

# ***In the House of Representatives, U. S.,***

*December 8, 2020.*

*Resolved*, That the bill from the Senate (S. 1811) entitled “An Act to make technical corrections to the America’s Water Infrastructure Act of 2018, and for other purposes.”, do pass with the following

## **AMENDMENTS:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

2       (a) *SHORT TITLE.*—*This Act may be cited as the*  
3 *“Water Resources Development Act of 2020”.*

4       (b) *TABLE OF CONTENTS.*—*The table of contents for*  
5 *this Act is as follows:*

*Sec. 1. Short title; table of contents.*

*Sec. 2. Secretary defined.*

### ***TITLE I—GENERAL PROVISIONS***

*Sec. 101. Budgetary treatment expansion and adjustment for the Harbor Maintenance Trust Fund.*

*Sec. 102. Authorization of appropriations for navigation.*

*Sec. 103. Annual report to Congress on the Harbor Maintenance Trust Fund.*

*Sec. 104. Additional measures at donor ports and energy transfer ports.*

*Sec. 105. Construction of water resources development projects by non-Federal interests.*

*Sec. 106. Coast Guard anchorages.*

*Sec. 107. State contribution of funds for certain operation and maintenance costs.*

*Sec. 108. Great Lakes confined disposal facilities.*

*Sec. 109. Inland waterway projects.*

*Sec. 110. Implementation of water resources principles and requirements.*

*Sec. 111. Resiliency planning assistance.*

*Sec. 112. Project consultation.*

*Sec. 113. Review of resiliency assessments.*

*Sec. 114. Small flood control projects.*

*Sec. 115. Flood Protection Projects.*

- Sec. 116. Feasibility studies; review of natural and nature-based features.*
- Sec. 117. Federal interest determination.*
- Sec. 118. Pilot programs on the formulation of Corps of Engineers projects in rural communities and economically disadvantaged communities.*
- Sec. 119. Permanent measures to reduce emergency flood fighting needs for communities subject to repetitive flooding.*
- Sec. 120. Emergency response to natural disasters.*
- Sec. 121. Cost and benefit feasibility assessment.*
- Sec. 122. Expediting repairs and recovery from flooding.*
- Sec. 123. Review of Corps of Engineers assets.*
- Sec. 124. Sense of Congress on multipurpose projects.*
- Sec. 125. Beneficial use of dredged material; dredged material management plans.*
- Sec. 126. Aquatic ecosystem restoration for anadromous fish.*
- Sec. 127. Annual report to Congress on water resources infrastructure.*
- Sec. 128. Harmful algal bloom demonstration program.*
- Sec. 129. Missouri River interception-rearing complex construction.*
- Sec. 130. Materials, services, and funds for repair, restoration, or rehabilitation of projects.*
- Sec. 131. Levee safety.*
- Sec. 132. National Dam Safety Program.*
- Sec. 133. Rehabilitation of Corps of Engineers constructed pump stations.*
- Sec. 134. Non-Federal Project Implementation Pilot Program.*
- Sec. 135. Cost sharing provisions for territories and Indian Tribes.*
- Sec. 136. Review of contracting policies.*
- Sec. 137. Criteria for funding environmental infrastructure projects.*
- Sec. 138. Aging infrastructure.*
- Sec. 139. Uniformity of notification systems.*
- Sec. 140. Coastal storm damage reduction contracts.*
- Sec. 141. Dam remediation for ecosystem restoration.*
- Sec. 142. Levee accreditation process; levee certifications.*
- Sec. 143. Project partnership agreement.*
- Sec. 144. Acceptance of funds for harbor dredging.*
- Sec. 145. Replacement capacity.*
- Sec. 146. Reviewing hydropower at Corps of Engineers facilities.*
- Sec. 147. Repair and restoration of embankments.*
- Sec. 148. Coastal mapping.*
- Sec. 149. Interim risk reduction measures.*
- Sec. 150. Maintenance dredging permits.*
- Sec. 151. High water-low water preparedness.*
- Sec. 152. Treatment of certain benefits and costs.*
- Sec. 153. Lease deviations.*
- Sec. 154. Sense of Congress on Arctic deep draft port development.*
- Sec. 155. Small water storage projects.*
- Sec. 156. Planning Assistance to States.*
- Sec. 157. Forecast-informed reservoir operations.*
- Sec. 158. Data for water allocation, supply, and demand.*
- Sec. 159. Inland waterways pilot program.*
- Sec. 160. Definition of economically disadvantaged community.*
- Sec. 161. Studies of water resources development projects by non-Federal interests.*
- Sec. 162. Leveraging Federal infrastructure for increased water supply.*
- Sec. 163. Sense of Congress on removal of unauthorized, manmade, flammable materials on Corps property.*
- Sec. 164. Enhanced development program.*
- Sec. 165. Continuing authority programs.*

## TITLE II—STUDIES AND REPORTS

- Sec. 201. Authorization of proposed feasibility studies.*
- Sec. 202. Expedited completions.*
- Sec. 203. Expedited modifications of existing feasibility studies.*
- Sec. 204. Assistance to non-Federal sponsors; feasibility analysis.*
- Sec. 205. Selma, Alabama.*
- Sec. 206. Report on Corps of Engineers facilities in Appalachia.*
- Sec. 207. Additional studies under North Atlantic Coast Comprehensive Study.*
- Sec. 208. South Atlantic coastal study.*
- Sec. 209. Comprehensive study of the Sacramento River, Yolo Bypass, California.*
- Sec. 210. Lake Okeechobee regulation schedule, Florida.*
- Sec. 211. Great Lakes coastal resiliency study.*
- Sec. 212. Report on the status of restoration in the Louisiana coastal area.*
- Sec. 213. Lower Mississippi River comprehensive management study.*
- Sec. 214. Upper Mississippi River Comprehensive Plan.*
- Sec. 215. Upper Missouri River Basin mainstem dam fish loss research.*
- Sec. 216. Lower and Upper Missouri River Comprehensive Flood Protection.*
- Sec. 217. Portsmouth Harbor and Piscataqua River and Rye Harbor, New Hampshire.*
- Sec. 218. Cougar and Detroit Dams, Willamette River Basin, Oregon.*
- Sec. 219. Port Orford, Oregon.*
- Sec. 220. Wilson Creek and Sloan Creek, Fairview, Texas.*
- Sec. 221. Study on water supply and water conservation at water resources development projects.*
- Sec. 222. Report to Congress on authorized studies and projects.*
- Sec. 223. Completion of reports and materials.*
- Sec. 224. Emergency flooding protection for lakes.*
- Sec. 225. Report on debris removal.*
- Sec. 226. Report on antecedent hydrologic conditions.*
- Sec. 227. Subsurface drain systems research and development.*
- Sec. 228. Report on corrosion prevention activities.*
- Sec. 229. Annual reporting on dissemination of information.*
- Sec. 230. Report on benefits calculation for flood control structures.*

## TITLE III—DEAUTHORIZATIONS AND MODIFICATIONS

- Sec. 301. Deauthorization of inactive projects.*
- Sec. 302. Abandoned and inactive noncoal mine restoration.*
- Sec. 303. Tribal partnership program.*
- Sec. 304. Lakes program.*
- Sec. 305. Rehabilitation of Corps of Engineers constructed dams.*
- Sec. 306. Chesapeake Bay Environmental Restoration and Protection Program.*
- Sec. 307. Upper Mississippi River System Environmental Management Program.*
- Sec. 308. Upper Mississippi River protection.*
- Sec. 309. Theodore Ship Channel, Mobile, Alabama.*
- Sec. 310. McClellan-Kerr Arkansas River Navigation System.*
- Sec. 311. Ouachita and Black Rivers, Arkansas and Louisiana.*
- Sec. 312. Lake Isabella, California.*
- Sec. 313. Lower San Joaquin River flood control project.*
- Sec. 314. Sacramento River, Glenn-Colusa, California.*
- Sec. 315. San Diego River and Mission Bay, San Diego County, California.*
- Sec. 316. San Francisco, California, Waterfront Area.*
- Sec. 317. Western Pacific Interceptor Canal, Sacramento River, California.*
- Sec. 318. Rio Grande Environmental Management Program, Colorado, New Mexico, and Texas.*

- Sec. 319. New London Harbor Waterfront Channel, Connecticut.*  
*Sec. 320. Wilmington Harbor, Delaware.*  
*Sec. 321. Wilmington Harbor South Disposal Area, Delaware.*  
*Sec. 322. Washington Harbor, District of Columbia.*  
*Sec. 323. Big Cypress Seminole Indian Reservation Water Conservation Plan, Florida.*  
*Sec. 324. Central Everglades, Florida.*  
*Sec. 325. Miami River, Florida.*  
*Sec. 326. Julian Keen, Jr. Lock and Dam, Moore Haven, Florida.*  
*Sec. 327. Taylor Creek Reservoir and Levee L-73 (Section 1), Upper St. Johns River Basin, Florida.*  
*Sec. 328. Extinguishment of flowage easements, Rough River Lake, Kentucky.*  
*Sec. 329. Calcasieu River and Pass, Louisiana.*  
*Sec. 330. Camden Harbor, Maine.*  
*Sec. 331. Cape Porpoise Harbor, Maine, anchorage area designation.*  
*Sec. 332. Baltimore, Maryland.*  
*Sec. 333. Thad Cochran Lock and Dam, Amory, Mississippi.*  
*Sec. 334. Missouri river reservoir sediment management.*  
*Sec. 335. Portsmouth, New Hampshire.*  
*Sec. 336. Rahway flood risk management feasibility study, New Jersey.*  
*Sec. 337. San Juan-Chama project; Abiquiu Dam, New Mexico.*  
*Sec. 338. Flushing Bay and Creek Federal Navigation Channel, New York.*  
*Sec. 339. Rush River and Lower Branch Rush River, North Dakota.*  
*Sec. 340. Pawcatuck River, Little Narragansett Bay and Watch Hill Cove, Rhode Island and Connecticut.*  
*Sec. 341. Harris County, Texas.*  
*Sec. 342. Cap Sante Waterway, Washington.*  
*Sec. 343. Local government reservoir permit review.*  
*Sec. 344. Project modifications for improvement of environment.*  
*Sec. 345. Aquatic ecosystem restoration.*  
*Sec. 346. Surplus water contracts and water storage agreements.*  
*Sec. 347. No wake zones in navigation channels.*  
*Sec. 348. Limitation on contract execution in the Arkansas River Basin.*  
*Sec. 349. Waiver of non-Federal share of damages related to certain contract claims.*  
*Sec. 350. Reduced pricing for certain water supply storage.*  
*Sec. 351. Flood control and other purposes.*  
*Sec. 352. Additional assistance for critical projects.*  
*Sec. 353. Project modification authorizations.*  
*Sec. 354. Completion of maintenance and repair activities.*  
*Sec. 355. Project reauthorizations.*  
*Sec. 356. Conveyances.*  
*Sec. 357. Lake Eufaula advisory committee.*  
*Sec. 358. Repeal of Missouri River Task Force, North Dakota.*  
*Sec. 359. Repeal of Missouri River Task Force, South Dakota.*  
*Sec. 360. Conforming amendments.*

#### **TITLE IV—WATER RESOURCES INFRASTRUCTURE**

- Sec. 401. Project authorizations.*  
*Sec. 402. Special rules.*  
*Sec. 403. Authorization of projects based on feasibility studies prepared by non-Federal interests.*

## TITLE V—OTHER MATTERS

- Sec. 501. Update on Invasive Species Policy Guidance.*  
*Sec. 502. Aquatic invasive species research.*  
*Sec. 503. Terrestrial noxious weed control pilot program.*  
*Sec. 504. Invasive species risk assessment, prioritization, and management.*  
*Sec. 505. Invasive species mitigation and reduction.*  
*Sec. 506. Aquatic invasive species prevention.*  
*Sec. 507. Invasive species in alpine lakes pilot program.*  
*Sec. 508. Murder hornet eradication pilot program.*  
*Sec. 509. Asian carp prevention and control pilot program.*  
*Sec. 510. Invasive species in noncontiguous States and territories pilot program.*  
*Sec. 511. Soil moisture and snowpack monitoring.*  
*Sec. 512. Great Lakes St. Lawrence Seaway Development Corporation.*  
*Sec. 513. Determination of budgetary effects.*

1 **SEC. 2. SECRETARY DEFINED.**

2       *In this Act, the term “Secretary” means the Secretary*  
 3 *of the Army.*

4 **TITLE I—GENERAL PROVISIONS**

5 **SEC. 101. BUDGETARY TREATMENT EXPANSION AND AD-**  
 6 **JUSTMENT FOR THE HARBOR MAINTENANCE**  
 7 **TRUST FUND.**

8       *(a) IN GENERAL.—Section 14003 of division B of the*  
 9 *CARES Act (Public Law 116–136) is amended to read as*  
 10 *follows:*

11       *“SEC. 14003. Section 251(b)(2) of the Balanced Budget*  
 12 *and Emergency Deficit Control Act of 1985 (2 U.S.C.*  
 13 *901(b)(2)) is amended by adding at the end the following:*

14               *“(H) HARBOR MAINTENANCE ACTIVI-*  
 15 *TIES.—If, for any fiscal year, appropriations for*  
 16 *the Construction, Mississippi River and Tribu-*  
 17 *taries, and Operation and Maintenance accounts*  
 18 *of the Corps of Engineers are enacted that are*

1       *derived from the Harbor Maintenance Trust*  
 2       *Fund established under section 9505(a) of the In-*  
 3       *ternal Revenue Code of 1986 and that the Con-*  
 4       *gress designates in statute as being for harbor*  
 5       *operations and maintenance activities, then the*  
 6       *adjustment for that fiscal year shall be the total*  
 7       *of such appropriations that are derived from*  
 8       *such Fund and designated as being for harbor*  
 9       *operations and maintenance activities, but shall*  
 10       *not exceed the sum of—*

11               *“(i) the amount deposited into the*  
 12               *Harbor Maintenance Trust Fund in the fis-*  
 13               *cal year that is two years prior to the fiscal*  
 14               *year for which the adjustment is being*  
 15               *made; and*

16               *“(ii) \$2,000,000,000.*

17               *“(I) CERTAIN HARBOR MAINTENANCE AC-*  
 18       *TIVITIES.—If, for any of fiscal years 2021*  
 19       *through 2030, appropriations for the Operation*  
 20       *and Maintenance account of the Corps of Engi-*  
 21       *neers are enacted that the Congress designates in*  
 22       *statute as being to carry out subsection (c) of sec-*  
 23       *tion 2106 of the Water Resources Reform and*  
 24       *Development Act of 2014 (33 U.S.C. 2238c), then*  
 25       *the adjustment for that fiscal year shall be the*

total of such appropriations for that fiscal year  
designated as being to carry out such subsection,  
but shall not exceed—

“(i) \$50,000,000 for fiscal year 2021;

“(ii) \$50,000,000 for fiscal year 2022;

“(iii) \$56,000,000 for fiscal year

2023;

“(iv) \$58,000,000 for fiscal year 2024;

“(v) \$60,000,000 for fiscal year 2025;

“(vi) \$62,000,000 for fiscal year 2026;

“(vii) \$64,000,000 for fiscal year

2027;

“(viii) \$66,000,000 for fiscal year

2028;

“(ix) \$68,000,000 for fiscal year 2029;

and

“(x) \$70,000,000 for fiscal year

2030.’”.

(b) *EFFECTIVE DATE.*—The amendment made by subsection (a) shall take effect as if included in the enactment of the CARES Act (Public Law 116–136).

**SEC. 102. AUTHORIZATION OF APPROPRIATIONS FOR NAVIGATION.**

(a) *AUTHORIZATION.*—

(1) *IN GENERAL.*—*In carrying out subsection (c) of section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238), for each fiscal year, of the funds made available under such section (including funds appropriated from the Harbor Maintenance Trust Fund), the Secretary is authorized to make expenditures to pay for operation and maintenance costs of the harbors and inland harbors referred to in subsection (a)(2) of such section, to the extent there are identifiable operations and maintenance needs, of—*

*(A) not less than 15 percent of such funds for emerging harbor projects, including eligible breakwater and jetty needs at such harbor projects;*

*(B) not less than 13 percent of such funds for projects that are located within the Great Lakes Navigation System;*

*(C) 12 percent of such funds for expanded uses carried out at donor ports and energy transfer ports, of which—*

*(i)  $\frac{1}{3}$  shall be provided to energy transfer ports; and*

*(ii)  $\frac{2}{3}$  shall be provided to donor ports;*



(D) not less than 17 percent of such funds for projects that are assigned to commercial strategic seaports; and

(E) any remaining funds for operation and maintenance costs of any harbor or inland harbor referred to in such subsection (a)(2) based on an equitable allocation of such funds among such harbors and inland harbors, in accordance with subsection (c)(1) of such section 210.

(2) *DEFINITIONS.*—In this subsection:

(A) *COMMERCIAL STRATEGIC SEAPORT.*—The term “commercial strategic seaport” means a commercial harbor supporting the coordination of efficient port operations during peacetime and national defense emergencies that is designated as strategic through the National Port Readiness Network.

(B) *DONOR PORT; ENERGY TRANSFER PORT.*—The terms “donor port” and “energy transfer port” have the meanings given those terms in section 2106 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c).

(C) *EMERGING HARBOR PROJECT; GREAT LAKES NAVIGATION SYSTEM.*—The terms “emerg-

ing harbor project” and “Great Lakes Navigation System” have the meanings given those terms in section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238).

(3) *EFFECTIVE DATE.*—This subsection shall take effect on October 1, 2022.

(b) *ADDITIONAL USES.*—

(1) *OPERATION AND MAINTENANCE OF HARBOR PROJECTS.*—Section 210(c)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(c)(3)) is amended—

(A) by striking “Notwithstanding” and inserting the following:

“(A) *ALLOCATION.*—Notwithstanding”; and

(B) by adding at the end the following:

“(B) *ADDITIONAL USES AT EMERGING HARBORS.*—

“(i) *USES.*—In each fiscal year, the Secretary may use not more than \$5,000,000 of funds allocated for emerging harbor projects under paragraph (1) to pay for the costs of up to 10 projects for maintenance dredging of a marina or berthing area, in an emerging harbor, that includes an area that is located adjacent to, or is ac-

1           cessible by, a Federal navigation project,  
2           subject to clauses (ii) and (iii) of this sub-  
3           paragraph.

4           “(ii) *ELIGIBLE EMERGING HARBORS.*—  
5           *The Secretary may use funds as authorized*  
6           *under clause (i) at an emerging harbor*  
7           *that—*

8                   “(I) *supports commercial activi-*  
9                   *ties, including commercial fishing op-*  
10                   *erations, commercial fish processing*  
11                   *operations, recreational and sport fish-*  
12                   *ing, and commercial boat yards; or*

13                   “(II) *supports activities of the*  
14                   *Secretary of the department in which*  
15                   *the Coast Guard is operating.*

16           “(iii)    *COST-SHARING        REQUIRE-*  
17           *MENTS.—The Secretary shall require a non-*  
18           *Federal interest to contribute not less than*  
19           *25 percent of the costs for maintenance*  
20           *dredging of that portion of a maintenance*  
21           *dredging project described in clause (i) that*  
22           *is located outside of the Federal navigation*  
23           *project, which may be provided as an in-*  
24           *kind contribution, including through the use*

1                   of dredge equipment owned by non-Federal  
2                   interest to carry out such activities.”.

3                   (2) *ASSESSMENT OF HARBORS AND INLAND HAR-*  
4                   *BORS.*—Section 210(e)(2)(A)(ii) of the Water Re-  
5                   sources Development Act of 1986 (33 U.S.C.  
6                   2238(e)(2)(A)(ii)) is amended by inserting “uses de-  
7                   scribed in subsection (c)(3)(B) and” after “costs for”.

8                   (3) *DEFINITIONS.*—Section 210(f) of the Water  
9                   Resources Development Act of 1986 (33 U.S.C.  
10                  2238(f)) is amended—

11                  (A) by striking paragraph (6);

12                  (B) by redesignating paragraphs (3)  
13                  through (5) as paragraphs (4) through (6), re-  
14                  spectively;

15                  (C) by striking paragraph (2) and inserting  
16                  the following:

17                  “(2) *EMERGING HARBOR.*—The term ‘emerging  
18                  harbor’ means a harbor or inland harbor referred to  
19                  in subsection (a)(2) that transits less than 1,000,000  
20                  tons of cargo annually.

