

AMENDMENT TO H.R. 1480, AS REPORTED
OFFERED BY MR. OBERSTAR OF MINNESOTA

Strike section 101(a)(4) of the bill and insert the following:

1 (4) AMERICAN RIVER WATERSHED, CALIFOR-
2 NIA.—

3 (A) IN GENERAL.—The Folsom Dam
4 Modification portion of the Folsom Modification
5 Plan described in the United States Army
6 Corps of Engineers Supplemental Information
7 Report for the American River Watershed
8 Project, California, dated March 1996, as modi-
9 fied by the report entitled “Folsom Dam Modi-
10 fication Report, New Outlets Plan,” dated
11 March 1998, prepared by the Sacramento Area
12 Flood Control Agency, at an estimated cost of
13 \$150,000,000, with an estimated Federal cost
14 of \$97,500,000 and an estimated non-Federal
15 cost of \$52,500,000. The Secretary shall coordi-
16 nate with the Secretary of the Interior with re-
17 spect to the design and construction of modi-
18 fications at Folsom Dam authorized by this
19 paragraph.

1 (B) REOPERATION MEASURES.—Upon
2 completion of the improvements to Folsom Dam
3 authorized by subparagraph (A), the variable
4 space allocated to flood control within the Res-
5 ervoir shall be reduced from the current operat-
6 ing range of 400,000-670,000 acre-feet to
7 400,000-600,000 acre-feet.

8 (C) COST OF FOLSOM RESERVOIR REOPER-
9 ATION MEASURES.—Section 101(a)(1)(D)(ii) of
10 the Water Resources Development Act of 1996
11 (110 Stat. 3662–3663) is amended by striking
12 “during” and all that follows through “there-
13 after”.

14 (D) MAKEUP OF WATER SHORTAGES
15 CAUSED BY FLOOD CONTROL OPERATION.—

16 (i) IN GENERAL.—The Secretary of
17 the Interior shall enter into, or modify,
18 such agreements with the Sacramento
19 Area Flood Control Agency regarding the
20 operation of Folsom Dam and reservoir as
21 may be necessary in order that, notwith-
22 standing any prior agreement or provision
23 of law, 100 percent of the water needed to
24 make up for any water shortage caused by
25 variable flood control operation during any

1 year at Folsom Dam and resulting in a
2 significant impact on recreation at Folsom
3 Reservoir shall be replaced, to the extent
4 the water is available for purchase, by the
5 Secretary of the Interior.

6 (ii) COST SHARING.—Seventy-five per-
7 cent of the costs of the replacement water
8 provided under clause (i) shall be paid for
9 on a non-reimbursable basis by the Sec-
10 retary of the Interior at Federal expense.
11 The remaining 25 percent of such costs
12 shall be provided by the Sacramento Area
13 Flood Control Agency.

14 (iii) LIMITATION.—To the extent that
15 any funds in excess of the non-Federal
16 share are provided by the Sacramento Area
17 Flood Control Agency, the Secretary shall
18 reimburse such non-Federal interests for
19 such excess funds. Costs for replacement
20 water may not exceed 125 percent of the
21 current average market price for raw
22 water, as determined by the Secretary of
23 the Interior.

24 (E) SIGNIFICANT IMPACT ON RECRE-
25 ATION.—For the purposes of this paragraph, a

1 significant impact on recreation is defined as
2 any impact that results in a lake elevation at
3 Folsom Reservoir below 435 feet above sea level
4 starting on May 15 and ending on September
5 15 of any given year.

6 (F) EVALUATION.—For purposes of this
7 paragraph, in evaluating the impacts on recre-
8 ation at Folsom Reservoir caused by the vari-
9 able flood control operation of Folsom Dam, the
10 Secretary shall take into consideration the ef-
11 fect of measures authorized by section 581(b)
12 of this Act.

