

Amendment #1

**Amendment to the Amendment in the Nature of a Substitute to H.R. 3764**  
**Offered by Mr. Rosendale of Montana**

At the end of Title I, insert the following:

**Sec. 113. EXCEPTION.**

With respect to any activities under this Title that removes a water storage structure, modifies a water storage structure or its management in a manner that reduces water or power supplies for municipal, industrial or agricultural uses, the Administrator, Director of the United States Fish and Wildlife Service or the Director of the National Park Service may only negotiate and enter into an agreement to fund—

(A) the design or study of such activities if the Administrator, Director of the United States Fish and Wildlife Service or the Director of the National Park Service has received consent from the owner of the applicable water storage structure; or

(B) the construction of such activities if the Administrator, Director of the United States Fish and Wildlife Service or the Director of the National Park Service —

(i) identifies all entities that receive water or power from the structure that is under consideration for removal or modification at the time of the request;

(ii) notifies each entity identified in clause (i) that the structure removal or modification project has been requested; and

(iii) does not receive, by the date that is 120 days after the date on which all eligible entities have been notified under clause (ii), written objection from any entity identified in clause (i).