21                  “(3) *EMERGING HARBOR PROJECT.*—The term  
22                  ‘emerging harbor project’ means a project that is as-  
23                  signed to an emerging harbor.”; and

24                  (D) in paragraph (4) (as so redesignated),  
25                  by adding at the end the following:

1           “(C) *An in-water improvement, if the im-*  
 2           *provement—*

3                   “(i) *is for the seismic reinforcement of*  
 4                   *a wharf or other berthing structure, or the*  
 5                   *repair or replacement of a deteriorating*  
 6                   *wharf or other berthing structure, at a port*  
 7                   *facility;*

8                   “(ii) *benefits commercial navigation at*  
 9                   *the harbor; and*

10                  “(iii) *is located in, or adjacent to, a*  
 11                  *berth that is accessible to a Federal naviga-*  
 12                  *tion project.*

13           “(D) *An activity to maintain slope stability*  
 14           *at a berth in a harbor that is accessible to a Fed-*  
 15           *eral navigation project if such activity benefits*  
 16           *commercial navigation at the harbor.”.*

17   **SEC. 103. ANNUAL REPORT TO CONGRESS ON THE HARBOR**  
 18                   **MAINTENANCE TRUST FUND.**

19           *Section 330 of the Water Resources Development Act*  
 20   *of 1992 (26 U.S.C. 9505 note; 106 Stat. 4851) is amended—*

21           *(1) in subsection (a)—*

22                   (A) *by striking “and annually thereafter,”*  
 23                   *and inserting “and annually thereafter concu-*  
 24                   *rent with the submission of the President’s an-*  
 25                   *nuual budget request to Congress,”; and*

1                   (B) by striking “Public Works and Trans-  
 2                   portation” and inserting “Transportation and  
 3                   Infrastructure”; and  
 4                   (2) in subsection (b)(1) by adding at the end the  
 5                   following:

6                   “(D) A description of the expected expendi-  
 7                   tures from the trust fund to meet the needs of  
 8                   navigation for the fiscal year of the budget re-  
 9                   quest.”.

10 **SEC. 104. ADDITIONAL MEASURES AT DONOR PORTS AND**  
 11 **ENERGY TRANSFER PORTS.**

12           (a) *INTERIM AUTHORIZATION*.—Section 2106(f) of the  
 13 *Water Resources Reform and Development Act of 2014* (33  
 14 *U.S.C. 2238c(f)*) is amended—

15                   (1) in paragraph (1), by striking “2020” and in-  
 16                   serting “2022”; and  
 17                   (2) by striking paragraph (3).

18           (b) *IN GENERAL*.—

19                   (1) *DEFINITIONS*.—Section 2106(a) of the *Water*  
 20 *Resources Reform and Development Act of 2014* (33  
 21 *U.S.C. 2238c(a)*) is amended—

22                           (A) in paragraph (3)(A)—

23                                   (i) by amending clause (ii) to read as  
 24                                   follows:

1           “(ii) at which the total amount of har-  
 2           bor maintenance taxes collected (including  
 3           the estimated taxes related to domestic cargo  
 4           and cruise passengers) comprise not less  
 5           than \$15,000,000 annually of the total  
 6           funding of the Harbor Maintenance Trust  
 7           Fund on an average annual basis for the  
 8           previous 3 fiscal years;”;

9           (ii) in clause (iii)—

10           (I) by inserting “(including the  
 11           estimated taxes related to domestic  
 12           cargo and cruise passengers)” after  
 13           “taxes collected”; and

14           (II) by striking “5 fiscal years”  
 15           and inserting “3 fiscal years”; and

16           (iii) in clause (iv), by striking “in fis-  
 17           cal year 2012” and inserting “on an aver-  
 18           age annual basis for the previous 3 fiscal  
 19           years”;

20           (B) in paragraph (5)(B), by striking “in  
 21           fiscal year 2012” each place it appears and in-  
 22           serting “on an average annual basis for the pre-  
 23           vious 3 fiscal years”;

1           (C) by redesignating paragraph (8) as  
 2           paragraph (9) and inserting after paragraph (7)  
 3           the following:

4           “(8) *HARBOR MAINTENANCE TRUST FUND.*—The  
 5           term ‘*Harbor Maintenance Trust Fund*’ means the  
 6           *Harbor Maintenance Trust Fund* established by sec-  
 7           tion 9505 of the Internal Revenue Code of 1986.”; and

8           (D) in paragraph (9), as so redesignated—  
 9           (i) by amending subparagraph (B) to  
 10          read as follows:

11          “(B) at which the total amount of harbor  
 12          maintenance taxes collected (including the esti-  
 13          mated taxes related to domestic cargo and cruise  
 14          passengers) comprise annually more than  
 15          \$5,000,000 but less than \$15,000,000 of the total  
 16          funding of the Harbor Maintenance Trust Fund  
 17          on an average annual basis for the previous 3  
 18          fiscal years;”;

19          (ii) in subparagraph (C)—

20               (I) by inserting “(including the  
 21               estimated taxes related to domestic  
 22               cargo and cruise passengers)” after  
 23               “taxes collected”; and

24               (II) by striking “5 fiscal years”  
 25               and inserting “3 fiscal years”; and



1                   (iii) in subparagraph (D), by striking  
 2                   “in fiscal year 2012” and inserting “on an  
 3                   average annual basis for the previous 3 fis-  
 4                   cal years”.

5                   (2) *REPORT TO CONGRESS; AUTHORIZATION OF*  
 6                   *APPROPRIATIONS.*—Section 2106 of the Water Re-  
 7                   sources Reform and Development Act of 2014 (33  
 8                   U.S.C. 2238c) is amended—

9                   (A) by striking subsection (e) and redesign-  
 10                  nating subsections (f) and (g) as subsections (e)  
 11                  and (f), respectively; and

12                  (B) in subsection (e), as so redesignated, by  
 13                  amending paragraph (1) to read as follows:

14                  “(1) *IN GENERAL.*—There are authorized to be  
 15                  appropriated to carry out this section—

16                         “(A) \$56,000,000 for fiscal year 2023;

17                         “(B) \$58,000,000 for fiscal year 2024;

18                         “(C) \$60,000,000 for fiscal year 2025;

19                         “(D) \$62,000,000 for fiscal year 2026;

20                         “(E) \$64,000,000 for fiscal year 2027;

21                         “(F) \$66,000,000 for fiscal year 2028;

22                         “(G) \$68,000,000 for fiscal year 2029; and

23                         “(H) \$70,000,000 for fiscal year 2030.”.

24                  (3) *EFFECTIVE DATE.*—The amendments made  
 25                  by this subsection shall take effect on October 1, 2022.

1 **SEC. 105. CONSTRUCTION OF WATER RESOURCES DEVELOP-**  
 2 **MENT PROJECTS BY NON-FEDERAL INTER-**  
 3 **ESTS.**

4 (a) *STUDIES AND ENGINEERING.*—Section 204(c)(1) of  
 5 the Water Resources Development Act of 1986 (33 U.S.C.  
 6 2232(c)(1)) is amended by striking “under subsection (b)”  
 7 and inserting “under this section”.

8 (b) *ASSUMPTION OF MAINTENANCE OF A LOCALLY*  
 9 *PREFERRED PLAN.*—Section 204(f) of the Water Resources  
 10 Development Act of 1986 (33 U.S.C. 2232(f)) is amended  
 11 to read as follows:

12 “(f) *OPERATION AND MAINTENANCE.*—

13 “(1) *ASSUMPTION OF MAINTENANCE.*—Whenever  
 14 a non-Federal interest carries out improvements to a  
 15 federally authorized harbor or inland harbor, the Sec-  
 16 retary shall be responsible for operation and mainte-  
 17 nance in accordance with section 101(b) if—

18 “(A) before construction of the improve-  
 19 ments—

20 “(i) the Secretary determines that the  
 21 improvements are feasible and consistent  
 22 with the purposes of this title; and

23 “(ii) the Secretary and the non-Federal  
 24 interest execute a written agreement relat-  
 25 ing to operation and maintenance of the  
 26 improvements;

1           “(B) the Secretary certifies that the project  
 2           or separable element of the project is constructed  
 3           in accordance with applicable permits and ap-  
 4           propriate engineering and design standards; and

5           “(C) the Secretary does not find that the  
 6           project or separable element is no longer feasible.

7           “(2) *FEDERAL FINANCIAL PARTICIPATION IN THE*  
 8           *COSTS OF A LOCALLY PREFERRED PLAN.*—In the case  
 9           of improvements determined by the Secretary pursu-  
 10          ant to paragraph (1)(A)(i) to deviate from the na-  
 11          tional economic development plan, the Secretary shall  
 12          be responsible for all operation and maintenance costs  
 13          of such improvements, as described in section 101(b),  
 14          including costs in excess of the costs of the national  
 15          economic development plan, if the Secretary deter-  
 16          mines that the improvements satisfy the requirements  
 17          of paragraph (1).”.

18          (c) *REPORT.*—A non-Federal interest may submit to  
 19          the Secretary a report on improvements to a federally au-  
 20          thorized harbor or inland harbor to be carried out by the  
 21          non-Federal interest, containing any information necessary  
 22          for the Secretary determine whether the improvements sat-  
 23          isfy the requirements of section 204(f)(1) of the Water Re-  
 24          sources Development Act of 1986 (33 U.S.C. 2232), includ-  
 25          ing—

1           (1) *the economic justification for the improve-*  
 2       *ments;*

3           (2) *details of the project improvement plan and*  
 4       *design;*

5           (3) *proposed arrangements for the work to be*  
 6       *performed; and*

7           (4) *documents relating to any applicable permits*  
 8       *required for the project improvements.*

9       (d) *PROJECT STUDIES SUBJECT TO INDEPENDENT*  
 10 *PEER REVIEW.—The Secretary shall not be required to sub-*  
 11 *ject a project study for a project with a cost of less than*  
 12 *\$200,000,000, which the Secretary determines satisfies the*  
 13 *requirements of section 204(f)(1) of the Water Resources De-*  
 14 *velopment Act of 1986 (33 U.S.C. 2232), to independent*  
 15 *peer review under section 2034(a)(3)(A)(i) of the Water Re-*  
 16 *sources Development Act of 2007 (33 U.S.C.*  
 17 *2343(a)(3)(A)(i)).*

18 **SEC. 106. COAST GUARD ANCHORAGES.**

19       *The Secretary may perform dredging at Federal ex-*  
 20 *pense within and adjacent to anchorages established by the*  
 21 *Coast Guard pursuant to existing authorities.*

22 **SEC. 107. STATE CONTRIBUTION OF FUNDS FOR CERTAIN**  
 23 **OPERATION AND MAINTENANCE COSTS.**

24       *In carrying out eligible operations and maintenance*  
 25 *activities within the Great Lakes Navigation System pursu-*

1 *ant to section 210 of the Water Resources Development Act*  
 2 *of 1986 (33 U.S.C. 2238) in a State that has implemented*  
 3 *any additional State limitation on the disposal of dredged*  
 4 *material in the open waters of such State, the Secretary*  
 5 *may, pursuant to section 5 of the Act of June 22, 1936*  
 6 *(33 U.S.C. 701h), receive from such State, and expend, such*  
 7 *funds as may be contributed by the State to cover the addi-*  
 8 *tional costs for operations and maintenance activities for*  
 9 *a harbor or inland harbor within such State that result*  
 10 *from such limitation.*

11 **SEC. 108. GREAT LAKES CONFINED DISPOSAL FACILITIES.**

12 (a) *MITIGATION.*—*The Secretary may relocate access*  
 13 *to the Port of Cleveland confined disposal facility, owned*  
 14 *or operated by a non-Federal interest, in which material*  
 15 *dredged by the Corps of Engineers is placed.*

16 (b) *COST-SHARE.*—*The cost to relocate access to the*  
 17 *confined disposal facility described in subsection (a) shall*  
 18 *be shared in accordance with the cost share applicable to*  
 19 *operation and maintenance of the Federal navigation*  
 20 *project from which material placed in the confined disposal*  
 21 *facility is dredged.*

22 (c) *TERMINATION.*—*The authority provided under this*  
 23 *section shall terminate on December 31, 2024.*

1 **SEC. 109. INLAND WATERWAY PROJECTS.**

2       *Notwithstanding section 102 of the Water Resources*  
 3 *Development Act of 1986 (33 U.S.C. 2212), for a project*  
 4 *for navigation on the inland waterways receiving a con-*  
 5 *struction appropriation during any of fiscal years 2021*  
 6 *through 2031, 35 percent of the costs of construction of the*  
 7 *project shall be paid from amounts appropriated from the*  
 8 *Inland Waterways Trust Fund until such construction of*  
 9 *the project is complete.*

10 **SEC. 110. IMPLEMENTATION OF WATER RESOURCES PRIN-**  
 11 **CIPLES AND REQUIREMENTS.**

12       *(a) IN GENERAL.—Not later than 180 days after the*  
 13 *date of enactment of this Act, the Secretary shall issue final*  
 14 *agency-specific procedures necessary to implement the prin-*  
 15 *ciples and requirements and the interagency guidelines.*

16       *(b) DEVELOPMENT OF FUTURE WATER RESOURCES*  
 17 *DEVELOPMENT PROJECTS.—The procedures required by*  
 18 *subsection (a) shall ensure that the Secretary, in the formu-*  
 19 *lation of future water resources development projects—*

20               *(1) develops such projects in accordance with—*

21                       *(A) the guiding principles established by the*  
 22                       *principles and requirements; and*

23                       *(B) the national water resources planning*  
 24                       *policy established by section 2031(a) of the*  
 25                       *Water Resources Development Act of 2007 (42*  
 26                       *U.S.C. 1962–3(a)); and*

1           (2) *fully identifies and analyzes national eco-*  
 2           *nomic development benefits, regional economic devel-*  
 3           *opment benefits, environmental quality benefits, and*  
 4           *other societal effects.*

5           (c) *REVIEW AND UPDATE.*—*Every 5 years, the Sec-*  
 6           *retary shall review and, where appropriate, revise the pro-*  
 7           *cedures required by subsection (a).*

8           (d) *PUBLIC REVIEW, NOTICE, AND COMMENT.*—*In*  
 9           *issuing, reviewing, and revising the procedures required by*  
 10          *this section, the Secretary shall—*

11           (1) *provide notice to interested non-Federal*  
 12           *stakeholders of the Secretary’s intent to revise the pro-*  
 13           *cedures;*

14           (2) *provide opportunities for interested non-Fed-*  
 15           *eral stakeholders to engage with, and provide input*  
 16           *and recommendations to, the Secretary on the revi-*  
 17           *sion of the procedures; and*

18           (3) *solicit and consider public and expert com-*  
 19           *ments.*

20           (e) *DEFINITIONS.*—*In this section:*

21           (1) *INTERAGENCY GUIDELINES.*—*The term*  
 22           *“interagency guidelines” means the interagency*  
 23           *guidelines contained in the document finalized by the*  
 24           *Council on Environmental Quality pursuant to sec-*  
 25           *tion 2031 of the Water Resources Development Act of*

1       2007 (42 U.S.C. 1962–3) in December 2014, to imple-  
 2       ment the principles and requirements.

3               (2) *PRINCIPLES AND REQUIREMENTS.*—The term  
 4       “principles and requirements” means the principles  
 5       and requirements contained in the document prepared  
 6       by the Council on Environmental Quality pursuant  
 7       to section 2031 of the Water Resources Development  
 8       Act of 2007 (42 U.S.C. 1962–3), entitled “Principles  
 9       and Requirements for Federal Investments in Water  
 10       Resources”, and dated March 2013.

11 **SEC. 111. RESILIENCY PLANNING ASSISTANCE.**

12       (a) *IN GENERAL.*—Section 206(a) of the Flood Control  
 13       Act of 1960 (33 U.S.C. 709a(a)) is amended by inserting  
 14       “, to avoid repetitive flooding impacts, to anticipate, pre-  
 15       pare, and adapt to changing climatic conditions and ex-  
 16       treme weather events, and to withstand, respond to, and re-  
 17       cover rapidly from disruption due to the flood hazards”  
 18       after “in planning to ameliorate the flood hazard”.

19       (b) *PRIORITIZING FLOOD RISK RESILIENCY TECH-*  
 20       *NICAL ASSISTANCE.*—In carrying out section 206 of the  
 21       Flood Control Act of 1960 (33 U.S.C. 709a), the Secretary  
 22       shall prioritize the provision of technical assistance to sup-  
 23       port flood risk resiliency planning efforts of economically  
 24       disadvantaged communities or communities subject to re-  
 25       petitive flooding.



1 **SEC. 112. PROJECT CONSULTATION.**

2 (a) *REPORTS REQUIRED.*—Not later than 180 days  
3 after the date of enactment of this Act, the Secretary shall  
4 submit the following reports:

5 (1) *The report required under section 1214 of the*  
6 *Water Resources Development Act of 2018 (132 Stat.*  
7 *3809).*

8 (2) *The report required under section 1120(a)(3)*  
9 *of the Water Resources Development Act of 2016 (130*  
10 *Stat. 1643).*

11 (b) *ENVIRONMENTAL JUSTICE UPDATES.*—

12 (1) *IN GENERAL.*—In the formulation of water  
13 development resources projects, the Secretary shall  
14 comply with any existing Executive order regarding  
15 environmental justice in effect as of the date of enact-  
16 ment of this Act to address any disproportionate and  
17 adverse human health or environmental effects on mi-  
18 nority communities, low-income communities, and  
19 Indian Tribes.

20 (2) *UPDATE.*—Not later than 1 year after the  
21 date of enactment of this Act, the Secretary shall re-  
22 view, and shall update, where appropriate, any poli-  
23 cies, regulations, and guidance of the Corps of Engi-  
24 neers necessary to implement any Executive order de-  
25 scribed in paragraph (1) with respect to water re-  
26 sources development projects.

1           (3) *REQUIREMENTS.*—*In updating the policies,*  
 2           *regulations, or guidance under paragraph (2), the*  
 3           *Secretary shall—*

4                   (A) *provide notice to interested non-Federal*  
 5                   *stakeholders, including representatives of minor-*  
 6                   *ity communities, low-income communities, and*  
 7                   *Indian Tribes;*

8                   (B) *provide opportunities for interested*  
 9                   *stakeholders to comment on potential updates of*  
 10                   *policies, regulations, or guidance;*

11                   (C) *consider the recommendations from the*  
 12                   *reports submitted under subsection (a); and*

13                   (D) *promote the meaningful involvement of*  
 14                   *minority communities, low-income communities,*  
 15                   *and Indian Tribes.*

16           (c) *COMMUNITY ENGAGEMENT.*—*In carrying out a*  
 17           *water resources development project, the Secretary shall, to*  
 18           *the extent practicable—*

19                   (1) *promote the meaningful involvement of mi-*  
 20                   *nority communities, low-income communities, and*  
 21                   *Indian Tribes;*

22                   (2) *provide guidance and technical assistance to*  
 23                   *such communities or Tribes to increase understanding*  
 24                   *of the project development and implementation activi-*

1        *ties, regulations, and policies of the Corps of Engi-*  
 2        *neers; and*

3            *(3) cooperate with State, Tribal, and local gov-*  
 4        *ernments with respect to activities carried out pursu-*  
 5        *ant to this subsection.*

6        *(d) TRIBAL LANDS AND CONSULTATION.—In carrying*  
 7        *out water resources development projects, the Secretary*  
 8        *shall, to the extent practicable and in accordance with the*  
 9        *Tribal Consultation Policy affirmed and formalized by the*  
 10       *Secretary on November 1, 2012 (or a successor policy)—*

11           *(1) promote meaningful involvement with Indian*  
 12        *Tribes specifically on any Tribal lands near or adja-*  
 13        *cent to any water resources development projects, for*  
 14        *purposes of identifying lands of ancestral, cultural, or*  
 15        *religious importance;*

16           *(2) consult with Indian Tribes specifically on*  
 17        *any Tribal areas near or adjacent to any water re-*  
 18        *sources development projects, for purposes of identi-*  
 19        *fying lands, waters, and other resources critical to the*  
 20        *livelihood of the Indian Tribes; and*

21           *(3) cooperate with Indian Tribes to avoid, or*  
 22        *otherwise find alternate solutions with respect to, such*  
 23        *areas.*

24    **SEC. 113. REVIEW OF RESILIENCY ASSESSMENTS.**

25        *(a) RESILIENCY ASSESSMENT.—*

(1) *IN GENERAL.*—Not later than 180 days after the date of enactment of this section, and in conjunction with the development of procedures under section 110 of this Act, the Secretary is directed to review, and where appropriate, revise the existing planning guidance documents and regulations of the Corps of Engineers on the assessment of the effects of sea level rise or inland flooding on future water resources development projects to ensure that such guidance documents and regulations are based on the best available, peer-reviewed science and data on the current and future effects of sea level rise or inland flooding on relevant communities.

