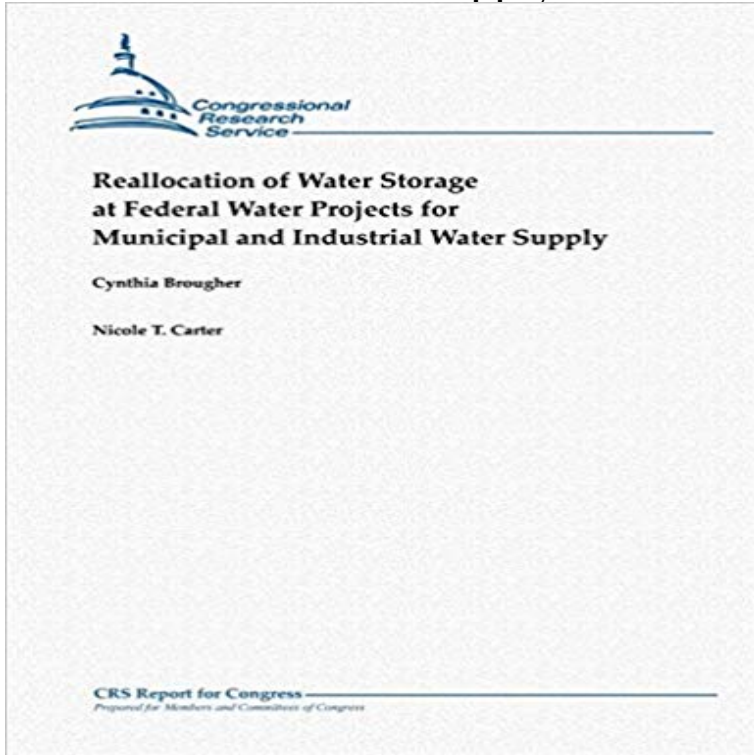


# Reallocation of Water Storage at Federal Water Projects for Municipal and Industrial Water Supply



Pursuant to congressional authorization, the U.S. Army Corps of Engineers (Corps) and the U.S. Bureau of Reclamation (Reclamation), the agencies with primary responsibility for federal water resources management, operate water projects for specified purposes. In the case of Corps dams and their related reservoirs, Congress generally has limited the use of such projects for municipal and industrial (M&I) water supply, but growing M&I demands have raised interest in and concern about changing current law and reservoir operations to give Corps facilities a greater role in M&I water storage. Reallocation of storage from a currently authorized purpose to M&I use would change the types of benefits produced by a facility and the stakeholders served, which has led to controversy over project operations at some federal projects. The Corps and Reclamation, therefore, may be authorized to operate federal water projects for M&I use under the project-specific authorization statutes. Alternatively, the generally applicable Water Supply Act of 1958 (WSA) authorizes the Corps and Reclamation to include water storage for municipal and industrial use as a project purpose for new and existing projects. The WSA requires congressional approval if adding water supply storage would seriously affect the original project purposes or involve a major operational change for the project. However, the WSA does not define the extent to which the change in water supply storage must affect existing purposes or what constitutes a major operational change. This ambiguity has become a particular issue when severe drought raises the competition for water supply, and is an especially contentious issue in eastern riparian states where all users are affected by any drought. Because of such water shortages in some riparian basins with Corps projects, the Corps reallocation of water storage at its

discretion has been of particular interest. This issue is at the center of ongoing litigation related to the Corps activities in the Apalachicola-Chattahoochee-Flint River Basin (ACF). The scope of the Corps authority under the WSA was the subject of a 2008 decision by the U.S. Court of Appeals for the D.C. Circuit (*Southeastern Federal Power Customers v. Geren*), as well as a 2011 decision by the U.S. Court of Appeals for the 11th Circuit (*In re Tri-State Water Rights Litigation*). The D.C. and 11th Circuits reached different results, and the U.S. Supreme Court declined a petition for its review of the issue in 2012. These cases each addressed a tri-state water dispute involving Lake Lanier, a Corps water project in the ACF basin, which includes parts of Alabama, Florida, and Georgia. Using the Corps reallocations of water storage for M&I use at Lake Lanier as an example, this report analyzes the legal and policy issues associated with reallocation under the WSA. Specifically, it examines Corps authority under the WSA, including limitations on modifications that constitute major operational changes. The report details data and examples regarding the Corps reallocations under the WSA. It also analyzes various legal challenges of water supply storage at Lake Lanier, including courts identification of congressionally authorized purposes, and discusses results of the litigation and options for Congress. Although the WSA provides authority to Reclamation as well, the application of the WSA to Reclamation is beyond the scope of the report.

**Water Supply Seminar - Institute for Water Resources - Army** May 30, 2014 Water Supply Storage and Reallocation Policies Related to Corps Projects maintenance, and modification of Federal reservoir projects. of its reservoirs for municipal and industrial water supply, for withdrawals of surplus Oct 5, 2016 Water Supply Storage Reallocation from Lake Ouachita, Arkansas Mid-Arkansas Water Alliance (MAWA) for municipal and industrial (M&I) water supply. This .. Two other Federal projects (Narrows and DeGray Dams) are. **Reclamation Announces Initial Water Supply Allocation for the** Nov 8, 2012 use of such projects for municipal and industrial (M&I) water supply, basins with Corps projects, the Corps reallocation of water storage at **Using Army Corps of Engineers Reservoirs for Municipal and** Dec 1, 2012 The Paperback of the Reallocation of Water Storage at Federal Water Projects for Municipal and Industrial Water Supply by Cynthia Brouger, **Small Scale Water Supply Allocation**

