

## HR 4239

To provide drought assistance to the State of California and other affected western States.

**Congress:** 113 (2013–2015, Ended)

**Chamber:** House

**Policy Area:** Water Resources Development

**Introduced:** Mar 13, 2014

**Current Status:** Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.

**Latest Action:** Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. (Apr 16, 2014)

**Official Text:** <https://www.congress.gov/bill/113th-congress/house-bill/4239>

### Sponsor

**Name:** Rep. Huffman, Jared [D-CA-2]

**Party:** Democratic • **State:** CA • **Chamber:** House

### Cosponsors (16 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Bera, Ami [D-CA-7]	D · CA		Mar 13, 2014
Rep. Cartwright, Matt [D-PA-17]	D · PA		Mar 13, 2014
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Mar 13, 2014
Rep. Eshoo, Anna G. [D-CA-18]	D · CA		Mar 13, 2014
Rep. Farr, Sam [D-CA-20]	D · CA		Mar 13, 2014
Rep. Garamendi, John [D-CA-3]	D · CA		Mar 13, 2014
Rep. Lowenthal, Alan S. [D-CA-47]	D · CA		Mar 13, 2014
Rep. Matsui, Doris O. [D-CA-6]	D · CA		Mar 13, 2014
Rep. McNerney, Jerry [D-CA-9]	D · CA		Mar 13, 2014
Rep. Miller, George [D-CA-11]	D · CA		Mar 13, 2014
Rep. Napolitano, Grace F. [D-CA-32]	D · CA		Mar 13, 2014
Rep. Peters, Scott H. [D-CA-52]	D · CA		Mar 13, 2014
Rep. Speier, Jackie [D-CA-14]	D · CA		Mar 13, 2014
Rep. Swalwell, Eric [D-CA-15]	D · CA		Mar 13, 2014
Rep. Thompson, Mike [D-CA-5]	D · CA		Mar 13, 2014
Rep. Vargas, Juan [D-CA-51]	D · CA		Mar 13, 2014

## Committee Activity

Committee	Chamber	Activity	Date
Agriculture Committee	House	Referred To	Mar 13, 2014
Budget Committee	House	Referred To	Mar 13, 2014
Energy and Commerce Committee	House	Referred to	Mar 14, 2014
Judiciary Committee	House	Referred to	Apr 16, 2014
Natural Resources Committee	House	Referred To	Mar 13, 2014
Transportation and Infrastructure Committee	House	Referred to	Mar 14, 2014
Transportation and Infrastructure Committee	House	Referred to	Mar 14, 2014

## Subjects & Policy Tags

### Policy Area:

Water Resources Development

## Related Bills

Bill	Relationship	Last Action
113 S 2198	Related bill	May 23, 2014: Held at the desk.
113 HR 4039	Related bill	Feb 14, 2014: Referred to the Subcommittee on Environment and the Economy.
113 S 2016	Related bill	Feb 11, 2014: Read twice and referred to the Committee on Energy and Natural Resources. (text of measure as introduced: CR S893-896)

Requires the Administrator of the Environmental Protection Agency (EPA), the Secretary of Commerce, and the Secretary of the Interior (Secretaries), in response to the declaration of a state of drought emergency in California, to provide the maximum quantity of water supplies possible to Central Valley Project (CVP) and Klamath Project agricultural, municipal and industrial, and refuge service and repayment contractors, State Water Project contractors, and any other locality or municipality in California.

Sets forth actions to be taken to increase water supply, including: (1) authorizing actions to provide for real time operations of the Delta Cross Channel Gates to provide water supply and quality standards and ecosystem benefits for the duration of the drought, (2) implementing the San Joaquin River inflow-to-export ratio established by the National Marine Fisheries Service, (3) maintaining all rescheduled water supplies held in the San Luis Reservoir and Millerton Reservoir for all water users, (4) making WaterSMART grant funding administered by the Bureau of Reclamation available for eligible projects on a priority and expedited basis, and (5) issuing proposed rules to update stormwater regulations for urban and suburban runoff sources and guidance on use of rainwater capture.

Makes emergency appropriations in FY2014 for water supply projects and assistance under the Reclamation States Emergency Drought Relief Act of 1991.