(2) *COORDINATION.*—In carrying out this subsection, the Secretary shall—

(A) *coordinate the review with the Engineer Research and Development Center, other Federal and State agencies, and other relevant entities; and*

(B) *to the maximum extent practicable and where appropriate, utilize data provided to the Secretary by such agencies.*

(b) *ASSESSMENT OF BENEFITS FROM ADDRESSING SEA LEVEL RISE AND INLAND FLOODING RESILIENCY IN FEASIBILITY REPORTS.*—

1           (1) *IN GENERAL.*—Upon the request of a non-  
 2       *Federal interest, in carrying out a feasibility study*  
 3       *for a project for flood risk mitigation, hurricane and*  
 4       *storm damage risk reduction, or ecosystem restoration*  
 5       *under section 905 of the Water Resources Development*  
 6       *Act of 1986 (33 U.S.C. 2282), the Secretary shall con-*  
 7       *sider whether the need for the project is predicated*  
 8       *upon or exacerbated by conditions related to sea level*  
 9       *rise or inland flooding.*

10          (2) *ADDRESSING SEA LEVEL RISE AND INLAND*  
 11       *FLOODING RESILIENCY BENEFITS.*—To the maximum  
 12       *extent practicable, in carrying out a study pursuant*  
 13       *to paragraph (1), the Secretary shall document the*  
 14       *potential effects of sea level rise or inland flooding on*  
 15       *the project, and the expected benefits of the project re-*  
 16       *lating to sea level rise or inland flooding, during the*  
 17       *50-year period after the date of completion of the*  
 18       *project.*

19 **SEC. 114. SMALL FLOOD CONTROL PROJECTS.**

20       Section 205 of the Flood Control Act of 1948 (33  
 21 U.S.C. 701s) is amended by inserting “, and projects that  
 22 use natural features or nature-based features (as those terms  
 23 are defined in section 1184(a) of the Water Resources Devel-  
 24 opment Act of 2016 (33 U.S.C. 2289a(a))),” after “non-  
 25 structural projects”.

1 **SEC. 115. FLOOD PROTECTION PROJECTS.**

2 (a) *GENERAL CONSIDERATIONS.*—Section 73(a) of the  
 3 *Water Resources Development Act of 1974* (33 U.S.C. 701b–  
 4 11(a)) is amended by striking “including” and all that fol-  
 5 lows through the period at the end and inserting the fol-  
 6 lowing: “, with a view toward formulating the most eco-  
 7 nomically, socially, and environmentally acceptable means  
 8 of reducing or preventing flood damage, including—

9 “(1) floodproofing of structures, including  
 10 through elevation;

11 “(2) floodplain regulation;

12 “(3) acquisition of floodplain land for rec-  
 13 reational, fish and wildlife, and other public pur-  
 14 poses;

15 “(4) relocation; and

16 “(5) the use of a feature described in section  
 17 1184(a) of the *Water Infrastructure Improvements for*  
 18 *the Nation Act* (33 U.S.C. 2289a(a)).”.

19 (b) *CONFORMING AMENDMENT.*—Section 103(b) of the  
 20 *Water Resources Development Act of 1986* (33 U.S.C. 2213)  
 21 is amended—

22 (1) in the subsection heading, by striking “NON-  
 23 STRUCTURAL FLOOD CONTROL PROJECTS” and in-  
 24 serting “PROJECTS USING NONSTRUCTURAL, NAT-  
 25 URAL, OR NATURE-BASED FEATURES”; and

26 (2) in paragraph (1)—

1           (A) by striking “nonstructural flood control  
 2           measures” and inserting “a flood risk manage-  
 3           ment or hurricane and storm damage risk reduc-  
 4           tion measure using a nonstructural feature, or a  
 5           natural feature or nature-based feature (as those  
 6           terms are defined in section 1184(a) of the Water  
 7           Resources Development Act of 2016 (33 U.S.C.  
 8           2289a(a))),”; and

9           (B) by striking “cash during construction of  
 10          the project” and inserting “cash during construc-  
 11          tion for a nonstructural feature if the costs of  
 12          land, easements, rights-of-way, dredged material  
 13          disposal areas, and relocations for such feature  
 14          are estimated to exceed 35 percent”.

15 **SEC. 116. FEASIBILITY STUDIES; REVIEW OF NATURAL AND**  
 16 **NATURE-BASED FEATURES.**

17       (a) *TECHNICAL CORRECTION.*—Section 1149(c) of the  
 18 *Water Resources Development Act of 2018* (33 U.S.C. 2282  
 19 *note*; 132 Stat. 3787) is amended by striking “natural in-  
 20 *frastructure alternatives*” and inserting “natural feature or  
 21 *nature-based feature alternatives* (as such terms are defined  
 22 *in section 1184 of the Water Resources Development Act of*  
 23 *2016* (32 U.S.C. 2289a))”.

24       (b) *SUMMARY OF ANALYSIS.*—To the maximum extent  
 25 *practicable, the Secretary shall include in each feasibility*

1 *report developed under section 905 of the Water Resources*  
 2 *Development Act of 1986 (33 U.S.C. 2282) for a project that*  
 3 *contains a flood risk management or hurricane and storm*  
 4 *damage risk reduction element, a summary of the natural*  
 5 *feature or nature-based feature alternatives, along with*  
 6 *their long-term costs and benefits, that were evaluated in*  
 7 *the development of the feasibility report, and, if such alter-*  
 8 *natives were not included in the recommended plan, an ex-*  
 9 *planation of why such alternatives were not included in the*  
 10 *recommended plan.*

11 **SEC. 117. FEDERAL INTEREST DETERMINATION.**

12 *Section 905 of the Water Resources Development Act*  
 13 *of 1986 (33 U.S.C. 2282) is amended by inserting after sub-*  
 14 *section (a) the following:*

15 *“(b) FEDERAL INTEREST DETERMINATION.—*

16 *“(1) IN GENERAL.—*

17 *“(A) ECONOMICALLY DISADVANTAGED COM-*  
 18 *MUNITIES.—In preparing a feasibility report*  
 19 *under subsection (a) for a study that will benefit*  
 20 *an economically disadvantaged community,*  
 21 *upon request by the non-Federal interest for the*  
 22 *study, the Secretary shall first determine the*  
 23 *Federal interest in carrying out the study and*  
 24 *the projects that may be proposed in the study.*

25 *“(B) OTHER COMMUNITIES.—*



1                   “(i) *AUTHORIZATION.*—*In preparing a*  
 2                   *feasibility report under subsection (a) for a*  
 3                   *study that will benefit a covered commu-*  
 4                   *nity, upon request by the non-Federal inter-*  
 5                   *est for the study, the Secretary may, with*  
 6                   *respect to not more than 3 studies in each*  
 7                   *fiscal year, first determine the Federal in-*  
 8                   *terest in carrying out the study and the*  
 9                   *projects that may be proposed in the study.*

10                   “(ii) *COVERED COMMUNITIES.*—*In this*  
 11                   *subparagraph, the term ‘covered commu-*  
 12                   *nity’ means a community that—*

13                   *“(I) is not an economically dis-*  
 14                   *advantaged community; and*

15                   *“(II) the Secretary finds has a*  
 16                   *compelling need for the Secretary to*  
 17                   *make a determination under clause (i).*

18                   “(2) *COST SHARE.*—*The costs of a determination*  
 19                   *under paragraph (1)—*

20                   *“(A) shall be at Federal expense; and*

21                   *“(B) shall not exceed \$200,000.*

22                   “(3) *DEADLINE.*—*A determination under para-*  
 23                   *graph (1) shall be completed by not later than 120*  
 24                   *days after the date on which funds are made available*  
 25                   *to the Secretary to carry out the determination.*

1 “(4) *TREATMENT.*—

2 “(A) *TIMING.*—*The period during which a*  
 3 *determination is being completed under para-*  
 4 *graph (1) for a study shall not be included for*  
 5 *purposes of the deadline to complete a final fea-*  
 6 *sibility report under section 1001(a)(1) of the*  
 7 *Water Resources Reform and Development Act of*  
 8 *2014 (33 U.S.C. 2282c(a)(1)).*

9 “(B) *COST.*—*The cost of a determination*  
 10 *under paragraph (1) shall not be included for*  
 11 *purposes of the maximum Federal cost under sec-*  
 12 *tion 1001(a)(2) of the Water Resources Reform*  
 13 *and Development Act of 2014 (33 U.S.C.*  
 14 *2282c(a)(2)).*

15 “(5) *REPORT TO NON-FEDERAL INTEREST.*—*If,*  
 16 *based on a determination under paragraph (1), the*  
 17 *Secretary determines that a study or project is not in*  
 18 *the Federal interest because the project will not result,*  
 19 *or is unlikely to result, in a recommended plan that*  
 20 *will produce national economic development benefits*  
 21 *greater than cost, but may result in a technically*  
 22 *sound and environmentally acceptable plan that is*  
 23 *otherwise consistent with section 904 of the Water Re-*  
 24 *sources Development Act of 1986 (33 U.S.C. 2281),*  
 25 *the Secretary shall issue a report to the non-Federal*

1        *interest with recommendations on how the non-Fed-*  
 2        *eral interest might modify the proposal such that the*  
 3        *project could be in the Federal interest and feasible.”.*

4    **SEC. 118. PILOT PROGRAMS ON THE FORMULATION OF**  
 5                    **CORPS OF ENGINEERS PROJECTS IN RURAL**  
 6                    **COMMUNITIES AND ECONOMICALLY DIS-**  
 7                    **ADVANTAGED COMMUNITIES.**

8        *(a) IN GENERAL.—The Secretary shall establish and*  
 9        *implement pilot programs, in accordance with this section,*  
 10        *to evaluate opportunities to address the flood risk manage-*  
 11        *ment and hurricane and storm damage risk reduction needs*  
 12        *of rural communities and economically disadvantaged com-*  
 13        *munities.*

14        *(b) ECONOMICALLY DISADVANTAGED COMMUNITY*  
 15        *FLOOD PROTECTION AND HURRICANE AND STORM DAMAGE*  
 16        *REDUCTION STUDY PILOT PROGRAM.—*

17                *(1) IN GENERAL.—Not later than 180 days after*  
 18        *the date of enactment of this Act, the Secretary shall*  
 19        *establish and implement a pilot program to carry out*  
 20        *feasibility studies, in accordance with this subsection,*  
 21        *for flood risk management and hurricane and storm*  
 22        *damage risk reduction projects for economically dis-*  
 23        *advantaged communities, in coordination with non-*  
 24        *Federal interests.*

1           (2) *PARTICIPATION IN PILOT PROGRAM.*—*In car-*  
 2           *rying out paragraph (1), the Secretary shall—*

3                   (A) *publish a notice in the Federal Register*  
 4                   *that requests from non-Federal interests pro-*  
 5                   *posals for the potential feasibility study of a*  
 6                   *flood risk management project or hurricane and*  
 7                   *storm damage risk reduction project for an eco-*  
 8                   *nomically disadvantaged community;*

9                   (B) *upon request of a non-Federal interest*  
 10                  *for such a project, provide technical assistance to*  
 11                  *such non-Federal interest in the formulation of a*  
 12                  *proposal for a potential feasibility study to be*  
 13                  *submitted to the Secretary under the pilot pro-*  
 14                  *gram; and*

15                  (C) *review such proposals and select 10 fea-*  
 16                  *sibility studies for such projects to be carried out*  
 17                  *by the Secretary, in coordination with the non-*  
 18                  *Federal interest, under this pilot program.*

19           (3) *SELECTION CRITERIA.*—*In selecting a feasi-*  
 20           *bility study under paragraph (2)(C), the Secretary*  
 21           *shall consider whether—*

22                   (A) *the percentage of people living in pov-*  
 23                   *erty in the county or counties (or county-equiva-*  
 24                   *lent entity or entities) in which the project is lo-*  
 25                   *cated is greater than the percentage of people liv-*

1           *ing in poverty in the State, based on census bu-*  
 2           *reau data;*

3           *(B) the percentage of families with income*  
 4           *above the poverty threshold but below the average*  
 5           *household income in the county or counties (or*  
 6           *county-equivalent entity or entities) in which the*  
 7           *project is located is greater than such percentage*  
 8           *for the State, based on census bureau data;*

9           *(C) the percentage of the population that*  
 10          *identifies as belonging to a minority or indige-*  
 11          *nous group in the county or counties (or county-*  
 12          *equivalent entity or entities) in which the project*  
 13          *is located is greater than the average such per-*  
 14          *centage in the State, based on census bureau*  
 15          *data; and*

16          *(D) the project is addressing flooding or*  
 17          *hurricane or storm damage effects that have a*  
 18          *disproportionate impact on a rural community,*  
 19          *a minority community, or an Indian Tribe.*

20          *(4) ADMINISTRATION.—Notwithstanding the re-*  
 21          *quirements of section 105(a)(1)(A) of the Water Re-*  
 22          *sources Development Act of 1986 (33 U.S.C. 2215),*  
 23          *the Federal share of the cost of a feasibility study car-*  
 24          *ried out under the pilot program shall be 100 percent.*

1           (5) *STUDY REQUIREMENTS.*—*Feasibility studies*  
 2           *carried out under this subsection shall, to the max-*  
 3           *imum extent practicable, incorporate natural features*  
 4           *or nature-based features (as such terms are defined in*  
 5           *section 1184 of the Water Resources Development Act*  
 6           *of 2016 (33 U.S.C. 2289a)), or a combination of such*  
 7           *features and nonstructural features, that avoid or re-*  
 8           *duce at least 50 percent of flood or storm damages in*  
 9           *one or more of the alternatives included in the final*  
 10          *alternatives evaluated.*

11          (6) *NOTIFICATION.*—*The Secretary shall notify*  
 12          *the Committee on Transportation and Infrastructure*  
 13          *of the House of Representatives and the Committee on*  
 14          *Environment and Public Works of the Senate of the*  
 15          *selection of each feasibility study under the pilot pro-*  
 16          *gram.*

17          (7) *COMPLETION.*—*Upon completion of a feasi-*  
 18          *bility report for a feasibility study selected to be car-*  
 19          *ried out under this subsection, the Secretary shall*  
 20          *transmit the report to Congress for authorization, and*  
 21          *shall include the report in the next annual report sub-*  
 22          *mitted under section 7001 of the Water Resources Re-*  
 23          *form and Development Act of 2014 (33 U.S.C.*  
 24          *2282d).*

1       (c) *PILOT PROGRAM FOR THE RECOMMENDATION OF*  
 2 *FLOOD PROTECTION AND HURRICANE AND STORM DAMAGE*  
 3 *REDUCTION PROJECTS IN RURAL COMMUNITIES AND ECO-*  
 4 *NOMICALLY DISADVANTAGED COMMUNITIES.*—

5           (1) *IN GENERAL.*—Not later than 180 days after  
 6 the date of enactment of this Act, the Secretary shall  
 7 establish and implement a pilot program to evaluate,  
 8 and make recommendations to Congress on, flood risk  
 9 management projects and hurricane and storm dam-  
 10 age risk reduction projects in rural communities or  
 11 economically disadvantaged communities, without  
 12 demonstrating that each project is justified solely by  
 13 national economic development benefits.

14           (2) *CONSIDERATIONS.*—In carrying out this sub-  
 15 section, the Secretary may make a recommendation to  
 16 Congress on up to 10 projects, without demonstrating  
 17 that the project is justified solely by national eco-  
 18 nomic development benefits, if the Secretary deter-  
 19 mines that—

20           (A) the community to be served by the  
 21 project is an economically disadvantaged com-  
 22 munity or a rural community;

23           (B) the long-term life safety, economic via-  
 24 bility, and environmental sustainability of the

1           *community would be threatened without the*  
2           *project; and*

3           (C) *the project is consistent with the re-*  
4           *quirements of section 1 of the Flood Control Act*  
5           *of 1936 (33 U.S.C. 701a).*

6           (3) *CONSISTENCY.—In carrying out this sub-*  
7           *section, the Secretary shall ensure that project rec-*  
8           *ommendations are consistent with the principles and*  
9           *requirements and the interagency guidelines, as such*  
10          *terms are defined in section 110 of this Act, including*  
11          *the consideration of quantifiable monetary and non-*  
12          *monetary benefits of the project.*

13          (4) *PRIORITIZATION.—The Secretary may give*  
14          *equivalent budgetary consideration and priority to*  
15          *projects recommended under this subsection.*

16          (d) *GEOGRAPHIC DIVERSITY.—In selecting feasibility*  
17          *studies under subsection (b)(2)(C) or in making project rec-*  
18          *ommendations under subsection (c), the Secretary shall con-*  
19          *sider the geographic diversity among proposed projects.*

20          (e) *REPORT.—Not later than 5 years and 10 years*  
21          *after the date of enactment of this Act, the Secretary shall*  
22          *submit to the Committee on Transportation and Infrastruc-*  
23          *ture of the House of Representatives and the Committee on*  
24          *Environment and Public Works of the Senate, and make*



1 *publicly available, a report detailing the results of the pilot*  
 2 *programs carried out under this section, including—*

3 *(1) a description of proposals received from non-*  
 4 *Federal interests pursuant to subsection (b)(2)(A);*

5 *(2) a description of technical assistance provided*  
 6 *to non-Federal interests under subsection (b)(2)(B);*

7 *(3) a description of proposals selected under sub-*  
 8 *section (b)(2)(C) and criteria used to select such pro-*  
 9 *posals;*

10 *(4) a description of the projects evaluated or rec-*  
 11 *ommended by the Secretary under subsection (c);*

12 *(5) a description of the quantifiable monetary*  
 13 *and nonmonetary benefits associated with the projects*  
 14 *recommended under subsection (c); and*

15 *(6) any recommendations to Congress on how the*  
 16 *Secretary can address the flood risk management and*  
 17 *hurricane and storm damage risk reduction needs of*  
 18 *economically disadvantaged communities.*

19 *(f) STATE DEFINED.—In this section, the term “State”*  
 20 *means each of the several States, the District of Columbia,*  
 21 *and each of the commonwealths, territories, and possessions*  
 22 *of the United States.*

23 *(g) SUNSET.—The authority to commence a feasibility*  
 24 *study under subsection (b), and the authority make a rec-*  
 25 *ommendation under subsection (c), shall terminate on the*

1 *date that is 10 years after the date of enactment of this*  
 2 *Act.*

3 **SEC. 119. PERMANENT MEASURES TO REDUCE EMERGENCY**  
 4 **FLOOD FIGHTING NEEDS FOR COMMUNITIES**  
 5 **SUBJECT TO REPETITIVE FLOODING.**

6 (a) *DEFINITIONS.—In this section:*

7 (1) *AFFECTED COMMUNITY.—The term “affected*  
 8 *community” means a legally constituted public body*  
 9 *(as that term is used in section 221(b) of the Flood*  
 10 *Control Act of 1970 (42 U.S.C. 1962d–5b(b))—*

11 *(A) with jurisdiction over an area that has*  
 12 *been subject to flooding in two or more events in*  
 13 *any 10-year period; and*

14 *(B) that has received emergency flood-fight-*  
 15 *ing assistance, including construction of tem-*  
 16 *porary barriers by the Secretary, under section*  
 17 *5 of the Act of August 18, 1941 (33 U.S.C. 701n)*  
 18 *with respect to such flood events.*

19 (2) *NATURAL FEATURE; NATURE-BASED FEA-*  
 20 *TURE.—The terms “natural feature” and “nature-*  
 21 *based feature” have the meanings given those terms in*  
 22 *section 1184 of the Water Resources Development Act*  
 23 *of 2016 (33 U.S.C. 2289a).*

24 (b) *PROGRAM.—*

1           (1) *IN GENERAL.*—*The Secretary is authorized to*  
 2           *carry out a program to study, design, and construct*  
 3           *water resources development projects through meas-*  
 4           *ures involving, among other things, strengthening,*  
 5           *raising, extending, realigning, or otherwise modifying*  
 6           *existing flood control works, designing new works,*  
 7           *and incorporating natural features, nature-based fea-*  
 8           *tures, or nonstructural features, as appropriate to*  
 9           *provide flood and coastal storm risk management to*  
 10          *affected communities.*

11          (2) *CONSIDERATIONS.*—*In carrying out para-*  
 12          *graph (1), the Secretary shall, to the maximum extent*  
 13          *practical, review and, where appropriate, incorporate*  
 14          *natural features or nature-based features, or a com-*  
 15          *bination of such features and nonstructural features,*  
 16          *that avoid or reduce at least 50 percent of flood or*  
 17          *storm damages in one or more of the alternatives in-*  
 18          *cluded in the final alternatives evaluated.*

19          (3) *CONSTRUCTION.*—

20                 (A) *IN GENERAL.*—*The Secretary may*  
 21                 *carry out a project described in paragraph (1)*  
 22                 *without further congressional authorization if—*

23                         (i) *the Secretary determines that the*  
 24                         *project—*

1                   (I) is advisable to reduce the risk  
 2                   of flooding for an affected community;  
 3                   and

4                   (II) produces benefits that are in  
 5                   excess of the estimated costs; and

6                   (ii) the Federal share of the cost of the  
 7                   construction does not exceed \$17,500,000.