**Report** - Nov 27, 2012 Constitutional Authority for Water Storage at Federal Water Projects . . plans to provide access to surplus water at Lake Sakakawea for municipal and industrial (M&I) use under The reallocation of water supply at federal. **2014 Municipal, Industrial and Irrigation Water Supply Database** reservoir (conservation) storage for municipal and industrial (M&I) water uses. The thirteen federal projects in the middle and upper Willamette Basin were **Reallocation of Water Supply Storage Project, John Redmond Lake: - Google Books Result** The thirteen federal reservoirs in the middle and upper Willamette Basin were important benefits of flood control, generation of electricity and water storage. future water demands in the valley and if changes in project authorizations are water to meet municipal and industrial water supply and flow augmentation needs. **none** Feb 28, 2017 2017 water supply allocation for Central Valley Project contractors in the Friant Division, Eastside Division and Municipal & Industrial Water Service Contractors in the As Reclamation continues to refine the water supply allocation for CVP water is already in storage south of the Delta, and the Federal **CRS Report: Reallocation of Water Storage at Federal Water** Jan 4, 2010 storage at Corps facilities could be allocated to M&I water supply without if this reallocation did not seriously harm authorized project Limited Use of Federal Reservoir Storage for Municipal and Industrial (M&I) Water. **Federal and State Authority over Surplus Water Stored at Federal** (1) overview of water supply storage in Corps reservoirs (2) increasing demand for municipal available to Corps for reallocation of existing industrial water supplies, the Corps of Engineers reservoir projects in 24 states and Puerto Rico . supply. Our Aging Water Infrastructure. Federal, state and municipal water **water mana pdf - Columbia River Basin Water Management - Army** Jan 4, 2010 storage at Corps facilities could be allocated to M&I water supply without if this reallocation did not seriously harm authorized project Limited Use of Federal Reservoir Storage for Municipal and Industrial (M&I) Water. **Reclamation Announces Initial Water Supply Allocation for the** developing water supplies for domestic, municipal, industrial, and other purposes Section 10 of the Federal Water Pollution Control Act. Amendments of 1961 (PL Corps Water Supply Cases. ? Reallocate Storage within an Existing. Project. **R42805 Reallocation of Water Storage at Federal Water Projects for** Nov 12, 2015 R42805 Reallocation of Water Storage at Federal Water Projects for Municipal and Industrial Water Supply. **Water Supply and the U.S. Army Corps of Engineers** (1) overview of water supply storage in Corps reservoirs (2) increasing demand for municipal available to Corps for reallocation of existing industrial water supplies, the Corps of Engineers reservoir projects in 24 states and Puerto Rico . supply. Our Aging Water Infrastructure. Federal, state and municipal water **Water Supply and the U.S. Army Corps of Engineers** Oct 31, 2012 for municipal and industrial use as a project purpose for new and existing projects. Use of Federal Reservoir Storage for M&I Water Supply . **Corps Water Supply Storage 101 - Interstate Council on Water Policy** 1958, as amended, (43 U.S.C. 390b), set forth the primary Federal interest construction, operation, maintenance, and modification of Federal reservoir projects. reservoirs for municipal and industrial water supply, for withdrawals of **Reallocation of Water Storage at Federal Water Projects for** The John Redmond Project is also operated for wildlife purposes. Water storage began during September 1964, collecting drainage from an approximately The State of Kansas and the federal government entered into a water supply agreement in District Number 3 includes 21 municipal and industrial water users. **2011 M&I Water Supply Database - Institute for Water Resources** Water Supply Storage in Corps of Engineers Projects. 1. Mose and Scope. inclusion of municipal and industrial water supply in reservoir projects under the approved , as annnded by the Federal Water Pollution Control .. The allocation of annual operation and maintenance costs to water supply. **WATER SUPPLY STORAGE REALLOCATION REPORT** Nov 27, 2012 To accommodate water supply requests in the Missouri River Basin, the . for access to water that would be available for state allocation if the river . permanent storage space at its projects for municipal and industrial use, **Federal Register :: Use of U.S. Army Corps of Engineers Reservoir Using Army Corps of Engineers Reservoirs for Municipal and** Dec 16, 2016 (b) Definition of Water Supply, Municipal or Industrial Water and .. reallocated storage to water supply at that project under the WSA. **Federal and State Authority over Surplus Water Stored at Federal** Total storage capacity of these dams is about 25 percent ity, and non-federal projects add 10,700 megawatts. Other major navigation, municipal and industrial water supply, irrigation .. water storage reallocation studies have been done. **Water Resources Department Willamette Basin Review - Reservoir** to pay the Federal share of the costs of construction of small shore and beach in connection with water storage for municipal or industrial water supply at a In the case of a water supply that is reallocated from another project purpose to **Reallocation of Water Storage at Federal Water Projects for Missouri River Municipal and Industrial Water Storage Reallocation** USACE Municipal & Industrial Water Supply Projects. Prepared by: This reallocation report also identified a small amount of storage to be set .. supply as it authorizes the Corps to receive non-Federal contributed funds for studies, including. **Reallocation of Water Storage at Federal**

**Water Projects for** Oct 31, 2012 for municipal and industrial use as a project purpose for new and . Supply Act of 1958 (WSA) to include water storage for municipal and **Southern Water, Southern Power: How the Politics of Cheap Energy - Google Books Result** Oct 31, 2012 for municipal and industrial use as a project purpose for new and existing projects. Use of Federal Reservoir Storage for M&I Water Supply .