Requires the National Resources Conservation Service to provide water supply planning assistance in preparation for and in response to dry, critically dry, and below normal water year types to any state water agency requesting such assistance.

Directs the Secretary of Commerce to treat the California emergency drought declaration as a request for a determination under the Magnuson-Stevens Fishery Conservation and Management Act that there is a commercial fisheries failure and catastrophic regional fishery disaster for fisheries that originate in California.

Requires federal agency heads to consult with the Council on Environmental Quality to develop alternative arrangements to comply with the National Environmental Policy Act of 1969 (NEPA).

Directs the EPA Administrator to prioritize projects under state water pollution control revolving funds to provide water to areas at risk of having an inadequate supply of water for public health and safety purposes.

Fixing Operations of Reservoirs to Encompass Climatic and Atmospheric Science Trends for Emergency Droughts Act or the FORECASTED Act - Requires the Secretary of the Army, not later than one year after a request of a non-federal sponsor of a reservoir, to review the operation of such reservoir, including the water control manual and rule curves, using improved weather forecasts and run-off forecasting methods, including the Advanced Hydrologic Prediction System of the National Weather Service and the Hydrometeorology Testbed program of the National Oceanic and Atmospheric Administration (NOAA).

Requires the Secretary to determine if a change in operations will improve core functions of the Army Corps of Engineers, including: (1) reducing risks to human life, public safety, and property; (2) reducing the need for future disaster relief; (3) improving local water storage capability and reliability in coordination with the non-federal sponsor and other water users; (4) restoring, protecting, or mitigating the impacts of a water resources development project on the environment; or (5) improving fish species habitat or population within the boundaries and downstream of a water resources project.

Requires the Secretary, upon the declaration of a state drought emergency, to use no more than 90 days in complying with all provisions of this Act and to make use of the emergency provisions of the Council on Environmental Quality guidelines to expedite the delivery of water supplies to address emergency drought conditions.

Directs the Secretary of the Treasury to transfer to the Secretary of Agriculture emergency supplemental appropriations to provide: (1) drought assistance to agricultural producers and for mitigation activities related to drought and wildfire hazards, (2) emergency community water assistance grants to address impacts of drought, and (3) grants to assist low-income migrant and seasonal farm workers affected by drought and for forest restoration.

Requires: (1) the Director of the Office of National Drug Control Policy to determine the amount of water diverted for marijuana cultivation in each of the high intensity drug trafficking areas within the state of California, and (2) the EPA Administrator to assign additional criminal investigators to such trafficking areas.

Declares that nothing in this Act: (1) preempts any state law, including area of origin and other water rights protections; or (2) diminishes the water, fishing, or other rights of Indian tribes or the obligations of the United States to assert and protect such rights.

Amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act to expand federal emergency assistance to provide for disaster unemployment, emergency nutrition, and crisis counseling assistance.

Amends the Klamath Basin Water Supply Enhancement Act of 2000 to authorize the Secretary of the Interior to take actions to reduce water consumption or demand or to restore ecosystems in the Klamath Basin watershed, including tribal fishery resources held in trust.

Directs the U.S. Fish and Wildlife Service, not later than January 1, 2016, in consultation with the National Marine Fisheries Service, the Bureau of Reclamation, the Army Corps of Engineers, and the California Department of Fish and Wildlife, to prepare a California salmon drought plan.

Amends the Omnibus Public Land Management Act of 2009 to authorize the Secretary of the Interior to enter into cost-shared financial assistance agreements with non-federal entities in Reclamation States and Hawaii for the planning, design, and construction of permanent water storage and conveyance facilities used solely to regulate and maximize water supplies..

Directs the President to update the National Response Plan and the National Disaster Recovery Framework to include a plan for catastrophic drought.

## **Actions Timeline**

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- **Apr 16, 2014:** Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
- **Mar 14, 2014:** Referred to the Subcommittee on Environment and the Economy.
- **Mar 14, 2014:** Referred to the Subcommittee on Economic Development, Public Buildings and Emergency Management.
- **Mar 14, 2014:** Referred to the Subcommittee on Water Resources and Environment.
- **Mar 13, 2014:** Introduced in House
- **Mar 13, 2014:** Referred to the Committee on Natural Resources, and in addition to the Committees on Transportation and Infrastructure, the Budget, Agriculture, Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.