8                   (B) *SPECIFIC AUTHORIZATION.*—If the Fed-  
 9                   eral share of the cost of a project described in  
 10                  paragraph (1) exceeds \$17,500,000, the Secretary  
 11                  shall submit the project recommendation to Con-  
 12                  gress for authorization prior to construction, and  
 13                  shall include the project recommendation in the  
 14                  next annual report submitted under section 7001  
 15                  of the Water Resources Reform and Development  
 16                  Act of 2014.

17                  (C) *FINANCING.*—

18                  (i) *CONTRIBUTIONS.*—If, based on a  
 19                  study carried out pursuant to paragraph  
 20                  (1), the Secretary determines that a project  
 21                  described in paragraph (1) will not produce  
 22                  benefits greater than cost, the Secretary  
 23                  shall allow the affected community to pay,  
 24                  or provide contributions equal to, an  
 25                  amount sufficient to make the remaining

costs of design and construction of the project equal to the estimated value of the benefits of the project.

(ii) *EFFECT ON NON-FEDERAL SHARE.*—Amounts provided by an affected community under clause (i) shall be in addition to any payments or contributions the affected community is required to provide toward the remaining costs of design and construction of the project under section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

(4) *ABILITY TO PAY.*—

(A) *IN GENERAL.*—Any cost-sharing agreement for a project entered into pursuant to this section shall be subject to the ability of the affected community to pay.

(B) *DETERMINATION.*—The ability of any affected community to pay shall be determined by the Secretary in accordance with procedures established by the Secretary.

(C) *EFFECT OF REDUCTION.*—Any reduction in the non-Federal share of the cost of a project described in paragraph (1) as a result of a determination under this paragraph shall not

1           *be included in the Federal share for purposes of*  
 2           *subparagraphs (A) and (B) of paragraph (3).*

3   **SEC. 120. EMERGENCY RESPONSE TO NATURAL DISASTERS.**

4       *Section 5 of the Act of August 18, 1941 (33 U.S.C.*  
 5   *701n) is amended—*

6           *(1) in subsection (a)—*

7               *(A) in paragraph (2)(B)—*

8                   *(i) in clause (i)(I), by inserting “, or*  
 9                   *provide contributions equal to,” after*  
 10                   *“pay”; and*

11                   *(ii) in clause (ii)—*

12                       *(I) in the heading, by inserting*  
 13                       *“AND CONTRIBUTIONS” after “OF PAY-*  
 14                       *MENTS”;*

15                       *(II) by inserting “or contribu-*  
 16                       *tions” after “Non-Federal payments”;*  
 17                       *and*

18                       *(III) by inserting “or contribu-*  
 19                       *tions” after “non-Federal payments”;*  
 20                       *and*

21           *(B) by adding at the end the following:*

22               *“(5) FEASIBILITY STUDY.—*

23                   *“(A) DETERMINATION.—Not later than 180*  
 24                   *days after receiving, from a non-Federal sponsor*  
 25                   *of a project to repair or rehabilitate a flood con-*

1        *trol work described in paragraph (1), a request*  
 2        *to initiate a feasibility study to further modify*  
 3        *the relevant flood control work to provide for an*  
 4        *increased level of protection, the Secretary shall*  
 5        *provide to the non-Federal sponsor a written de-*  
 6        *cision on whether the Secretary has the authority*  
 7        *under section 216 of the Flood Control Act of*  
 8        *1970 (33 U.S.C. 549a) to undertake the requested*  
 9        *feasibility study.*

10        *“(B) RECOMMENDATION.—If the Secretary*  
 11        *determines under subparagraph (B) that the Sec-*  
 12        *retary does not have the authority to undertake*  
 13        *the requested feasibility study, the Secretary*  
 14        *shall include the request for a feasibility study in*  
 15        *the annual report submitted under section 7001*  
 16        *of the Water Resources Reform and Development*  
 17        *Act of 2014.”; and*  
 18        *(2) in subsection (c)—*

19        *(A) in the subsection heading, by striking*  
 20        *“LEVEE OWNERS MANUAL” and inserting “ELI-*  
 21        *GIBILITY”;*

22        *(B) in paragraph (1), in the heading, by*  
 23        *striking “IN GENERAL” and inserting “LEVEE*  
 24        *OWNER’S MANUAL”;*

(C) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and inserting after paragraph (1) the following:

“(2) COMPLIANCE.—

“(A) IN GENERAL.—Notwithstanding the status of compliance of a non-Federal interest with the requirements of a levee owner’s manual described in paragraph (1), or with any other eligibility requirement established by the Secretary related to the maintenance and upkeep responsibilities of the non-Federal interest, the Secretary shall consider the non-Federal interest to be eligible for repair and rehabilitation assistance under this section if the non-Federal interest—

“(i) enters into a written agreement with the Secretary that identifies any items of deferred or inadequate maintenance and upkeep identified by the Secretary prior to the natural disaster; and

“(ii) pays, during performance of the repair and rehabilitation work, all costs to address—



1                   “(I) any items of deferred or in-  
2                   adequate maintenance and upkeep  
3                   identified by the Secretary; and

4                   “(II) any repair or rehabilitation  
5                   work necessary to address damage the  
6                   Secretary attributes to such deferred or  
7                   inadequate maintenance or upkeep.

8                   “(B) *ELIGIBILITY.*—The Secretary may  
9                   only enter into one agreement under subpara-  
10                  graph (A) with any non-Federal interest.

11                  “(C) *SUNSET.*—The authority of the Sec-  
12                  retary to enter into agreements under paragraph  
13                  (2) shall terminate on the date that is 5 years  
14                  after the date of enactment of this paragraph.”;  
15                  and

16                  (D) in paragraph (3) (as so redesignated),  
17                  by striking “this subsection” and inserting  
18                  “paragraph (1)”.

19 **SEC. 121. COST AND BENEFIT FEASIBILITY ASSESSMENT.**

20                  Section 1161(b) of the Water Resources Development  
21                  Act of 2018 (33 U.S.C. 701n note) is amended—

22                  (1) in the matter preceding paragraph (1)—

23                         (A) by striking the “three fiscal years pre-  
24                         ceding” and inserting “five fiscal years pre-  
25                         ceding”; and

1                   (B) by striking “last day of the third fiscal  
2                   year” and inserting “last day of the fifth fiscal  
3                   year”;

4                   (2) in paragraph (1), by inserting “, or provide  
5                   contributions equal to,” before “an amount suffi-  
6                   cient”; and

7                   (3) by striking paragraph (2) and inserting the  
8                   following:

9                   “(2) the Secretary determines that the damage to  
10                  the structure was not as a result of negligent oper-  
11                  ation or maintenance.”.

12 **SEC. 122. EXPEDITING REPAIRS AND RECOVERY FROM**  
13 **FLOODING.**

14                  (a) *IN GENERAL.*—To the maximum extent prac-  
15 ticable, during the 5-year period beginning on the date of  
16 enactment of this Act, the Secretary shall prioritize and ex-  
17 pedite the processing of applications for permits under sec-  
18 tion 10 of the Act of March 3, 1899 (33 U.S.C. 403), and  
19 section 404 of the Federal Water Pollution Control Act (33  
20 U.S.C. 1344), and permissions under section 14 of the Act  
21 of March 3, 1899 (33 U.S.C. 408), to complete repairs, re-  
22 construction (including improvements), and upgrades to  
23 flood control infrastructure damaged by flooding events dur-  
24 ing calendar years 2017 through 2020, including flooding  
25 events caused by ice jams.

1       (b) *SAVINGS PROVISION.*—*Nothing in this section af-*  
 2 *fects any obligation to comply with the requirements of any*  
 3 *Federal law, including—*

4           (1) *the National Environmental Policy Act of*  
 5 *1969 (42 U.S.C. 4321 et seq.);*

6           (2) *the Federal Water Pollution Control Act (33*  
 7 *U.S.C. 1251 et seq.); and*

8           (3) *the Endangered Species Act of 1973 (16*  
 9 *U.S.C. 1531 et seq.).*

10 **SEC. 123. REVIEW OF CORPS OF ENGINEERS ASSETS.**

11       *Section 6002 of the Water Resources Reform and De-*  
 12 *velopment Act of 2014 (128 Stat. 1349) is amended to read*  
 13 *as follows:*

14 **“SEC. 6002. REVIEW OF CORPS OF ENGINEERS ASSETS.**

15       “(a) *ASSESSMENT.*—*The Secretary shall conduct an*  
 16 *assessment of projects constructed by the Secretary for*  
 17 *which the Secretary continues to have financial or oper-*  
 18 *ational responsibility.*

19       “(b) *INVENTORY.*—*Not later than 18 months after the*  
 20 *date of enactment of the Water Resources Development Act*  
 21 *of 2020, the Secretary shall, based on the assessment carried*  
 22 *out under subsection (a), develop an inventory of projects*  
 23 *or portions of projects—*

24           *“(1) that are not needed for the missions of the*  
 25 *Corps of Engineers;*

1           “(2) *the modification of which, including though*  
2           *the use of structural features, nonstructural features,*  
3           *or natural features or nature-based features (as those*  
4           *terms are defined in section 1184(a) of the Water Re-*  
5           *sources Development Act of 2016 (33 U.S.C.*  
6           *2289a(a)), could improve the sustainable operations*  
7           *of the project, or reduce operation and maintenance*  
8           *costs for the project; or*

9           “(3) *that are no longer having project purposes*  
10           *adequately met by the Corps of Engineers, because of*  
11           *deferment of maintenance or other challenges, and the*  
12           *divestment of which to a non-Federal entity could bet-*  
13           *ter meet the local and regional needs for operation*  
14           *and maintenance.*

15           “(c) *CRITERIA.—In conducting the assessment under*  
16           *subsection (a) and developing the inventory under sub-*  
17           *section (b), the Secretary shall use the following criteria:*

18           “(1) *The extent to which the project aligns with*  
19           *the current missions of the Corps of Engineers.*

20           “(2) *The economic and environmental impacts of*  
21           *the project on existing communities in the vicinity of*  
22           *the project.*

23           “(3) *The extent to which the divestment or modi-*  
24           *fication of the project could reduce operation and*  
25           *maintenance costs of the Corps of Engineers.*

1           “(4) *The extent to which the divestment or modi-*  
2           *fication of the project is in the public interest.*

3           “(5) *The extent to which investment of addi-*  
4           *tional Federal resources in the project proposed for*  
5           *divestment or modification, including investment*  
6           *needed to bring the project to a good state of repair,*  
7           *is in the public interest.*

8           “(6) *The extent to which the authorized purpose*  
9           *of the project is no longer being met.*

10          “(d) *RECOMMENDATIONS OF NON-FEDERAL INTER-*  
11          *ESTS.—A non-Federal interest for a project may rec-*  
12          *ommend that the Secretary include such project in the as-*  
13          *essment or inventory required under this section.*

14          “(e) *REPORT TO CONGRESS.—*

15               “(1) *IN GENERAL.—Upon completion of the in-*  
16               *ventory required by subsection (b), the Secretary shall*  
17               *submit to the Committee on Environment and Public*  
18               *Works of the Senate and the Committee on Transpor-*  
19               *tation and Infrastructure of the House of Representa-*  
20               *tives, and make publicly available, a report con-*  
21               *taining the findings of the Secretary with respect to*  
22               *the assessment and inventory required under this sec-*  
23               *tion.*

24               “(2) *INCLUSION.—The Secretary shall list in an*  
25               *appendix any recommendation of a non-Federal in-*

9        *It is the sense of Congress that the Secretary, in coordi-*  
10 *nation with non-Federal interests, should maximize the de-*  
11 *velopment, evaluation, and recommendation of project al-*  
12 *ternatives for future water resources development projects*  
13 *that produce multiple project benefits, such as navigation,*  
14 *flood risk management, and ecosystem restoration benefits,*  
15 *including through the use of natural or nature-based fea-*  
16 *tures and the beneficial use of dredged material.*

19 (a) NATIONAL POLICY ON THE BENEFICIAL USE OF  
20 DREDGED MATERIAL.—

(1) *IN GENERAL.*—It is the policy of the United States for the Corps of Engineers to maximize the beneficial use, in an environmentally acceptable manner, of suitable dredged material obtained from the

1       *construction or operation and maintenance of water*  
 2       *resources development projects.*

3               (2) *PLACEMENT OF DREDGED MATERIALS.—*

4               (A) *IN GENERAL.—In evaluating the place-*  
 5       *ment of dredged material obtained from the con-*  
 6       *struction or operation and maintenance of water*  
 7       *resources development projects, the Secretary*  
 8       *shall consider—*

9               (i) *the suitability of the dredged mate-*  
 10       *rial for a full range of beneficial uses; and*

11              (ii) *the economic and environmental*  
 12       *benefits, efficiencies, and impacts (including*  
 13       *the effects on living coral) of using the*  
 14       *dredged material for beneficial uses, includ-*  
 15       *ing, in the case of beneficial use activities*  
 16       *that involve more than one water resources*  
 17       *development project, the benefits, effi-*  
 18       *ciencies, and impacts that result from the*  
 19       *combined activities.*

20              (B) *CALCULATION OF FEDERAL STAND-*  
 21       *ARD.—*

22              (i) *DETERMINATION.—The economic*  
 23       *benefits and efficiencies from the beneficial*  
 24       *use of dredged material considered by the*  
 25       *Secretary under subparagraph (A) shall be*

1           *included in any determination relating to*  
 2           *the “Federal standard” by the Secretary*  
 3           *under section 335.7 of title 33, Code of Fed-*  
 4           *eral Regulations, for the placement or dis-*  
 5           *posal of such material.*

6           (ii) *REPORTS.—The Secretary shall*  
 7           *submit to Congress—*

8                     *(I) a report detailing the method*  
 9                     *and all of the factors utilized by the*  
 10                    *Corps of Engineers to determine the*  
 11                    *Federal standard referred to in clause*  
 12                    *(i); and*

13                    (ii) *for each evaluation under*  
 14                    *subparagraph (A), a report displaying*  
 15                    *the calculations for economic and envi-*  
 16                    *ronmental benefits and efficiencies*  
 17                    *from the beneficial use of dredged ma-*  
 18                    *terial (including, where appropriate,*  
 19                    *the utilization of alternative dredging*  
 20                    *equipment and dredging disposal*  
 21                    *methods) considered by the Secretary*  
 22                    *under such subparagraph for the place-*  
 23                    *ment or disposal of such material.*

24           (C) *SELECTION OF DREDGED MATERIAL*  
 25           *DISPOSAL METHOD FOR CERTAIN PURPOSES.—*



1        *Section 204(d) of the Water Resources Develop-*  
 2        *ment Act of 1992 (33 U.S.C. 2326(d)) is amend-*  
 3        *ed—*

4                *(i) in paragraph (1)—*

5                        *(I) in the matter preceding sub-*  
 6                        *paragraph (A), by striking “In devel-*  
 7                        *oping” and all that follows through*  
 8                        *“the non-Federal interest,” and insert-*  
 9                        *ing “At the request of the non-Federal*  
 10                        *interest for a water resources develop-*  
 11                        *ment project involving the disposal of*  
 12                        *dredged material, the Secretary, using*  
 13                        *funds appropriated for construction or*  
 14                        *operation and maintenance of the*  
 15                        *project, may select”; and*

16                        *(II) in subparagraph (B), by*  
 17                        *striking “flood and storm damage and*  
 18                        *flood reduction benefits” and inserting*  
 19                        *“hurricane and storm or flood risk re-*  
 20                        *duction benefits”; and*

21                        *(ii) by adding at the end the following:*

22                        *“(5) SELECTION OF DREDGED MATERIAL DIS-*  
 23                        *POSAL METHOD FOR CERTAIN PURPOSES.—Activities*  
 24                        *carried out under this subsection—*

“(A) shall be carried out using amounts appropriated for construction or operation and maintenance of the project involving the disposal of the dredged material; and

“(B) shall not be carried out using amounts made available under subsection (g).”.

(b) *BENEFICIAL USE OF DREDGED MATERIAL.*—

(1) *PILOT PROGRAM PROJECTS.*—Section 1122 of the Water Resources Development Act of 2016 (33 U.S.C. 2326 note) is amended—

(A) in subsection (a)—

(i) in paragraph (6), by striking “; and” and inserting a semicolon;

(ii) in paragraph (7)(C), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(8) recovering lost storage capacity in reservoirs due to sediment accumulation, if the project also has a purpose described in any of paragraphs (1) through (7).”;

(B) in subsection (b)(1), by striking “20” and inserting “35”; and

1           (C) in subsection (g), by striking “20” and  
 2           inserting “35”.

3           (2) *SENSE OF CONGRESS.*—*It is the sense of*  
 4           *Congress that the Secretary, in selecting projects for*  
 5           *the beneficial use of dredged materials under section*  
 6           *1122 of the Water Resources Development Act of 2016*  
 7           *(33 U.S.C. 2326 note), should ensure the thorough*  
 8           *evaluation of project submissions from rural, small,*  
 9           *and economically disadvantaged communities.*

10          (3) *PROJECT SELECTION.*—*In selecting projects*  
 11          *for the beneficial use of dredged materials under sec-*  
 12          *tion 1122 of the Water Resources Development Act of*  
 13          *2016 (33 U.S.C. 2326 note), the Secretary shall*  
 14          *prioritize the selection of at least one project for the*  
 15          *utilization of thin layer placement of dredged fine*  
 16          *and coarse grain sediment and at least one project for*  
 17          *recovering lost storage capacity in reservoirs due to*  
 18          *sediment accumulation authorized by subsection*  
 19          *(a)(8) of such section, to the extent that a non-Federal*  
 20          *interest has submitted an application for such project*  
 21          *purposes that otherwise meets the requirements of*  
 22          *such section.*

23          (4) *TEMPORARY EASEMENTS.*—*Section 1148 of*  
 24          *the Water Resources Development Act of 2018 (33*  
 25          *U.S.C. 2326 note) is amended—*

1 (A) in subsection (a)—

2 (i) by striking “grant” and inserting

3 “approve”; and

4 (ii) by striking “granting” and insert-

5 ing “approving”; and

6 (B) in subsection (b), by striking “grants”

7 and inserting “approves”.

8 (c) *FIVE-YEAR REGIONAL DREDGED MATERIAL MAN-*

9 *AGEMENT PLANS.*—

10 (1) *IN GENERAL.*—Not later than 1 year after

11 the date of enactment of this Act, and annually there-

12 after, the District Commander of each district of the

13 Corps of Engineers that obtains dredged material

14 through the construction or operation and mainte-

15 nance of a water resources development project shall,

16 at Federal expense, develop and submit to the Sec-

17 retary a 5-year dredged material management plan

18 in coordination with relevant State agencies and

19 stakeholders.

