (consideration: CR S6621-6622)
- **Dec 11, 2014:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Dec 11, 2014:** Passed Senate with an amendment by Unanimous Consent.
- **Dec 11, 2014:** Message on Senate action sent to the House.
- **Dec 11, 2014:** Mr. Walden asked unanimous consent that the House agree to the Senate amendment. (consideration: CR H9292-9294)
- **Dec 11, 2014:** Resolving differences -- House actions: On motion that the House agree to the Senate amendment Agreed to without objection.(text as House agreed to Senate amendment: CR H9293-9294)
- **Dec 11, 2014:** On motion that the House agree to the Senate amendment Agreed to without objection. (text as House agreed to Senate amendment: CR H9293-9294)
- **Dec 11, 2014:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 30, 2013:** Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.
- **Oct 29, 2013:** Mr. Young (AK) moved to suspend the rules and pass the bill.
- **Oct 29, 2013:** Considered under suspension of the rules. (consideration: CR H6850-6852)
- **Oct 29, 2013:** DEBATE - The House proceeded with forty minutes of debate on H.R. 2640.
- **Oct 29, 2013:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote.(text: CR H6850-6851)
- **Oct 29, 2013:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H6850-6851)
- **Sep 20, 2013:** Reported by the Committee on Natural Resources. H. Rept. 113-224.
- **Sep 20, 2013:** Placed on the Union Calendar, Calendar No. 164.
- **Jul 24, 2013:** Subcommittee on Public Lands and Environmental Regulation Discharged.
- **Jul 24, 2013:** Committee Consideration and Mark-up Session Held.
- **Jul 24, 2013:** Ordered to be Reported by Voice Vote.
- **Jul 24, 2013:** Subcommittee on Water and Power Discharged.
- **Jul 11, 2013:** Referred to the Subcommittee on Public Lands and Environmental Regulation.
- **Jul 11, 2013:** Referred to the Subcommittee on Water and Power.
- **Jul 10, 2013:** Introduced in House
- **Jul 10, 2013:** Referred to the House Committee on Natural Resources.