

## S 398

A bill to direct the Secretary of the Army to provide for modification of certain Federal water resources development projects on the Apalachicola, Chattahoochee, and Flint Rivers, and for other purposes.

**Congress:** 115 (2017–2019, Ended)

**Chamber:** Senate

**Policy Area:** Water Resources Development

**Introduced:** Feb 15, 2017

**Current Status:** Read twice and referred to the Committee on Environment and Public Works.

**Latest Action:** Read twice and referred to the Committee on Environment and Public Works. (Feb 15, 2017)

**Official Text:** <https://www.congress.gov/bill/115th-congress/senate-bill/398>

### Sponsor

**Name:** Sen. Nelson, Bill [D-FL]

**Party:** Democratic • **State:** FL • **Chamber:** Senate

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Referred To	Feb 15, 2017

### Subjects & Policy Tags

**Policy Area:**

Water Resources Development

### Related Bills

*No related bills are listed.*

This bill directs the U.S. Army Corps of Engineers to operate the federal water resources projects on the Apalachicola, Chattahoochee, and Flint Rivers in Alabama, Florida, and Georgia in a manner that ensures the maintenance of freshwater flows.

The term "freshwater flows" is defined as the quality, quantity, timing, and variability of freshwater flows required to: (1) support and reestablish the ecological integrity of the rivers, commercial and recreational fisheries dependent on freshwater flows into Apalachicola Bay and adjacent waters, and thriving and diverse fish, wildlife, and plant populations similar to those found prior to construction of the projects; (2) restore and recover species that are endangered, threatened, or at risk; and (3) prevent significantly harmful adverse impacts to the Chattahoochee and Apalachicola River ecosystems.

The Corps of Engineers must enter into an arrangement for the National Oceanic and Atmospheric Administration (NOAA) to conduct a study that evaluates existing data related to freshwater flows and provides recommendations on how to maintain such flows.

The Corps shall not issue a final water control manual based on the final environmental impact statement titled "Update of the Water Control Manual for the Apalachicola-Chattahoochee-Flint River Basin in Alabama, Florida, and Georgia and a Water Supply Storage Assessment," dated December 2016, but shall: (1) issue revised water control manuals for such projects that ensure the maintenance of freshwater flows, considering the findings of NOAA's study; (2) ensure that operational modifications needed to maintain freshwater flows are achieved while providing system-wide balance in conservation storage through the maintenance of water levels in the same action zone for each of the project reservoirs; (3) enter into an arrangement for the National Academy of Sciences to carry out an independent peer review of each revised manual; and (4) obtain written approval from the Environmental Protection Agency, the U.S. Fish and Wildlife Service, NOAA, and the U.S. Geological Survey of each manual developed before a final manual may be issued.

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### **Actions Timeline**

- **Feb 15, 2017:** Introduced in Senate
- **Feb 15, 2017:** Read twice and referred to the Committee on Environment and Public Works.