20 (2) *SCOPE.*—Each plan developed under this

21 subsection shall include—

22 (A) a dredged material budget for each wa-

23 tershed or littoral system within the district;

24 (B) an estimate of the amount of dredged

25 material likely to be obtained through the con-

struction or operation and maintenance of all water resources development projects projected to be carried out within the district during the 5-year period following submission of the plan, and the estimated timing for obtaining such dredged material;

(C) an identification of potential water resources development projects projected to be carried out within the district during such 5-year period that are suitable for, or that require, the placement of dredged material, and an estimate of the amount of dredged material placement capacity of such projects;

(D) an evaluation of—

(i) the suitability of the dredged material for a full range of beneficial uses; and

(ii) the economic and environmental benefits, efficiencies, and impacts (including the effects on living coral) of using the dredged material for beneficial uses, including, in the case of beneficial use activities that involve more than one water resources development project, the benefits, efficiencies, and impacts that result from the combined activities;

1           (E) the district-wide goals for beneficial use  
 2           of the dredged material, including any expected  
 3           cost savings from aligning and coordinating  
 4           multiple projects (including projects across Corps  
 5           districts) in the use of the dredged material; and

6           (F) a description of potential beneficial use  
 7           projects identified through stakeholder solicita-  
 8           tion and coordination.

9           (3) *PUBLIC COMMENT.*—In developing each plan  
 10          under this subsection, each District Commander shall  
 11          provide notice and an opportunity for public com-  
 12          ment, including a solicitation for stakeholders to iden-  
 13          tify beneficial use projects, in order to ensure, to the  
 14          extent practicable, that beneficial use of dredged mate-  
 15          rial is not foregone in a particular fiscal year or  
 16          dredging cycle.

17          (4) *PUBLIC AVAILABILITY.*—Upon submission of  
 18          each plan to the Secretary under this subsection, each  
 19          District Commander shall make the plan publicly  
 20          available, including on a publicly available website.

21          (5) *TRANSMISSION TO CONGRESS.*—As soon as  
 22          practicable after receiving a plan under subsection  
 23          (a), the Secretary shall transmit the plan to Congress.

24          (6) *REGIONAL SEDIMENT MANAGEMENT PLANS.*—  
 25          A plan developed under this section—

1           (A) shall be in addition to regional sedi-  
 2           ment management plans prepared under section  
 3           204(a) of the Water Resources Development Act  
 4           of 1992 (33 U.S.C. 2326(a)); and

5           (B) shall not be subject to the limitations in  
 6           section 204(g) of the Water Resources Develop-  
 7           ment Act of 1992 (33 U.S.C. 2326(g)).

8       (d) DREDGE PILOT PROGRAM.—

9           (1) REVISIONS.—Section 1111 of the Water Re-  
 10          sources Development Act of 2018 (33 U.S.C. 2326  
 11          note) is amended—

12           (A) in subsection (a), by striking “for the  
 13           operation and maintenance of harbors and in-  
 14           land harbors” and all that follows through the  
 15           period at the end and inserting the following:  
 16           “for the operation and maintenance of—

17           “(1) harbors and inland harbors referred to in  
 18           section 210(a)(2) of the Water Resources Development  
 19           Act of 1986 (33 U.S.C. 2238(a)(2)); or

20           “(2) inland and intracoastal waterways of the  
 21           United States described in section 206 of the Inland  
 22           Waterways Revenue Act of 1978 (33 U.S.C. 1804).”;  
 23           and

1                   (B) in subsection (b), by striking “or inland  
2                   harbors” and inserting “, inland harbors, or in-  
3                   land or intracoastal waterways”.

4                   (2) *COORDINATION WITH EXISTING AUTHORI-*  
5                   *TIES.—The Secretary may carry out the dredge pilot*  
6                   *program authorized by section 1111 of the Water Re-*  
7                   *sources Development Act of 2018 (33 U.S.C. 2326*  
8                   *note) in coordination with Federal regional dredge*  
9                   *demonstration programs in effect on the date of enact-*  
10                  *ment of this Act.*

11 **SEC. 126. AQUATIC ECOSYSTEM RESTORATION FOR ANAD-**  
12 **ROMOUS FISH.**

13                  (a) *ANADROMOUS FISH HABITAT AND PASSAGE.—Sec-*  
14                  *tion 206 of the Water Resources Development Act of 1996*  
15                  *(33 U.S.C. 2330) is amended—*

16                  (1) in subsection (a), by adding at the end the  
17                  following:

18                  “(3) *ANADROMOUS FISH HABITAT AND PAS-*  
19                  *SAGE.—*

20                  “(A) *MEASURES.—A project under this sec-*  
21                  *tion may include measures to improve habitat or*  
22                  *passage for anadromous fish, including—*

23                  “(i) *installing fish bypass structures on*  
24                  *small water diversions;*

25                  “(ii) *modifying tide gates; and*



1                   “(iii) restoring or reconnecting  
2 floodplains and wetlands that are impor-  
3 tant for anadromous fish habitat or pas-  
4 sage.

5                   “(B) BENEFITS.—A project that includes  
6 measures under this paragraph shall be formu-  
7 lated to maximize benefits for the anadromous  
8 fish species benefitted by the project.”; and  
9 (2) by adding at the end the following:

10           “(g) PRIORITIZATION.—The Secretary shall give  
11 projects that include measures described in subsection (a)(3)  
12 equal priority for implementation as other projects under  
13 this section.”.

14 **SEC. 127. ANNUAL REPORT TO CONGRESS ON WATER RE-**  
15 **SOURCES INFRASTRUCTURE.**

16           (a) IN GENERAL.—Section 7001 of the Water Re-  
17 sources Reform and Development Act of 2014 (33 U.S.C.  
18 2282d) is amended—

19                   (1) in subsection (c)—

20                           (A) in paragraph (1)—

21                                   (i) in subparagraph (B)(ii)(III), by  
22 inserting “, regional, or local” after “na-  
23 tional”; and

24                                   (ii) by adding at the end the following:

1           “(D) *MODIFICATIONS OF PROJECTS CAR-*  
 2           *RIED OUT PURSUANT TO CONTINUING AUTHORITY*  
 3           *PROGRAMS.—*

4                   “(i) *IN GENERAL.—With respect to a*  
 5                   *project being carried out pursuant to a con-*  
 6                   *tinuing authority program for which a pro-*  
 7                   *posed modification is necessary because the*  
 8                   *project is projected to exceed, in the coming*  
 9                   *fiscal year, the maximum Federal cost of*  
 10                   *the project, the Secretary shall include a*  
 11                   *proposed modification in the annual report*  
 12                   *if the proposed modification will result in*  
 13                   *completion of construction the project and*  
 14                   *the justification for the modification is not*  
 15                   *the result of a change in the scope of the*  
 16                   *project.*

17                   “(ii) *INCLUSION.—For each proposed*  
 18                   *modification included in an annual report*  
 19                   *under clause (i), the Secretary shall include*  
 20                   *in the annual report—*

21                           “(I) *a justification of why the*  
 22                           *modification is necessary;*

23                           “(II) *an estimate of the total cost*  
 24                           *and timeline required to complete con-*  
 25                           *struction of the project; and*

1 “(III) an indication of continued  
2 support by the non-Federal interest  
3 and the financial ability of the non-  
4 Federal interest to provide the required  
5 cost-share.

6 “(iii) DEFINITION.—For the purposes  
7 of this subparagraph, the term ‘continuing  
8 authority program’ means any of—

9 “(I) section 14 of the Flood Con-  
10 trol Act of 1946 (33 U.S.C. 701r);

11 “(II) section 3 of the Act of Au-  
12 gust 13, 1946 (33 U.S.C. 426g);

13 “(III) section 107 of the River  
14 and Harbor Act of 1960 (33 U.S.C.  
15 577);

16 “(IV) section 111 of the River and  
17 Harbor Act of 1968 (33 U.S.C. 426i);

18 “(V) section 204 of the Water Re-  
19 sources Development Act of 1992 (33  
20 U.S.C. 2326);

21 “(VI) section 205 of the Flood  
22 Control Act of 1948 (33 U.S.C. 701s);

23 “(VII) section 206 of the Water  
24 Resources Development Act of 1996 (33  
25 U.S.C. 2330);

1 “(VIII) section 2 of the Act of Au-  
 2 gust 28, 1937 (33 U.S.C. 701g); and

3 “(IX) section 1135 of the Water  
 4 Resources Development Act of 1986 (33  
 5 U.S.C. 2309a).”; and

6 (B) in paragraph (4)(B)—

7 (i) in clause (i), by striking “and” at  
 8 the end;

9 (ii) by redesignating clause (ii) as  
 10 clause (iii); and

11 (iii) by inserting after clause (i) the  
 12 following:

13 “(ii) the Secretary shall not include  
 14 proposals in the appendix of the annual re-  
 15 port that otherwise meet the criteria for in-  
 16 clusion in the annual report solely on the  
 17 basis that the proposals are for the purposes  
 18 of navigation, flood risk management, eco-  
 19 system restoration, or municipal or agricul-  
 20 tural water supply; and”; and

21 (2) in subsection (g)(5), by striking “if author-  
 22 ized” and all that follows through “2016”.

23 (b) OVER-BUDGET CAP PROGRAMS.—For any project  
 24 carried out under a continuing authority program, as such  
 25 term is defined in section 7001(c)(1)(D) of the Water Re-

1 *sources Reform and Development Act of 2014 (33 U.S.C.*  
 2 *2282d)), for which the Secretary is required to include a*  
 3 *proposed modification in an annual report under such sec-*  
 4 *tion 7001(c)(1)(D), the Secretary shall, to the extent prac-*  
 5 *ticable, inform the non-Federal interest of the process for*  
 6 *carrying out the project pursuant to section 105 of the*  
 7 *Water Resources Development Act of 1986 (33 U.S.C. 2215)*  
 8 *and whether the Secretary has the authority to complete a*  
 9 *feasibility study for the project.*

10 *(c) ANNUAL REPORT ON STATUS OF FEASIBILITY*  
 11 *STUDIES.—Concurrent with each report submitted under*  
 12 *section 7001 of the Water Resources Reform and Develop-*  
 13 *ment Act of 2014 (33 U.S.C. 2282d), the Secretary shall*  
 14 *submit to the Committee on Transportation and Infrastruc-*  
 15 *ture of the House of Representatives and the Committee on*  
 16 *Environment and Public Works of the Senate a report that*  
 17 *provides for an accounting of all outstanding feasibility*  
 18 *studies being conducted by the Secretary, including, for*  
 19 *each such study, its length, cost, and expected completion*  
 20 *date.*

21 **SEC. 128. HARMFUL ALGAL BLOOM DEMONSTRATION PRO-**  
 22 **GRAM.**

23 *(a) IN GENERAL.—The Secretary shall carry out a*  
 24 *demonstration program to determine the causes of, and im-*  
 25 *plement measures to effectively detect, prevent, treat, and*

1 *eliminate, harmful algal blooms associated with water re-*  
 2 *sources development projects.*

3 (b) *CONSULTATION; USE OF EXISTING DATA AND PRO-*  
 4 *GRAM AUTHORITIES.*—*In carrying out the demonstration*  
 5 *program under subsection (a), the Secretary shall—*

6 (1) *consult with the heads of appropriate Federal*  
 7 *and State agencies; and*

8 (2) *make maximum use of existing Federal and*  
 9 *State data and ongoing programs and activities of*  
 10 *Federal and State agencies, including the activities of*  
 11 *the Secretary carried out through the Engineer Re-*  
 12 *search and Development Center pursuant to section*  
 13 *1109 of the Water Resources Development Act of 2018*  
 14 *(33 U.S.C. 610 note).*

15 (c) *FOCUS AREAS.*—*In carrying out the demonstration*  
 16 *program under subsection (a), the Secretary shall undertake*  
 17 *program activities related to harmful algal blooms in the*  
 18 *Great Lakes, the tidal and inland waters of the State of*  
 19 *New Jersey, the coastal and tidal waters of the State of Lou-*  
 20 *isiana, the waterways of the counties that comprise the Sac-*  
 21 *ramento-San Joaquin Delta, California, the Allegheny Res-*  
 22 *ervoir Watershed, New York, and Lake Okeechobee, Florida.*

23 (d) *ADDITIONAL FOCUS AREAS.*—*In addition to the*  
 24 *areas described in subsection (c), in carrying out the dem-*  
 25 *onstration program under subsection (a), the Secretary*

1 *shall undertake program activities related to harmful algal*  
 2 *blooms at any Federal reservoir located in the Upper Mis-*  
 3 *souri River Basin or the North Platte River Basin, at the*  
 4 *request and expense of another Federal agency.*

5 *(e) AUTHORIZATION OF APPROPRIATIONS.—There is*  
 6 *authorized to be appropriated to the Secretary \$25,000,000*  
 7 *to carry out this section. Such sums shall remain available*  
 8 *until expended.*

9 **SEC. 129. MISSOURI RIVER INTERCEPTION-REARING COM-**  
 10 **PLEX CONSTRUCTION.**

11 *(a) REPORT.—Not later than 1 year after the date of*  
 12 *enactment of this Act, and annually thereafter, the Sec-*  
 13 *retary shall submit to the Committee on Transportation*  
 14 *and Infrastructure of the House of Representatives and the*  
 15 *Committee on Environment and Public Works of the Senate*  
 16 *a report on the effects of any interception-rearing complex*  
 17 *constructed on the Missouri River on—*

18 *(1) flood risk management and navigation; and*  
 19 *(2) the population recovery of the pallid stur-*  
 20 *geon, including baseline population counts.*

21 *(b) NO ADDITIONAL IRC CONSTRUCTION.—The Sec-*  
 22 *retary may not authorize construction of an interception-*  
 23 *rearing complex on the Missouri River until the Sec-*  
 24 *retary—*

25 *(1) submits the report required by subsection (a);*

(2) *acting through the Engineer Research and Development Center, conducts further research on interception-rearing complex design, including any effects on existing flows, flood risk management, and navigation; and*

(3) *develops a plan—*

(A) *to repair dikes and revetments that are affecting flood risk and bank erosion; and*

(B) *to establish, repair, or improve water control structures at the headworks of constructed shallow water habitat side-channels.*

(c) *FUTURE IRC CONSTRUCTION.—*

(1) *PUBLIC COMMENT.—The Secretary shall provide an opportunity for comment from the public and the Governor of each affected State on any proposals to construct an interception-rearing complex after the date of enactment of this Act.*

(2) *PERIOD.—The public comment period required by paragraph (1) shall be not less than 90 days for each proposal to construct an interception-rearing complex on the Missouri River.*

**SEC. 130. MATERIALS, SERVICES, AND FUNDS FOR REPAIR, RESTORATION, OR REHABILITATION OF PROJECTS.**

(a) *DEFINITIONS.—In this section:*



1           (1) *COVERED AREA*.—*The term “covered area”*  
 2           *means an area—*

3                     (A) *for which the Governor of a State has*  
 4                     *requested a determination that an emergency ex-*  
 5                     *ists; or*

6                     (B) *covered by an emergency or major dis-*  
 7                     *aster declaration declared under the Robert T.*  
 8                     *Stafford Disaster Relief and Emergency Assist-*  
 9                     *ance Act (42 U.S.C. 5121 et seq.).*

10           (2) *EMERGENCY PERIOD*.—*The term “emergency*  
 11           *period” means—*

12                     (A) *with respect to a covered area described*  
 13                     *in paragraph (1)(A), the period during which*  
 14                     *the Secretary determines an emergency exists;*  
 15                     *and*

16                     (B) *with respect to a covered area described*  
 17                     *in paragraph (1)(B), the period during which*  
 18                     *the applicable declaration is in effect.*

19           (b) *IN GENERAL*.—*In any covered area, the Secretary*  
 20           *is authorized to accept and use materials, services, and*  
 21           *funds, during the emergency period, from a non-Federal in-*  
 22           *terest or private entity to repair, restore, or rehabilitate a*  
 23           *federally authorized water resources development project,*  
 24           *and to provide reimbursement to such non-Federal interest*  
 25           *or private entity for such materials, services, and funds,*

1 *in the Secretary's sole discretion, and subject to the avail-*  
2 *ability of appropriations, if the Secretary determines that*  
3 *reimbursement is in the public interest.*

4       (c) *ADDITIONAL REQUIREMENT.—The Secretary may*  
5 *only reimburse for the use of materials or services accepted*  
6 *under this section if such materials or services meet the Sec-*  
7 *retary's specifications and comply with all applicable laws*  
8 *and regulations that would apply if such materials and*  
9 *services were acquired by the Secretary, including sections*  
10 *3141 through 3148 and 3701 through 3708 of title 40,*  
11 *United States Code, section 8302 of title 41, United States*  
12 *Code, and the National Environmental Policy Act of 1969.*

13       (d) *AGREEMENTS.—*

14               (1) *IN GENERAL.—Prior to the acceptance of ma-*  
15 *terials, services, or funds under this section, the Sec-*  
16 *retary and the non-Federal interest or private entity*  
17 *shall enter into an agreement that specifies—*

18                       (A) *the non-Federal interest or private enti-*  
19 *ty shall hold and save the United States free*  
20 *from any and all damages that arise from use of*  
21 *materials or services of the non-Federal interest*  
22 *or private entity, except for damages due to the*  
23 *fault or negligence of the United States or its*  
24 *contractors;*

1                   (B) the non-Federal interest or private enti-  
 2                   ty shall certify that the materials or services  
 3                   comply with all applicable laws and regulations  
 4                   under subsection (c); and

5                   (C) any other term or condition required by  
 6                   the Secretary.

7                   (2) *EXCEPTION.*—If an agreement under para-  
 8                   graph (1) was not entered prior to materials or serv-  
 9                   ices being contributed, a non-Federal interest or pri-  
 10                  vate entity shall enter into an agreement with the  
 11                  Secretary that—

12                   (A) specifies the value, as determined by the  
 13                   Secretary, of those materials or services contrib-  
 14                   uted and eligible for reimbursement; and

15                   (B) ensures that the materials or services  
 16                   comply with subsection (c) and paragraph (1).

17 **SEC. 131. LEVEE SAFETY.**

18                  Section 9004 of the Water Resources Development Act  
 19                  of 2007 (33 U.S.C. 3303) is amended by adding at the end  
 20                  the following:

21                  “(d) *IDENTIFICATION OF DEFICIENCIES.*—

22                   “(1) *IN GENERAL.*—For each levee included in  
 23                   an inventory established under subsection (b) or for  
 24                   which the Secretary has conducted a review under  
 25                   subsection (c), the Secretary shall—

1           “(A) identify the specific engineering and  
2           maintenance deficiencies, if any; and

3           “(B) describe the recommended remedies to  
4           correct each deficiency identified under subpara-  
5           graph (A), and, if requested by owner of a non-  
6           Federal levee, the associated costs of those rem-  
7           edies.

8           “(2) CONSULTATION.—In identifying deficiencies  
9           and describing remedies for a levee under paragraph  
10          (1), the Secretary shall consult with relevant non-Fed-  
11          eral interests, including by providing an opportunity  
12          for comment by those non-Federal interests.”.

13 **SEC. 132. NATIONAL DAM SAFETY PROGRAM.**

14          (a) DEFINITIONS.—Section 2 of the National Dam  
15          Safety Program Act (33 U.S.C. 467) is amended—

16               (1) in paragraph (4)—

17                       (A) in subparagraph (A)—

18                               (i) by striking clause (iii) and insert-  
19                               ing the following:

20                                       “(iii) has an emergency action plan  
21                                       that—

22   “(I) is approved by the relevant  
23   State dam safety agency; or

24   “(II) is in conformance with  
25   State law and pending approval by the

1                   *relevant State dam safety agency;*”;

2                   *and*

3                   *(ii) by striking clause (iv) and insert-*  
4                   *ing the following:*

5                   *“(iv) fails to meet minimum dam safe-*  
6                   *ty standards of the State in which the dam*  
7                   *is located, as determined by the State; and*

8                   *“(v) poses an unacceptable risk to the*  
9                   *public, as determined by the Administrator,*  
10                  *in consultation with the Board.”; and*

11                  *(B) in subparagraph (B)(i), by inserting*  
12                  *“under a hydropower project with an authorized*  
13                  *installed capacity of greater than 1.5*  
14                  *megawatts” after “dam”; and*

15                  *(2) in paragraph (10)—*

16                  *(A) in the heading, by striking “NON-FED-*  
17                  *ERAL SPONSOR” and inserting “ELIGIBLE SUB-*  
18                  *RECIPIENT”; and*

19                  *(B) by striking “The term ‘non-Federal*  
20                  *sponsor’” and inserting “The term ‘eligible sub-*  
21                  *recipient’”.*

22                  ***(b) REHABILITATION OF HIGH HAZARD POTENTIAL***  
23                  ***DAMS.—***

24                  ***(1) ESTABLISHMENT OF PROGRAM.—Section***  
25                  ***8A(a) of the National Dam Safety Program Act (33***

1       U.S.C. 467f-2(a)) is amended by striking “to non-  
 2       Federal sponsors” and inserting “to States with dam  
 3       safety programs”.