Strike section 365 of the bill and insert the follow-
ing:

13 **SEC. 365. AMERICAN AND SACRAMENTO RIVERS, CALIFOR-**
14 **NIA.**

15 (a) IN GENERAL.—The project for flood damage re-
16 duction, American and Sacramento Rivers, California, au-
17 thorized by section 101(a)(1) of the Water Resources De-
18 velopment Act of 1996 (110 Stat. 3662–3663), is modified
19 to direct the Secretary to include the following improve-
20 ments as part of the overall project:

1 (1) Raising the left bank of the non-Federal
2 levee upstream of the Mayhew Drain for a distance
3 of 4,500 feet by an average of 2.5 feet.

4 (2) Raising the right bank of the American
5 River levee from 1,500 feet upstream to 4,000 feet
6 downstream of the Howe Avenue bridge by an aver-
7 age of 1 foot.

8 (3) Modifying the south levee of the Natomas
9 Cross Canal for a distance of 5 miles to ensure that
10 the south levee is consistent with the level of protec-
11 tion provided by the authorized levee along the east
12 bank of the Sacramento River.

13 (4) Modifying the north levee of the Natomas
14 Cross Canal for a distance of 5 miles to ensure that
15 the height of the levee is equivalent to the height of
16 the south levee as authorized by paragraph (3).

17 (5) Installing gates to the existing Mayhew
18 Drain culvert and pumps to prevent backup of flood-
19 water on the Folsom Boulevard side of the gates.

20 (6) Installation of a slurry wall in the north
21 levee of the American River from the east levee of
22 the Natomas east Main Drain upstream for a dis-
23 tance of approximately 1.2 miles.

24 (7) Installation of a slurry wall in the north
25 levee of the American River from 300 feet west of

1 Jacob Lane north for a distance of approximately 1
2 mile to the end of the existing levee.

3 (b) COST LIMITATIONS.—Section 101(a)(1)(A) of the
4 Water Resources Development Act of 1996 (110 Stat.
5 3662) is amended by striking “at a total cost of” and all
6 that follows through “\$14,225,000,” and inserting the fol-
7 lowing: “at a total cost of \$91,900,000, with an estimated
8 Federal cost of \$68,925,000 and an estimated non-Fed-
9 eral cost of \$22,975,000,”.

10 (c) COST SHARING.—For purposes of section 103 of
11 the Water Resources Development Act of 1986 (33 U.S.C.
12 2213), the modifications authorized by this section shall
13 be subject to the same cost sharing in effect for the project
14 for flood damage reduction, American and Sacramento
15 Rivers, California, authorized by section 101(a)(1) of the
16 Water Resources Development Act of 1996 (110 Stat.
17 3662).

Strike section 580 of the bill and insert the follow-
ing:

18 **SEC. 580. FOLSOM DAM AND RESERVOIR ADDITIONAL**
19 **STORAGE AND WATER SUPPLY STUDIES.**

20 (a) FOLSOM FLOOD CONTROL STUDIES.—

21 (1) IN GENERAL.—The Secretary, in consulta-
22 tion with the State of California and local water re-

1 sources agencies, shall undertake a study of increas-
2 ing surcharge flood control storage at the Folsom
3 Dam and Reservoir by replacing the 8 spillway gates
4 and raising the dam and embankment by 6.5 feet or
5 the amount needed to achieve a 140-year level of
6 flood protection, whichever provides the greater level
7 of flood protection.

8 (2) DETERMINATION OF 140-YEAR LEVEL OF
9 FLOOD PROTECTION.—For the purposes of para-
10 graph (1), the 140-year level of flood protection shall
11 be determined in accordance with the hydrology ap-
12 proved by the Sacramento District of the United
13 States Army Corps of Engineers in its February 3,
14 1998, report entitled “American River, California,
15 Rain Flood Flow Frequency Analysis”.

16 (3) LIMITATIONS.—The modifications to the
17 Folsom Dam and Reservoir under this section may
18 not increase the conservation storage of the Folsom
19 Reservoir.

