

114TH CONGRESS  
1ST SESSION

# H. R. 2492

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.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2015

Ms. GRAHAM (for herself, Mr. BUCHANAN, Mr. DEUTCH, Mr. MURPHY of Florida, Mr. JOLLY, Ms. FRANKEL of Florida, Ms. WILSON of Florida, Mr. DIAZ-BALART, Mr. ROONEY of Florida, Mr. MILLER of Florida, Mr. HASTINGS, Ms. ROS-LEHTINEN, Ms. CASTOR of Florida, Mr. CURBELO of Florida, Ms. WASSERMAN SCHULTZ, Mr. GRAYSON, Ms. BROWN of Florida, Mr. YOHO, Mr. ROSS, and Mr. NUGENT) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## 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.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. APALACHICOLA, CHATTAHOOCHEE, AND FLINT**  
4 **RIVER PROJECTS.**

5 (a) DEFINITIONS.—In this section:

1           (1)    APALACHICOLA-CHATTAHOOCHEE-FLINT  
2           PROJECTS.—The term “Apalachicola-Chattahoochee-  
3           Flint projects” means the Federal water resources  
4           projects on the Apalachicola, Chattahoochee, and  
5           Flint Rivers in the States of Alabama, Florida, and  
6           Georgia authorized by section 2 of the Act of March  
7           2, 1945 (59 Stat. 17, chapter 19; 60 Stat. 635,  
8           chapter 595) and section 203 of the Flood Control  
9           Act of 1962 (76 Stat. 1182), including—

10                   (A) Buford Dam and Reservoir;

11                   (B) West Point Dam and Reservoir;

12                   (C) George W. Andrews Dam and Res-  
13           ervoir;

14                   (D) Walter F. George Dam and Reservoir;

15           and

16                   (E) Jim Woodruff Dam and Reservoir.

17           (2) FRESHWATER FLOWS.—The term “fresh-  
18           water flows” means the quality, quantity, timing,  
19           and variability of freshwater flows required—

20                   (A) to support and reestablish—

21                           (i) the physical, chemical, biological,  
22                           and overall ecological integrity of the com-  
23                           ponents, functions, and natural processes  
24                           required for a thriving and resilient Chat-  
25                           tahoochee River, Apalachicola River, Apa-

1 lachicola River floodplain, and Apalachicola  
2 Bay;

3 (ii) commercial and recreational fish-  
4 eries dependent on freshwater flows into  
5 Apalachicola Bay and adjacent waters, in-  
6 cluding the Gulf of Mexico; and

7 (iii) thriving and diverse fish, wildlife,  
8 and plant populations having species com-  
9 position, diversity, adaptability, and func-  
10 tional organization similar to those found  
11 in the Chattahoochee River and Apalachi-  
12 cola River ecosystems prior to construction  
13 of the Apalachicola-Chattahoochee-Flint  
14 projects;

15 (B) to restore and recover species that are  
16 endangered, threatened, or at risk; and

17 (C) to prevent significantly harmful ad-  
18 verse impacts to the Chattahoochee River and  
19 Apalachicola River ecosystems.

20 (b) PROJECT MODIFICATION.—Notwithstanding any  
21 authorized purpose of the Apalachicola-Chattahoochee-  
22 Flint projects, the Secretary shall operate the Apalachi-  
23 cola-Chattahoochee-Flint projects in a manner that en-  
24 sures the maintenance of freshwater flows.

25 (c) REVISION OF WATER CONTROL MANUALS.—

1           (1) IN GENERAL.—Not later than 18 months  
2 after the date of enactment of this Act, the Sec-  
3 retary shall complete the ongoing revision of the  
4 water control manuals for the Apalachicola-Chat-  
5 tahoochee-Flint projects and issue revised water con-  
6 trol manuals for those projects that ensure the  
7 maintenance of freshwater flows.

8           (2) OPERATIONAL MODIFICATIONS.—In car-  
9 rying out paragraph (1), the Secretary shall ensure  
10 that operational modifications needed to maintain  
11 freshwater flows are achieved, to the maximum ex-  
12 tent practicable, while providing system-wide balance  
13 in conservation storage through the maintenance of  
14 water levels within the same action zone for each of  
15 the Apalachicola-Chattahoochee-Flint project res-  
16 ervoirs.

17           (3) INDEPENDENT PEER REVIEW OF WATER  
18 CONTROL MANUALS.—

19           (A) IN GENERAL.—The Secretary shall  
20 enter into an arrangement with the National  
21 Academy of Sciences under which the National  
22 Academy of Sciences shall carry out an inde-  
23 pendent peer review of each revised water con-  
24 trol manual, as required under section 2034 of

1 the Water Resources Development Act of 2007  
2 (33 U.S.C. 2343).

3 (B) COMPLIANCE.—Each independent peer  
4 review under this paragraph shall comply with  
5 section 2034 of the Water Resources Develop-  
6 ment Act of 2007 (33 U.S.C. 2343).

7 (4) FINAL APPROVAL.—Before a final water  
8 control manual may be issued, the Secretary shall  
9 obtain written approval of each water control man-  
10 ual developed under this subsection from—

11 (A) the Administrator of the Environ-  
12 mental Protection Agency;

13 (B) the Director of the United States Fish  
14 and Wildlife Service;

15 (C) the Director of the National Oceanic  
16 and Atmospheric Administration; and

17 (D) the Director of the United States Geo-  
18 logical Survey.

19 (d) APPLICABILITY OF OTHER FEDERAL AND STATE  
20 LAWS.—Except as provided in subsection (b), nothing in  
21 this section waives, limits, or otherwise affects the applica-  
22 bility of any provision of Federal or State law that would  
23 otherwise apply to the Apalachicola-Chattahoochee-Flint  
24 projects.

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