4               (2) *ELIGIBLE ACTIVITIES*.—Section 8A(b) of the  
 5       National Dam Safety Program Act (33 U.S.C. 467f-  
 6       2(b)) is amended, in the matter preceding paragraph  
 7       (1), by striking “for a project may be used for” and  
 8       inserting “to a State may be used by the State to  
 9       award grants to eligible subrecipients for”.

10              (3) *AWARD OF GRANTS*.—Section 8A(c) of the  
 11       National Dam Safety Program Act (33 U.S.C. 467f-  
 12       2(c)) is amended—

13                   (A) in paragraph (1)(A), by striking “non-  
 14       Federal sponsor” and inserting “State”; and

15                   (B) in paragraph (2)—

16                           (i) in subparagraph (A), by striking  
 17       “an eligible high hazard potential dam to a  
 18       non-Federal sponsor” and inserting “eligi-  
 19       ble high hazard potential dams to a State”;

20                           (ii) in subparagraph (B)—

21                                   (I) in the subparagraph heading,  
 22       by striking “PROJECT GRANT” and in-  
 23       serting “GRANT”;

24                                   (II) by striking “project grant  
 25       agreement with the non-Federal spon-

1                   sor” and inserting “grant agreement  
2                   with the State”; and

3                   (III) by striking “project,” and  
4                   inserting “projects for which the grant  
5                   is awarded,”;

6                   (iii) by amending subparagraph (C) to  
7                   read as follows:

8                   “(C) GRANT ASSURANCE.—As part of a  
9                   grant agreement under subparagraph (B), the  
10                  Administrator shall require that each eligible  
11                  subrecipient to which the State awards a grant  
12                  under this section provides an assurance, with  
13                  respect to the dam to be rehabilitated by the eli-  
14                  gible subrecipient, that the dam owner will carry  
15                  out a plan for maintenance of the dam during  
16                  the expected life of the dam.”; and

17                  (iv) in subparagraph (D), by striking  
18                  “A grant provided under this section shall  
19                  not exceed” and inserting “A State may not  
20                  award a grant to an eligible subrecipient  
21                  under this section that exceeds, for any 1  
22                  dam,”.

23                  (4) REQUIREMENTS.—Section 8A(d) of the Na-  
24                  tional Dam Safety Program Act (33 U.S.C. 467f-  
25                  2(d)) is amended—

1           (A) in paragraph (1), by inserting “to an  
2           eligible subrecipient” after “this section”;

3           (B) in paragraph (2)—

4                 (i) in the paragraph heading, by strik-  
5                 ing “NON-FEDERAL SPONSOR” and insert-  
6                 ing “ELIGIBLE SUBRECIPIENT”;

7                 (ii) in the matter preceding subpara-  
8                 graph (A), by striking “the non-Federal  
9                 sponsor shall” and inserting “an eligible  
10                subrecipient shall, with respect to the dam  
11                to be rehabilitated by the eligible sub-  
12                recipient”;

13                (iii) by amending subparagraph (A) to  
14                read as follows:

15                “(A) demonstrate that the community in  
16                which the dam is located participates in, and  
17                complies with, all applicable Federal flood insur-  
18                ance programs, including demonstrating that  
19                such community is participating in the National  
20                Flood Insurance Program, and is not on proba-  
21                tion, suspended, or withdrawn from such Pro-  
22                gram;”;

23                (iv) in subparagraph (B), by striking  
24                “have” and inserting “beginning not later  
25                than 2 years after the date on which the Ad-



1            *ministrator publishes criteria for hazard*  
 2            *mitigation plans under paragraph (3),*  
 3            *demonstrate that the Tribal or local govern-*  
 4            *ment with jurisdiction over the area in*  
 5            *which the dam is located has”; and*

6            *(v) in subparagraph (C), by striking*  
 7            *“50-year period” and inserting “expected*  
 8            *life of the dam”; and*

9            *(C) by adding at the end the following:*

10            *“(3) HAZARD MITIGATION PLAN CRITERIA.—Not*  
 11            *later than 1 year after the date of enactment of this*  
 12            *paragraph, the Administrator, in consultation with*  
 13            *the Board, shall publish criteria for hazard mitiga-*  
 14            *tion plans required under paragraph (2)(B).”.*

15            *(5) FLOODPLAIN MANAGEMENT PLANS.—Section*  
 16            *8A(e) of the National Dam Safety Program Act (33*  
 17            *U.S.C. 467f–2(e)) is amended—*

18            *(A) in paragraph (1)—*

19            *(i) in the matter preceding subpara-*  
 20            *graph (A), by striking “the non-Federal*  
 21            *sponsor” and inserting “an eligible sub-*  
 22            *recipient”; and*

23            *(ii) in subparagraph (B), by striking*  
 24            *“1 year” and inserting “2 years” each place*  
 25            *it appears; and*

1                   (B) by striking paragraph (3) and inserting  
2                   the following:

3                   “(3) *PLAN CRITERIA AND TECHNICAL SUP-*  
4                   *PORT.—The Administrator, in consultation with the*  
5                   *Board, shall provide criteria, and may provide tech-*  
6                   *nical support, for the development and implementa-*  
7                   *tion of floodplain management plans prepared under*  
8                   *this subsection.”.*

9                   (6) *CONTRACTUAL REQUIREMENTS.—Section*  
10                  *8A(i)(1) of the National Dam Safety Program Act*  
11                  *(33 U.S.C. 467f–2(i)(1)) is amended by striking “a*  
12                  *non-Federal sponsor” and inserting “an eligible sub-*  
13                  *recipient”.*

14 **SEC. 133. REHABILITATION OF CORPS OF ENGINEERS CON-**  
15 **STRUCTED PUMP STATIONS.**

16                  (a) *DEFINITIONS.—In this section:*

17                   (1) *ELIGIBLE PUMP STATION.—The term “eligi-*  
18                   *ble pump station” means a pump station—*

19                   (A) *constructed, in whole or in part, by the*  
20                   *Corps of Engineers for flood risk management*  
21                   *purposes;*

22                   (B) *that the Secretary has identified as hav-*  
23                   *ing a major deficiency; and*

24                   (C) *the failure of which the Secretary has*  
25                   *determined would impair the function of a flood*

1        *risk management project constructed by the*  
 2        *Corps of Engineers.*

3        (2) *REHABILITATION.*—

4            (A) *IN GENERAL.*—*The term “rehabilita-*  
 5        *tion”, with respect to an eligible pump station,*  
 6        *means to address a major deficiency of the eligi-*  
 7        *ble pump station caused by long-term degrada-*  
 8        *tion of the foundation, construction materials, or*  
 9        *engineering systems or components of the eligible*  
 10       *pump station.*

11          (B) *INCLUSIONS.*—*The term “rehabilita-*  
 12        *tion”, with respect to an eligible pump station,*  
 13        *includes—*

14            (i) *the incorporation into the eligible*  
 15        *pump station of—*

16                    (I) *current design standards;*

17                    (II) *efficiency improvements; and*

18                    (III) *associated drainage; and*

19            (ii) *increasing the capacity of the eligi-*  
 20        *ble pump station, subject to the condition*  
 21        *that the increase shall—*

22                    (I) *significantly decrease the risk*  
 23        *of loss of life and property damage; or*

1                   (ii) decrease total lifecycle reha-  
2                   bilitation costs for the eligible pump  
3                   station.

4           (b) *AUTHORIZATION.*—The Secretary may carry out  
5   rehabilitation of an eligible pump station, if the Secretary  
6   determines that the rehabilitation is feasible.

7           (c) *COST SHARING.*—The non-Federal interest for the  
8   eligible pump station shall—

9                   (1) provide 35 percent of the cost of rehabilita-  
10   tion of an eligible pump station carried out under  
11   this section; and

12                   (2) provide all land, easements, rights-of-way,  
13   and necessary relocations associated with the rehabili-  
14   tation described in subparagraph (A), at no cost to  
15   the Federal Government.

16           (d) *AGREEMENT REQUIRED.*—The rehabilitation of an  
17   eligible pump station pursuant to this section shall be initi-  
18   ated only after a non-Federal interest has entered into a  
19   binding agreement with the Secretary—

20                   (1) to pay the non-Federal share of the costs of  
21   rehabilitation under subsection (c); and

22                   (2) to pay 100 percent of the operation and  
23   maintenance costs of the rehabilitated eligible pump  
24   station, in accordance with regulations promulgated  
25   by the Secretary.

1       (e) *TREATMENT.*—*The rehabilitation of an eligible*  
 2 *pump station pursuant to this section shall not be consid-*  
 3 *ered to be a separable element of the associated flood risk*  
 4 *management project constructed by the Corps of Engineers.*

5       (f) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*  
 6 *authorized to be appropriated to carry out this section*  
 7 *\$60,000,000, to remain available until expended.*

8       **SEC. 134. NON-FEDERAL PROJECT IMPLEMENTATION PILOT**  
 9                                   **PROGRAM.**

10       (a) *REAUTHORIZATION; IMPLEMENTATION GUID-*  
 11 *ANCE.*—*Section 1043(b) of the Water Resources Reform and*  
 12 *Development Act of 2014 (33 U.S.C. 2201 note) is amend-*  
 13 *ed—*

14               (1) *in paragraph (7), by striking “the date that*  
 15 *is 5 years after the date of enactment of this Act” and*  
 16 *inserting “September 30, 2026”;*

17               (2) *in paragraph (8), by striking “2023” and in-*  
 18 *serting “2026”; and*

19               (3) *by adding at the end the following:*

20               “(9) *IMPLEMENTATION GUIDANCE.*—

21                       “(A) *IN GENERAL.*—*Not later than 120*  
 22 *days after the date of enactment of this para-*  
 23 *graph, the Secretary shall issue guidance for the*  
 24 *implementation of the pilot program that, to the*  
 25 *extent practicable, identifies—*

1                   “(i) the metrics for measuring the suc-  
2                   cess of the pilot program;

3                   “(ii) a process for identifying future  
4                   projects to participate in the pilot program;

5                   “(iii) measures to address the risks of  
6                   a non-Federal interest constructing projects  
7                   under the pilot program, including which  
8                   entity bears the risk for projects that fail to  
9                   meet the Corps of Engineers standards for  
10                  design or quality;

11                  “(iv) the laws and regulations that a  
12                  non-Federal interest must follow in car-  
13                  rying out a project under the pilot program;  
14                  and

15                  “(v) which entity bears the risk in the  
16                  event that a project carried out under the  
17                  pilot program fails to be carried out in ac-  
18                  cordance with the project authorization or  
19                  this subsection.

20                  “(B) NEW PROJECT PARTNERSHIP AGREE-  
21                  MENTS.—The Secretary may not enter into a  
22                  project partnership agreement under this sub-  
23                  section during the period beginning on the date  
24                  of enactment of this paragraph and ending on

1           *the date on which the Secretary issues the guid-*  
 2           *ance under subparagraph (A).”.*

3           ***(b) NON-FEDERAL PROJECT IMPLEMENTATION FOR***  
 4   ***COMPREHENSIVE EVERGLADES RESTORATION PLAN***  
 5   ***PROJECTS.—***

6           ***(1) IN GENERAL.—****In carrying out the pilot pro-*  
 7           *gram authorized under section 1043(b) of the Water*  
 8           *Resources Reform and Development Act of 2014 (33*  
 9           *U.S.C. 2201 note), the Secretary is authorized to in-*  
 10          *clude a project authorized to be implemented by, or*  
 11          *in accordance with, section 601 of the Water Re-*  
 12          *sources Development Act of 2000, in accordance with*  
 13          *such section 1043(b).*

14          ***(2) ELIGIBILITY.—****In the case of a project de-*  
 15          *scribed in paragraph (1) for which the non-Federal*  
 16          *interest has initiated construction in compliance with*  
 17          *authorities governing the provision of in-kind con-*  
 18          *tributions for such project, the Secretary shall take*  
 19          *into account the value of any in-kind contributions*  
 20          *carried out by the non-Federal interest for such*  
 21          *project prior to the date of execution of the project*  
 22          *partnership agreement under section 1043(b) of the*  
 23          *Water Resources Reform and Development Act of*  
 24          *2014 when determining the non-Federal share of the*  
 25          *costs to complete construction of the project.*

1           (3) *GUIDANCE.*—Not later than 180 days after  
 2           the date of enactment of this subsection, and in ac-  
 3           cordance with the guidance issued under section  
 4           1043(b)(9) of the Water Resources Reform and Devel-  
 5           opment Act of 2014 (as added by this section), the  
 6           Secretary shall issue any additional guidance that the  
 7           Secretary determines necessary for the implementa-  
 8           tion of this subsection.

9   **SEC. 135. COST SHARING PROVISIONS FOR TERRITORIES**  
 10                           **AND INDIAN TRIBES.**

11           Section 1156(b) of the Water Resources Development  
 12           Act of 1986 (33 U.S.C. 2310(b)) is amended by striking  
 13           “for inflation” and all that follows through the period at  
 14           the end and inserting “on an annual basis for inflation.”.

15   **SEC. 136. REVIEW OF CONTRACTING POLICIES.**

16           (a) *REVIEW OF CONTRACTUAL AGREEMENTS.*—

17                   (1) *IN GENERAL.*—Not later than 180 days after  
 18                   the date of enactment of this section, the Secretary  
 19                   shall complete a review of the policies, guidelines, and  
 20                   regulations of the Corps of Engineers for the develop-  
 21                   ment of contractual agreements between the Secretary  
 22                   and non-Federal interests and utilities associated  
 23                   with the construction of water resources development  
 24                   projects.



1           (2) *REPORT*.—Not later than 90 days after com-  
 2           pleting the review under subsection (a)(1), the Sec-  
 3           retary shall submit to the Committee on Transpor-  
 4           tation and Infrastructure of the House of Representa-  
 5           tives and the Committee on Environment and Public  
 6           Works of the Senate, and make publicly available, a  
 7           report that includes—

8                       (A) a summary of the results of the review;  
 9                       and

10                      (B) public guidance on best practices for a  
 11                      non-Federal interest to use when writing or de-  
 12                      veloping contractual agreements with the Sec-  
 13                      retary and utilities.

14           (3) *PROVISION OF GUIDANCE*.—The Secretary  
 15           shall provide the best practices guidance included  
 16           under paragraph (2)(A) to non-Federal interests  
 17           prior to the development of contractual agreements  
 18           with such non-Federal interests.

19           (b) *SENSE OF CONGRESS*.—It is the sense of Congress  
 20           that the Secretary should maximize use of nonprice tradeoff  
 21           procedures in competitive acquisitions for carrying out  
 22           emergency work in an area with respect to which the Presi-  
 23           dent has declared a major disaster under section 401 of the  
 24           Robert T. Stafford Disaster Relief and Emergency Assist-  
 25           ance Act.

1 **SEC. 137. CRITERIA FOR FUNDING ENVIRONMENTAL INFRA-**  
 2 **STRUCTURE PROJECTS.**

3 (a) *IN GENERAL.*—Not later than 180 days after the  
 4 date of enactment of this Act, the Secretary shall develop  
 5 specific criteria for the evaluation and ranking of indi-  
 6 vidual environmental assistance projects authorized by  
 7 Congress (including projects authorized pursuant to envi-  
 8 ronmental assistance programs) for the Secretary to carry  
 9 out.

10 (b) *MINIMUM CRITERIA.*—For the purposes of carrying  
 11 out this section, the Secretary shall evaluate, at a min-  
 12 imum—

13 (1) *the nature and extent of the positive and neg-*  
 14 *ative local economic impacts of the project, includ-*  
 15 *ing—*

16 (A) *the benefits of the project to the local*  
 17 *economy;*

18 (B) *the extent to which the project will en-*  
 19 *hance local development;*

20 (C) *the number of jobs that will be directly*  
 21 *created by the project; and*

22 (D) *the ability of the non-Federal interest to*  
 23 *pay the applicable non-Federal share of the cost*  
 24 *of the project;*

1           (2) *the demographics of the location in which the*  
2           *project is to be carried out, including whether the*  
3           *project serves—*

4                   (A) *a rural community; or*

5                   (B) *an economically disadvantaged commu-*  
6           *nity, including an economically disadvantaged*  
7           *minority community;*

8           (3) *the amount of appropriations a project has*  
9           *received;*

10           (4) *the funding capability of the Corps of Engi-*  
11           *neers with respect to the project;*

12           (5) *whether the project could be carried out*  
13           *under other Federal authorities at an equivalent cost*  
14           *to the non-Federal interest; and*

15           (6) *any other criteria that the Secretary con-*  
16           *siders to be appropriate.*

17           (c) *INCLUSION IN GUIDANCE.—The Secretary shall in-*  
18           *clude the criteria developed under subsection (a) in the an-*  
19           *nual Civil Works Direct Program Development Policy*  
20           *Guidance of the Secretary.*

21           (d) *REPORT TO CONGRESS.—For fiscal year 2022, and*  
22           *biennially thereafter, in conjunction with the President’s*  
23           *annual budget submission to Congress under section*  
24           *1105(a) of title 31, United States Code, the Secretary shall*  
25           *submit to the Committee on Environment and Public Works*

1 *and the Committee on Appropriations of the Senate and*  
 2 *the Committee on Transportation and Infrastructure and*  
 3 *the Committee on Appropriations of the House of Rep-*  
 4 *resentatives a report that identifies the Secretary’s ranking*  
 5 *of individual environmental assistance projects authorized*  
 6 *by Congress for the Secretary to carry out, in accordance*  
 7 *with the criteria developed under this section.*

8 **SEC. 138. AGING INFRASTRUCTURE.**

9 (a) *DEFINITIONS.—In this section:*

10 (1) *AGING INFRASTRUCTURE.—The term “aging*  
 11 *infrastructure” means a water resources development*  
 12 *project of the Corps of Engineers, or any other water*  
 13 *resources, water storage, or irrigation project of an-*  
 14 *other Federal agency, that is greater than 75 years*  
 15 *old.*

16 (2) *ENHANCED INSPECTION.—The term “en-*  
 17 *hanced inspection” means an inspection that uses*  
 18 *current or innovative technology, including Light De-*  
 19 *tection and Ranging (commonly known as*  
 20 *“LiDAR”), ground penetrating radar, subsurface im-*  
 21 *aging, or subsurface geophysical techniques, to detect*  
 22 *whether the features of the aging infrastructure are*  
 23 *structurally sound and can operate as intended, or*  
 24 *are at risk of failure.*

25 (b) *CONTRACTS FOR ENHANCED INSPECTION.—*

1           (1) *IN GENERAL.*—*The Secretary may carry out*  
 2           *enhanced inspections of aging infrastructure, pursu-*  
 3           *ant to a contract with the owner or operator of the*  
 4           *aging infrastructure.*

5           (2) *CERTAIN CIRCUMSTANCES.*—*Subject to the*  
 6           *availability of appropriations, or funds available*  
 7           *pursuant to subsection (d), the Secretary shall enter*  
 8           *into a contract described in paragraph (1), if—*

9                   (A) *the owner or operator of the aging in-*  
 10            *frastructure requests that the Secretary carry out*  
 11            *the enhanced inspections; and*

12                   (B) *the inspection is at the full expense of*  
 13            *such owner or operator.*

14           (c) *LIMITATION.*—*The Secretary shall not require a*  
 15            *non-Federal entity associated with a project under the ju-*  
 16            *risdiction of another Federal agency to carry out corrective*  
 17            *or remedial actions in response to an enhanced inspection*  
 18            *carried out under this section.*

19           (d) *FUNDING.*—*The Secretary is authorized to accept*  
 20            *funds from an owner or operator of aging infrastructure,*  
 21            *and may use such funds to carry out an enhanced inspec-*  
 22            *tion pursuant to a contract entered into with such owner*  
 23            *or operator under this section.*

1 **SEC. 139. UNIFORMITY OF NOTIFICATION SYSTEMS.**

2       (a) *INVENTORY*.—Not later than 180 days after the  
3 date of enactment of this Act, the Secretary shall complete  
4 an inventory of all systems used by the Corps of Engineers  
5 for external communication and notification with respect  
6 to projects, initiatives, and facilities of the Corps of Engi-  
7 neers.