20 (4) REPORT.—Not later than April 15, 2001,
21 the Secretary shall transmit to Congress a report on
22 the results of the study under this subsection.

23 (b) FOLSOM WATER SUPPLY STUDIES.—

24 (1) IN GENERAL.—Following the completion of
25 the study under subsection (a), the Secretary of the

1 Interior, in consultation with the Secretary of the
2 Army, the State of California, local water resources
3 agencies, local elected officials and interested organi-
4 zations, shall undertake a study of the opportunities
5 to increase the available water supply storage at Fol-
6 som Dam and Reservoir resulting from any flood
7 control modifications to Folsom Dam recommended
8 under subsection (a).

9 (2) FOCUS OF STUDY.—The study shall focus
10 on opportunities to increase water supply storage
11 that can be accomplished while at the same time
12 protecting private property and recreational values
13 at Folsom Reservoir.

14 (c) IMPLEMENTATION.—Upon completion of the
15 study undertaken pursuant to subsection (a), the Sec-
16 retary shall proceed with the implementation of the maxi-
17 mum amount of surcharge flood control storage which
18 meets the criteria identified in subsection (a) if the Sec-
19 retary determines that the project—

20 (1) is technically feasible, environmentally ac-
21 ceptable, and economically justified and in accord-
22 ance with the economic and environmental principles
23 and guidelines for water and land resources; and

1 (2) includes measures which, to the maximum
2 extent practicable, mitigate any adverse impacts to
3 private property and recreation at Folsom Reservoir.

4 (d) ROAD RELOCATIONS.—

5 (1) PLANNING AND DESIGN.—Upon enactment
6 of this Act, the Secretary shall undertake detailed
7 planning and design of alternative transportation
8 improvements, including a bridge downstream of
9 Folsom Dam, that comply with current transpor-
10 tation design criteria to replace the Folsom Dam
11 Road, which is currently on top of the embankment
12 at Folsom Dam.

13 (2) CONSTRUCTION.—Subsequent to the Sec-
14 retary's determination to proceed with implementa-
15 tion of additional storage at Folsom Dam under sub-
16 section (a) and prior to construction of improve-
17 ments to Folsom Dam needed for such implementa-
18 tion, the Secretary, in consultation with the city of
19 Folsom and the Bureau of Reclamation, shall con-
20 struct the transportation improvements designed
21 under paragraph (1).

22 (3) COST SHARING.—The cost of planning, de-
23 sign, and construction of transportation improve-
24 ments under this subsection shall be treated as safe-
25 ty modifications and shall be subject to cost sharing

1 in accordance with section 1203 of the Water Re-
2 sources Development Act of 1986 (33 U.S.C. 467n).
3 All costs attributed to water and power users of the
4 Central Valley Project for such planning, design,
5 and construction shall be a Federal responsibility
6 and shall be nonreimbursable.

7 (4) SPECIAL RULE FOR COST-BENEFIT ANALY-
8 SIS.—For purposes of evaluating the costs and bene-
9 fits of the transportation improvements authorized
10 by this subsection, the benefits of such improve-
11 ments shall be allocated to ensuring adequate safety
12 at Folsom Dam and shall be deemed to equal the
13 cost of such improvements.

14 (e) LEVEE STUDY.—

15 (1) IN GENERAL.—The Secretary shall under-
16 take a study of all levees on the American River and
17 on the Sacramento River downstream and imme-
18 diately upstream of the confluence of such Rivers to
19 access opportunities to increase potential flood pro-
20 tection through levee modifications.

21 (2) DEADLINE FOR COMPLETION.—The Sec-
22 retary shall complete the study not later than 2
23 years after the date of enactment of this Act

1 (3) AUTHORIZATION OF APPROPRIATIONS.—

2 There is authorized to be appropriated to carry out

3 this subsection \$2,000,000.