8       (b) *UNIFORM PLAN*.—

9           (1) *IN GENERAL*.—Not later than 1 year after  
10 the date of enactment of this Act, the Secretary shall  
11 develop a plan for the uniformity of such communica-  
12 tion and notification systems for projects, initiatives,  
13 and facilities of the Corps of Engineers.

14           (2) *INCLUSIONS*.—The plan developed under  
15 paragraph (1) shall—

16           (A) provide access to information in all  
17 forms practicable, including through email, text  
18 messages, news programs and websites, radio,  
19 and other forms of notification;

20           (B) establish a notification system for any  
21 projects, initiatives, or facilities of the Corps of  
22 Engineers that do not have a notification system;

23           (C) streamline existing communication and  
24 notification systems to improve the strength and  
25 uniformity of those systems; and

1           (D) emphasize the necessity of timeliness in  
 2           notification systems and ensure that the methods  
 3           of notification can transmit information in a  
 4           timely manner.

5           (3) *IMPLEMENTATION.*—

6           (A) *IN GENERAL.*—Except as provided in  
 7           subparagraph (B), not later than 2 years after  
 8           the date of enactment of this Act, the Secretary  
 9           shall complete the implementation of the plan de-  
 10          veloped under paragraph (1).

11          (B) *EMERGENCY MANAGEMENT NOTIFICA-*  
 12          *TION.*—Not later than 18 months after the date  
 13          of enactment of this Act, the Secretary shall im-  
 14          plement the provisions of the plan developed  
 15          under paragraph (1) relating to emergency man-  
 16          agement notifications.

17          (4) *SAVINGS PROVISION.*—Nothing in this section  
 18          authorizes the elimination of any existing commu-  
 19          nication or notification system used by the Corps of  
 20          Engineers.

21 **SEC. 140. COASTAL STORM DAMAGE REDUCTION CON-**  
 22 **TRACTS.**

23          For any project for coastal storm damage reduction,  
 24          the Secretary may seek input from a non-Federal interest  
 25          for a project that may be affected by the timing of the coast-

1 *al storm damage reduction activities under the project, in*  
 2 *order to minimize, to the maximum extent practicable, any*  
 3 *negative effects resulting from the timing of those activities.*

4 **SEC. 141. DAM REMEDIATION FOR ECOSYSTEM RESTORA-**  
 5 **TION.**

6 *Section 542(b)(2) of the Water Resources Development*  
 7 *Act of 2000 (114 Stat. 2671; 121 Stat. 1150) is amended—*

8 *(1) in subparagraph (F), by striking “or” at the*  
 9 *end;*

10 *(2) by redesignating subparagraph (G) as sub-*  
 11 *paragraph (H); and*

12 *(3) by inserting after subparagraph (F) the fol-*  
 13 *lowing:*

14 *“(G) measures to restore, protect, and pre-*  
 15 *serve an ecosystem affected by a dam (including*  
 16 *by the rehabilitation or modification of a*  
 17 *dam)—*

18 *“(i) that has been constructed, in whole*  
 19 *or in part, by the Corps of Engineers for*  
 20 *flood control purposes;*

21 *“(ii) for which construction was com-*  
 22 *pleted before 1940;*

23 *“(iii) that is classified as ‘high hazard*  
 24 *potential’ by the State dam safety agency of*  
 25 *the State in which the dam is located; and*



1                   “(iv) that is operated by a non-Federal  
2                   entity; or”.

3   **SEC. 142. LEVEE ACCREDITATION PROCESS; LEVEE CER-**  
4                   **TIFICATIONS.**

5           (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*  
6   *that the process developed by the Flood Protection Structure*  
7   *Accreditation Task Force established under section 100226*  
8   *of the Moving Ahead for Progress in the 21st Century Act*  
9   *(42 U.S.C. 4101 note) should not be limited to levee systems*  
10   *in the inspection of completed works program of the Corps*  
11   *of Engineers, but should apply equally to federally owned*  
12   *levee systems operated by the Secretary, including federally*  
13   *owned levee systems operated by the Secretary as part of*  
14   *a reservoir project.*

15          (b) *LEVEE CERTIFICATIONS.*—*Section 3014 of the*  
16   *Water Resources Reform and Development Act of 2014 (42*  
17   *U.S.C. 4131) is amended—*

18               (1) *in subsection (a)—*

19                   (A) *in paragraph (1)—*

20                               (i) *by striking “under the inspection of*  
21                               *completed works program” and inserting*  
22                               *“for levee systems under the levee safety and*  
23                               *dam safety programs”; and*

24                               (ii) *by striking “and” at the end;*

25                   (B) *in paragraph (2)—*

1                   (i) by striking “activities under the in-  
 2                   spection of completed works program of the  
 3                   Corps of Engineers” and inserting “the ac-  
 4                   tivities referred to in paragraph (1)”;

5                   (ii) by striking “chapter 1” and insert-  
 6                   ing “chapter I”; and

7                   (iii) by striking the period at the end  
 8                   and inserting “; and”; and

9                   (C) by adding at the end the following:

10                   “(3) in the case of a levee system that is operated  
 11                   and maintained by the Corps of Engineers, to the  
 12                   maximum extent practicable, cooperate with local  
 13                   governments seeking a levee accreditation decision for  
 14                   the levee to provide information necessary to support  
 15                   the accreditation decision in a timely manner.”; and

16                   (2) in paragraph (b)(3), by adding at the end  
 17                   the following:

18                   “(C)     CONTRIBUTED     FUNDS.—Notwith-  
 19                   standing subparagraph (B), a non-Federal inter-  
 20                   est may fund up to 100 percent of the cost of any  
 21                   activity carried out under this subsection.”.

22   **SEC. 143. PROJECT PARTNERSHIP AGREEMENT.**

23                   Section 103(j)(1) of the Water Resources Development  
 24   Act of 1986 (33 U.S.C. 2213(j)(1)) is amended—

1           (1) *by striking “Any project” and inserting the*  
 2     *following:*

3                     “(A) *IN GENERAL.—Any project*”; and

4           (2) *by adding at the end the following:*

5                     “(B) *INCLUSION.—An agreement under sub-*  
 6     *paragraph (A) shall include a brief description*  
 7     *and estimation of the anticipated operations,*  
 8     *maintenance, and replacement and rehabilita-*  
 9     *tion costs of the non-Federal interest for the*  
 10    *project.”.*

11 **SEC. 144. ACCEPTANCE OF FUNDS FOR HARBOR DREDGING.**

12       *The Secretary is authorized, in accordance with sec-*  
 13    *tion 5 of Act of June 22, 1936 (33 U.S.C. 701h), to accept*  
 14    *and expend funds contributed by a State or other non-Fed-*  
 15    *eral interest—*

16           (1) *to dredge a non-Federal harbor or channel,*  
 17     *or a marina or berthing area located adjacent to, or*  
 18     *accessible by, such harbor or channel; or*

19           (2) *to provide technical assistance related to the*  
 20     *planning and design of dredging activities described*  
 21     *in paragraph (1).*

22 **SEC. 145. REPLACEMENT CAPACITY.**

23       *Section 217(a) of the Water Resources Development*  
 24    *Act of 1996 (33 U.S.C. 2326a(a)) is amended—*

1           (1) *in the subsection heading, by inserting “OR*  
 2           *REPLACEMENT CAPACITY” after “ADDITIONAL CAPAC-*  
 3           *ITY”;*

4           (2) *by striking paragraph (1) and inserting the*  
 5           *following:*

6           “(1) *PROVIDED BY SECRETARY.—*

7                   “(A) *IN GENERAL.—Subject to subpara-*  
 8                   *graph (B), at the request of a non-Federal inter-*  
 9                   *est with respect to a project, the Secretary*  
 10                   *may—*

11                           “(i) *provide additional capacity at a*  
 12                           *dredged material disposal facility con-*  
 13                           *structed by the Secretary beyond the capac-*  
 14                           *ity that would be required for project pur-*  
 15                           *poses; or*

16                           “(ii) *permit the use of dredged mate-*  
 17                           *rial disposal facility capacity required for*  
 18                           *project purposes by the non-Federal interest*  
 19                           *if the Secretary determines that replacement*  
 20                           *capacity can be constructed at the facility*  
 21                           *or another facility or site before such capac-*  
 22                           *ity is needed for project purposes.*

23                   “(B) *AGREEMENT.—Before the Secretary*  
 24                   *takes an action under subparagraph (A), the*  
 25                   *non-Federal interest shall agree to pay—*

1           “(i) all costs associated with the con-  
2           struction of the additional capacity or re-  
3           placement capacity in advance of construc-  
4           tion of such capacity; and

5           “(ii) in the case of use by a non-Fed-  
6           eral interest of dredged material disposal  
7           capacity required for project purposes under  
8           subparagraph (A)(ii), any increase in the  
9           cost of operation and maintenance of the  
10          project that the Secretary determines results  
11          from the use of the project capacity by the  
12          non-Federal interest in advance of each  
13          cycle of dredging.

14          “(C) CREDIT.—In the event the Secretary  
15          determines that the cost to operate or maintain  
16          the project decreases as a result of use by the  
17          non-Federal interest of dredged material disposal  
18          capacity required for project purposes under sub-  
19          paragraph (A)(ii), the Secretary, at the request  
20          of the non-Federal interest, shall credit the  
21          amount of the decrease toward any cash con-  
22          tribution of the non-Federal interest required  
23          thereafter for construction, operation, or mainte-  
24          nance of the project, or of another navigation  
25          project.”;

1           (3) *in paragraph (2), in the first sentence, by in-*  
 2           *serting “under paragraph (1)(A)(i)” after “additional*  
 3           *capacity”; and*

4           (4) *by adding at the end the following:*

5           “(3) *SPECIAL RULE FOR DESIGNATION OF RE-*  
 6           *PLACEMENT CAPACITY FACILITY OR SITE.—*

7           “(A) *IN GENERAL.—Subject to such terms*  
 8           *and conditions as the Secretary determines to be*  
 9           *necessary or advisable, an agreement under*  
 10          *paragraph (1)(B) for use permitted under para-*  
 11          *graph (1)(A)(ii) shall reserve to the non-Federal*  
 12          *interest—*

13          “(i) *the right to submit to the Sec-*  
 14          *retary for approval at a later date an alter-*  
 15          *native to the facility or site designated in*  
 16          *the agreement for construction of replace-*  
 17          *ment capacity; and*

18          “(ii) *the right to construct the replace-*  
 19          *ment capacity at the alternative facility or*  
 20          *site at the expense of the non-Federal inter-*  
 21          *est.*

22          “(B) *REQUIREMENT.—The Secretary shall*  
 23          *not reject a site for the construction of replace-*  
 24          *ment capacity under paragraph (1)(A)(ii) that*  
 25          *is submitted by the non-Federal interest for ap-*

1           proval by the Secretary before the date of execu-  
 2           tion of the agreement under paragraph (1)(B),  
 3           or thereafter, unless the Secretary—

4                   “(i) determines that the site is environ-  
 5                   mentally unacceptable, geographically unac-  
 6                   ceptable, or technically unsound; and

7                   “(ii) provides a written basis for the  
 8                   determination under clause (i) to the non-  
 9                   Federal interest.

10           “(4) *PUBLIC COMMENT.*—The Secretary shall af-  
 11           ford the public an opportunity to comment on the de-  
 12           terminations required under this subsection for a use  
 13           permitted under paragraph (1)(A)(ii).”.

14   **SEC. 146. REVIEWING HYDROPOWER AT CORPS OF ENGI-**  
 15           **NEERS FACILITIES.**

16           Section 1008 of the Water Resources Reform and De-  
 17           velopment Act of 2014 (33 U.S.C. 2321b) is amended—

18                   (1) by striking “civil works” each place it ap-  
 19                   pears and inserting “water resources development”;  
 20                   and

21                   (2) by adding at the end the following:

22                   “(c) *REVIEWING HYDROPOWER AT CORPS OF ENGI-*  
 23                   *NEERS FACILITIES.*—

24                   “(1) *DEFINITION OF ELIGIBLE NON-FEDERAL IN-*  
 25                   *TEREST.*—In this subsection, the term ‘eligible non-

1     *Federal interest’ means a non-Federal interest that*  
 2     *owns or operates an existing non-Federal hydropower*  
 3     *facility at a Corps of Engineers water resources devel-*  
 4     *opment project.*

5             “(2) *EVALUATION.*—

6                 “(A) *IN GENERAL.*—*On the written request*  
 7                 *of an eligible non-Federal interest, the Secretary*  
 8                 *shall conduct an evaluation to consider oper-*  
 9                 *ational changes at the applicable project to fa-*  
 10                 *cilitate production of non-Federal hydropower,*  
 11                 *consistent with authorized project purposes. The*  
 12                 *Secretary shall solicit input from interested*  
 13                 *stakeholders as part of the evaluation.*

14                 “(B) *DEADLINE.*—*Not later than 180 days*  
 15                 *after the date on which the Secretary receives a*  
 16                 *written request under subparagraph (A), the Sec-*  
 17                 *retary shall provide to the non-Federal interest a*  
 18                 *written response to inform the non-Federal inter-*  
 19                 *est—*

20                         “(i) *that the Secretary has approved*  
 21                         *the request to conduct an evaluation; or*

22                         “(ii) *of any additional information*  
 23                         *necessary for the Secretary to approve the*  
 24                         *request to conduct an evaluation.*



1           “(3) *OPERATIONAL CHANGES.*—An operational  
2           change referred to in paragraph (2)(A) may in-  
3           clude—

4                     “(A) changes to seasonal pool levels;

5                     “(B) modifying releases from the project;  
6           and

7                     “(C) other changes included in the written  
8           request submitted under that paragraph that en-  
9           hance the usage of the project to facilitate pro-  
10          duction of non-Federal hydropower, consistent  
11          with authorized project purposes.

12           “(4) *COST SHARE.*—The eligible non-Federal in-  
13          terest shall pay 100 percent of the costs associated  
14          with an evaluation under this subsection, including  
15          the costs to prepare the report under paragraph (6).

16           “(5) *DEADLINE.*—The Secretary shall complete  
17          an evaluation under this subsection by the date that  
18          is not later than 1 year after the date on which the  
19          Secretary begins the evaluation.

20           “(6) *REPORT.*—On completion of an evaluation  
21          under this subsection, the Secretary shall submit to  
22          the Committee on Environment and Public Works of  
23          the Senate and the Committee on Transportation and  
24          Infrastructure of the House of Representatives a re-  
25          port on the effects of the operational changes proposed

1       *by the non-Federal interest and examined in the eval-*  
 2       *uation on the authorized purposes of the project, in-*  
 3       *cluding a description of any negative impacts of the*  
 4       *proposed operational changes on the authorized pur-*  
 5       *poses of the project, or on any Federal project located*  
 6       *in the same basin.*

7               “(7) SAVINGS PROVISION.—*Nothing in this sub-*  
 8       *section—*

9               “(A) *affects the authorized purposes of a*  
 10       *Corps of Engineers water resources development*  
 11       *project;*

12              “(B) *affects existing authorities of the Corps*  
 13       *of Engineers, including authorities with respect*  
 14       *to navigation, flood damage reduction, environ-*  
 15       *mental protection and restoration, water supply*  
 16       *and conservation, and other related purposes; or*

17              “(C) *authorizes the Secretary to make any*  
 18       *operational changes to a Corps of Engineers*  
 19       *water resources development project.”.*

20   **SEC. 147. REPAIR AND RESTORATION OF EMBANKMENTS.**

21       (a) *IN GENERAL.—At the request of a non-Federal in-*  
 22       *terest, the Secretary shall assess the cause of damage to, or*  
 23       *the failure of, an embankment that is adjacent to the shore-*  
 24       *line of a reservoir project owned and operated by the Sec-*  
 25       *retary for which such damage or failure to the embankment*

1 *has adversely affected a roadway that the Secretary has re-*  
 2 *located for construction of the reservoir.*

3       **(b) REPAIR AND RESTORATION ACTIVITIES.**—*If, based*  
 4 *on the assessment carried out under subsection (a), the Sec-*  
 5 *retary determines that the cause of the damage to, or the*  
 6 *failure of, the embankment is the direct result of the design*  
 7 *or operation of the reservoir by the Secretary, the Secretary*  
 8 *is authorized to participate in the repair or restoration of*  
 9 *such embankment.*

10       **(c) AUTHORIZATION OF APPROPRIATIONS.**—*There is*  
 11 *authorized to be appropriated to the Secretary \$10,000,000*  
 12 *to carry out this section.*

13 **SEC. 148. COASTAL MAPPING.**

14       *Section 516 of the Water Resources Development Act*  
 15 *of 1996 (33 U.S.C. 2326b) is amended—*

16               *(1) by redesignating subsection (g) as subsection*  
 17               *(h);*

18               *(2) by inserting after subsection (f) the following:*

19               **“(g) COASTAL MAPPING.**—*The Secretary shall develop*  
 20 *and carry out a plan for the recurring mapping of coast-*  
 21 *lines that are experiencing rapid change, including such*  
 22 *coastlines in—*

23                       *“(1) Alaska;*

24                       *“(2) Hawaii; and*

1           “(3) any territory or possession of the United  
2       States.”; and

3           (3) in subsection (h) (as so redesignated), by  
4       adding at the end the following:

5           “(3) COASTAL MAPPING.—In addition to  
6       amounts made available under paragraph (1), there  
7       is authorized to be appropriated to carry out sub-  
8       section (g) with respect to Alaska, Hawaii, and the  
9       territories and possessions of the United States,  
10      \$10,000,000, to remain available until expended.”.

11 **SEC. 149. INTERIM RISK REDUCTION MEASURES.**

12       (a) IN GENERAL.—In the case of any interim risk re-  
13      duction measure for dam safety purposes that was evaluated  
14      in a final environmental assessment completed during the  
15      period beginning on March 18, 2019, and ending on the  
16      date of enactment of this Act, the Secretary shall carry out  
17      a reevaluation of the measure in a timely manner if the  
18      final environmental assessment did not consider in detail  
19      at least—

20           (1) 1 operational water control plan change al-  
21      ternative;

22           (2) 1 action alternative other than an oper-  
23      ational water control plan change; and

24           (3) the no action alternative.

1       (b) *COORDINATION.*—A reevaluation carried out under  
 2 subsection (a) shall include consideration of the alternatives  
 3 described in such subsection, which shall be developed in  
 4 coordination with Federal agencies, States, Indian Tribes,  
 5 units of local government, and other non-Federal interests  
 6 that have existing water obligations that would be directly  
 7 affected by implementation of an interim risk reduction  
 8 measure that is the subject of the reevaluation.

9       (c) *IMPLEMENTATION PRIOR TO REEVALUATION.*—  
 10 Nothing in this section prohibits the Secretary from imple-  
 11 menting an interim risk reduction measure for which a re-  
 12 evaluation is required under subsection (a) prior to the  
 13 completion of the reevaluation under subsection (a).

14 **SEC. 150. MAINTENANCE DREDGING PERMITS.**

15       (a) *IN GENERAL.*—The Secretary shall, to the max-  
 16 imum extent practicable, prioritize the reissuance of any  
 17 regional general permit for maintenance dredging that ex-  
 18 pires prior to May 1, 2021, and shall use best efforts to  
 19 ensure such reissuance prior to expiration of such a re-  
 20 gional general permit for maintenance dredging.

21       (b) *SAVINGS PROVISION.*—Nothing in this section af-  
 22 fects any obligation to comply with the requirements of any  
 23 Federal law, including—

24               (1) the National Environmental Policy Act of  
 25               1969 (42 U.S.C. 4321 et seq.);

1           (2) *the Federal Water Pollution Control Act* (33  
2       *U.S.C. 1251 et seq.*); and

3           (3) *the Endangered Species Act of 1973* (16  
4       *U.S.C. 1531 et seq.*).

5   **SEC. 151. HIGH WATER-LOW WATER PREPAREDNESS.**

6       (a) *DEFINITIONS.*—*In this section:*

7           (1) *BYPASS.*—*The term “bypass” means an al-*  
8       *ternate water route adjacent to a lock and dam on a*  
9       *Federal inland waterway system that can be used for*  
10      *commercial navigation during high water conditions.*

11          (2) *EMERGENCY CONDITION.*—*The term “emer-*  
12      *gency condition” means—*

13           (A) *unsafe conditions on a Federal inland*  
14      *waterway system that prevent the operation of*  
15      *commercial vessels, resulting from a major*  
16      *change in water level or flows;*

17           (B) *an obstruction in a Federal inland wa-*  
18      *terway system, including silt, sediment, rock for-*  
19      *mation, or a shallow channel;*

20           (C) *an impaired or inoperable Federal lock*  
21      *and dam; or*

22           (D) *any other condition determined appro-*  
23      *priate by the Secretary.*

24       (b) *EMERGENCY DETERMINATION.*—*The Secretary, in*  
25      *consultation with the District Commanders responsible for*

1 *maintaining any Federal inland waterway system, the*  
 2 *users of the waterway system, and the Coast Guard, may*  
 3 *make a determination that an emergency condition exists*  
 4 *on the waterway system.*

5 *(c) EMERGENCY MITIGATION PROJECT.—*

6 *(1) IN GENERAL.—Subject to paragraph (2) and*  
 7 *the availability of appropriations, and in accordance*  
 8 *with all applicable Federal requirements, the Sec-*  
 9 *retary may carry out an emergency mitigation*  
 10 *project on a Federal inland waterway system with re-*  
 11 *spect to which the Secretary has determined that an*  
 12 *emergency condition exists under subsection (b), or on*  
 13 *a bypass of such system, to remedy that emergency*  
 14 *condition.*

15 *(2) DEADLINE.—An emergency mitigation*  
 16 *project under paragraph (1) shall—*

17 *(A) be initiated by not later than 60 days*  
 18 *after the date on which the Secretary makes the*  
 19 *applicable determination under subsection (b);*  
 20 *and*

21 *(B) to the maximum extent practicable, be*  
 22 *completed by not later than 1 year after the date*  
 23 *on which the Secretary makes such determina-*  
 24 *tion.*

1       (d) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*  
 2 *authorized to be appropriated to the Secretary to carry out*  
 3 *this section \$25,000,000 for each of fiscal years 2022*  
 4 *through 2024, to remain available until expended.*

5 **SEC. 152. TREATMENT OF CERTAIN BENEFITS AND COSTS.**

6       (a) *IN GENERAL.*—*In the case of a flood risk manage-*  
 7 *ment project that incidentally generates seismic safety bene-*  
 8 *fits in regions of moderate or high seismic hazard, for the*  
 9 *purpose of a benefit-cost analysis for the project, the Sec-*  
 10 *retary shall not include in that analysis any additional de-*  
 11 *sign and construction costs resulting from addressing seis-*  
 12 *mic concerns.*

13       (b) *SAVINGS PROVISION.*—*Except with respect to the*  
 14 *benefit-cost analysis, the additional costs referred to in sub-*  
 15 *section (a) shall be—*

- 16               (1) *included in the total project cost; and*  
 17               (2) *subject to cost-share requirements otherwise*  
 18 *applicable to the project.*

19 **SEC. 153. LEASE DEVIATIONS.**

20       (a) *DEFINITION OF COVERED LEASE DEVIATION.*—*In*  
 21 *this section, the term “covered lease deviation” means a*  
 22 *change in terms from the existing lease that requires ap-*  
 23 *proval from the Secretary for a lease—*



1           (1) of Federal land within the State of Oklahoma  
 2           that is associated with a water resources development  
 3           project, under—

4                   (A) section 2667 of title 10, United States  
 5           Code; or

6                   (B) section 4 of the Act of December 22,  
 7           1944 (16 U.S.C. 460d); and

8           (2) with respect to which the lessee is in good  
 9           standing.

10          (b) DEADLINE.—In the case of a request for a covered  
 11       lease deviation—

12                   (1) the Division Commander of the Southwestern  
 13       Division shall—

14                           (A) notify the Secretary of the request via  
 15           electronic means by not later than 24 hours after  
 16           receiving the request; and

17                           (B) by not later than 10 business days after  
 18           the date on which the Division Commander noti-  
 19           fies the Secretary under subparagraph (A)—

20                                   (i) make a determination approving,  
 21           denying, or requesting a modification to the  
 22           request; and

23                                   (ii) provide to the Secretary the deter-  
 24           mination under clause (i); and

1           (2) if the Division Commander does not make a  
 2           determination under paragraph (1)(B), the Secretary  
 3           shall make a determination approving, denying, or  
 4           requesting a modification to the request by not later  
 5           than 10 business days after the date on which the  
 6           deadline described in paragraph (1)(B) expires.

7           (c) NOTIFICATION.—If the Secretary does not make a  
 8           determination under subsection (b)(2) by the deadline de-  
 9           scribed in that subsection, the Secretary shall submit a noti-  
 10          fication of the failure to make a determination with respect  
 11          to the covered lease deviation, including the reason for the  
 12          failure and a description of any outstanding issues, to—

13               (1) the entity seeking the covered lease deviation;

14               (2) the members of the Oklahoma congressional  
 15          delegation;

16               (3) the Committee on Environment and Public  
 17          Works of the Senate; and

18               (4) the Committee on Transportation and Infra-  
 19          structure of the House of Representatives.

20   **SEC. 154. SENSE OF CONGRESS ON ARCTIC DEEP DRAFT**  
 21                           **PORT DEVELOPMENT.**

22          *It is the sense of Congress that—*

23               (1) the Arctic, as defined in section 112 of the  
 24          Arctic Research and Policy Act of 1984 (Public Law  
 25          98–373), is a region of strategic importance to the

1       *national security and maritime transportation inter-*  
2       *ests of the United States;*

3           *(2) there is a compelling national, regional,*  
4       *Alaska Native, and private sector need for permanent*  
5       *maritime transportation infrastructure development*  
6       *and for a presence in the Arctic by the United States*  
7       *to assert national security interests and to support*  
8       *and facilitate search and rescue, shipping safety, eco-*  
9       *nomie development, oil spill prevention and response,*  
10       *subsistence and commercial fishing, the establishment*  
11       *of ports of refuge, Arctic research, and maritime law*  
12       *enforcement;*

13           *(3) the Government of the Russian Federation*  
14       *has prioritized the development of Arctic maritime*  
15       *transportation capabilities and has made significant*  
16       *investments in military infrastructure in the Arctic,*  
17       *including the construction or refurbishment of 16*  
18       *deepwater ports in the region;*

19           *(4) is a serious concern that the closest United*  
20       *States strategic seaports to the Arctic are the Port of*  
21       *Anchorage and the Port of Tacoma, located approxi-*  
22       *mately 1,500 nautical miles and 2,400 nautical miles*  
23       *away from the Arctic, respectively, and approxi-*  
24       *mately 1,900 nautical miles and 2,800 nautical miles,*  
25       *respectively, from Utiagvik, Alaska; and*

1           (5) *it is in the national interest to enhance exist-*  
 2           *ing, and develop, maritime transportation infrastruc-*  
 3           *ture in the Arctic, including an Arctic deep draft*  
 4           *strategic seaport in Alaska, that would allow the*  
 5           *Coast Guard and the Navy each to perform their re-*  
 6           *spective statutory duties and functions on a perma-*  
 7           *nent basis with minimal mission interruption.*

8   **SEC. 155. SMALL WATER STORAGE PROJECTS.**

9           (a) *IN GENERAL.*—*The Secretary shall carry out a*  
 10          *program to study and construct new, or enlarge existing,*  
 11          *small water storage projects, in partnership with a non-*  
 12          *Federal interest.*

13          (b) *REQUIREMENTS.*—*To be eligible to participate in*  
 14          *the program under this section, a small water storage*  
 15          *project shall—*

16               (1) *in the case of a new small water storage*  
 17               *project, have a water storage capacity of not less than*  
 18               *2,000 acre-feet and not more than 30,000 acre-feet;*

19               (2) *in the case of an enlargement of an existing*  
 20               *small water storage project, be for an enlargement of*  
 21               *not less than 1,000 acre-feet and not more than*  
 22               *30,000 acre-feet;*

23               (3) *provide—*

24                       (A) *flood risk management benefits;*

25                       (B) *ecological benefits; or*

1                   (C) *water management, water conservation,*  
 2                   *or water supply; and*

3                   (4) *be—*

4                   (A) *economically justified, environmentally*  
 5                   *acceptable, and technically feasible; or*

6                   (B) *in the case of a project providing eco-*  
 7                   *logical benefits, cost-effective with respect to such*  
 8                   *benefits.*

9           (c) *SCOPE.—In carrying out the program under this*  
 10 *section, the Secretary shall give preference to a small water*  
 11 *storage project located in a State with a population of less*  
 12 *than 1,000,000.*

13           (d) *EXPEDITED PROJECTS.—For the 10-year period*  
 14 *beginning on the date of enactment of this Act, the Sec-*  
 15 *retary shall expedite small water storage projects under this*  
 16 *section for which applicable Federal permitting require-*  
 17 *ments have been completed.*

18           (e) *USE OF DATA.—In conducting a study under this*  
 19 *section, to the maximum extent practicable, the Secretary*  
 20 *shall—*

21                   (1) *as the Secretary determines appropriate, con-*  
 22                   *sider and utilize any applicable hydrologic, economic,*  
 23                   *or environmental data that is prepared for a small*  
 24                   *water storage project under State law as the docu-*  
 25                   *mentation, or part of the documentation, required to*

1     *complete State water plans or other State planning*  
 2     *documents relating to water resources management;*  
 3     *and*

4             *(2) consider information developed by the non-*  
 5     *Federal interest in relation to another study, to the*  
 6     *extent the Secretary determines such information is*  
 7     *applicable, appropriate, or otherwise authorized by*  
 8     *law.*

9     *(f) COST SHARE.—*

10            *(1) STUDY.—The Federal share of the cost of a*  
 11     *study conducted under this section shall be—*

12                    *(A) 100 percent for costs not to exceed*  
 13     *\$100,000; and*

14                    *(B) 50 percent for any costs above \$100,000.*

15            *(2) CONSTRUCTION.—A small water storage*  
 16     *project carried out under this section shall be subject*  
 17     *to the cost-sharing requirements applicable to projects*  
 18     *under section 103 of the Water Resources Development*  
 19     *Act of 1986 (33 U.S.C. 2213), including—*

20                    *(A) municipal and industrial water supply:*  
 21     *100 percent non-Federal;*

22                    *(B) agricultural water supply: 35 percent*  
 23     *non-Federal; and*

24                    *(C) recreation, including recreational navi-*  
 25     *gation: 50 percent of separable costs and, in the*

1           *case of any harbor or inland harbor or channel*  
 2           *project, 50 percent of joint and separable costs*  
 3           *allocated to recreational navigation.*

4           *(g) OMRRR RESPONSIBILITY.—The costs of operation,*  
 5           *maintenance, repair, and replacement and rehabilitation*  
 6           *for a small water storage project constructed under this sec-*  
 7           *tion shall be the responsibility of the non-Federal interest.*

8           *(h) INDIVIDUAL PROJECT LIMIT.—Not more than*  
 9           *\$65,000,000 in Federal funds may be made available to a*  
 10          *small water storage project under this section.*

11          *(i) AUTHORIZATION OF APPROPRIATIONS.—There is*  
 12          *authorized to be appropriated to carry out this section*  
 13          *\$130,000,000 annually through fiscal year 2030.*

14          **SEC. 156. PLANNING ASSISTANCE TO STATES.**

15          *In carrying out section 22 of the Water Resources De-*  
 16          *velopment Act of 1974 (42 U.S.C. 1962d–16), the Secretary*  
 17          *shall provide equal priority for all mission areas of the*  
 18          *Corps of Engineers, including water supply and water con-*  
 19          *servation.*

20          **SEC. 157. FORECAST-INFORMED RESERVOIR OPERATIONS.**

21          *Section 1222 of the Water Resources Development Act*  
 22          *of 2018 (128 Stat. 3811) is amended by adding at the end*  
 23          *the following:*

24           “(c) *ADDITIONAL UTILIZATION OF FORECAST-IN-*  
 25          *FORMED RESERVOIR OPERATIONS.—*

1           “(1) *IN GENERAL*.—Not later than 1 year after  
 2           the date of enactment of this subsection, the Secretary  
 3           shall submit to the Committee on Transportation and  
 4           Infrastructure of the House of Representatives and the  
 5           Committee on Environment and Public Works of the  
 6           Senate a report on any additional opportunities iden-  
 7           tified for utilizing forecast-informed reservoir oper-  
 8           ations across the United States, including an assess-  
 9           ment of the viability of forecast-informed reservoir op-  
 10          erations in the Upper Missouri River Basin and the  
 11          North Platte River Basin.

12           “(2) *FORECAST-INFORMED RESERVOIR OPER-*  
 13          *ATIONS*.—

14           “(A) *AUTHORIZATION*.—If the Secretary de-  
 15          termines, and includes in the report submitted  
 16          under paragraph (1), that forecast-informed res-  
 17          ervoir operations are viable at a reservoir in the  
 18          Upper Missouri River Basin or the North Platte  
 19          River Basin, including a reservoir for which the  
 20          Secretary has flood control responsibilities under  
 21          section 7 of the Act of December 22, 1944 (33  
 22          U.S.C. 709), the Secretary is authorized to carry  
 23          out forecast-informed reservoir operations at  
 24          such reservoir.



1           “(B) *REQUIREMENT.*—Subject to the avail-  
 2           ability of appropriations, if the Secretary deter-  
 3           mines, and includes in the report submitted  
 4           under paragraph (1), that forecast-informed res-  
 5           ervoir operations are viable in the Upper Mis-  
 6           souri River Basin or the North Platte River  
 7           Basin, the Secretary shall carry out forecast-in-  
 8           formed reservoir operations at not fewer than one  
 9           reservoir in such basin.”.

10 **SEC. 158. DATA FOR WATER ALLOCATION, SUPPLY, AND DE-**  
 11 **MAND.**

12           (a) *STUDY ON DATA FOR WATER ALLOCATION, SUP-*  
 13 *PLY, AND DEMAND.*—

14           (1) *IN GENERAL.*—The Secretary shall offer to  
 15           enter into an agreement with the National Academy  
 16           of Sciences to conduct a study on the ability of Fed-  
 17           eral agencies to coordinate with other Federal agen-  
 18           cies, State and local agencies, Indian Tribes, commu-  
 19           nities, universities, consortiums, councils, and other  
 20           relevant entities with expertise in water resources to  
 21           facilitate and coordinate the sharing among such en-  
 22           tities of water allocation, supply, and demand data,  
 23           including—

24                   (A) any catalogs of such data;

1           (B) definitions of any commonly used terms  
 2           relating to water allocation, supply, and de-  
 3           mand; and

4           (C) a description of any common standards  
 5           used by those entities.

6           (2) *REPORT.*—If the National Academy of  
 7           Sciences enters into an agreement under paragraph  
 8           (1), to the maximum extent practicable, not later  
 9           than 1 year after the date of enactment of this Act,  
 10          the National Academy of Sciences shall submit to  
 11          Congress a report that includes—

12           (A) the results of the study under para-  
 13           graph (1);

14           (B) recommendations for ways to stream-  
 15           line and make cost-effective methods for Federal  
 16           agencies to coordinate interstate sharing of data,  
 17           including recommendations for the development  
 18           of a publicly accessible, internet-based platform  
 19           that can allow entities described in paragraph  
 20           (1) to communicate and coordinate ongoing data  
 21           collection efforts relating to water allocation,  
 22           supply, and demand, and share best practices re-  
 23           lating to those efforts; and

24           (C) a recommendation as to an appropriate  
 25           Federal entity that should—

1                   (i) serve as the lead coordinator for the  
 2                   sharing of data relating to water allocation,  
 3                   supply, and demand; and

4                   (ii) host and manage the internet-based  
 5                   platform described in subparagraph (B).

6           (b) *DATA TRANSPARENCY.*—The Secretary shall  
 7           prioritize making publicly available water resources data  
 8           in the custody of the Corps of Engineers, as authorized by  
 9           section 2017 of the Water Resources Development Act of  
 10          2007 (33 U.S.C. 2342).

11          (c) *FUNDING.*—From amounts otherwise appropriated  
 12          or made available to the Secretary, the Secretary may make  
 13          available to the National Academy of Sciences not more  
 14          than \$3,900,000, to be used for the review of information  
 15          provided by the Corps of Engineers for purposes of a study  
 16          under subsection (a). The Secretary may accept funds from  
 17          another Federal agency and make such funds available to  
 18          the National Academy of Sciences, to be used for the review  
 19          of information provided by such agency for purposes of a  
 20          study under subsection (a).

21   **SEC. 159. INLAND WATERWAYS PILOT PROGRAM.**

22          (a) *DEFINITIONS.*—In this section:

23                  (1) *AUTHORIZED PROJECT.*—The term “author-  
 24                  ized project” means a federally authorized water re-

1        *sources development project for navigation on the in-*  
 2        *land waterways.*

3            (2) *MODERNIZATION ACTIVITIES.*—*The term*  
 4        *“modernization activities” means construction or*  
 5        *major rehabilitation activities for any authorized*  
 6        *project.*

7            (3) *NON-FEDERAL INTEREST.*—*The term “non-*  
 8        *Federal interest” means any public body described in*  
 9        *section 221(b) of the Flood Control Act of 1970 (42*  
 10        *U.S.C. 1962d–5b(b)).*

11        (b) *AUTHORIZATION OF PILOT PROGRAM.*—*The Sec-*  
 12        *retary is authorized to carry out a pilot program for mod-*  
 13        *ernization activities on the inland waterways system.*

14        (c) *IMPLEMENTATION.*—

15            (1) *IN GENERAL.*—*In carrying out the pilot pro-*  
 16        *gram under this section, the Secretary may—*

17            (A) *accept and expend funds provided by a*  
 18        *non-Federal interest to carry out, for an author-*  
 19        *ized project (or a separable element of an author-*  
 20        *ized project), modernization activities for such*  
 21        *project; or*

22            (B) *coordinate with the non-Federal interest*  
 23        *in order to allow the non-Federal interest to*  
 24        *carry out, for an authorized project (or a sepa-*

1        *vable element of an authorized project), such*  
 2        *modernization activities.*

3        (2) *NUMBER.—The Secretary shall select not*  
 4        *more than 2 authorized projects to participate in the*  
 5        *pilot program under paragraph (1).*

6        (3) *CONDITIONS.—Before carrying out mod-*  
 7        *ernization activities pursuant to paragraph (1)(B), a*  
 8        *non-Federal interest shall—*

9                (A) *obtain any permit or approval required*  
 10               *in connection with such activities under Federal*  
 11               *or State law that would be required if the Sec-*  
 12               *retary were to carry out such activities; and*

13               (B) *ensure that a final environmental im-*  
 14               *pact statement or environmental assessment, as*  
 15               *appropriate, for such activities has been filed*  
 16               *pursuant to the National Environmental Policy*  
 17               *Act of 1969.*

18        (4) *MONITORING.—For any modernization ac-*  
 19        *tivities carried out by the non-Federal interest pursu-*  
 20        *ant to this section, the Secretary shall regularly mon-*  
 21        *itor and audit such activities to ensure that—*

22               (A) *the modernization activities are carried*  
 23               *out in accordance with this section; and*

24               (B) *the cost of the modernization activities*  
 25               *is reasonable.*

1           (5) *REQUIREMENTS.*—*The requirements of sec-*  
 2           *tion 3142 of title 40, United States Code shall apply*  
 3           *to any modernization activities undertaken under or*  
 4           *pursuant to this section, either by the Secretary or the*  
 5           *non-Federal interest.*

6           (d) *AGREEMENTS.*—

7           (1) *ACTIVITIES CARRIED OUT BY NON-FEDERAL*  
 8           *INTEREST.*—

9           (A) *IN GENERAL.*—

10           (i) *WRITTEN AGREEMENT.*—*Before a*  
 11           *non-Federal interest initiates modernization*  
 12           *activities for an authorized project pursuant*  
 13           *to this subsection (c)(1)(B), the non-Federal*  
 14           *interest shall enter into a written agreement*  
 15           *with the Secretary, under section 221 of the*  
 16           *Flood Control Act of 1970 (42 U.S.C.*  
 17           *1962d–5b), that requires the modernization*  
 18           *activities to be carried out in accordance*  
 19           *with—*

20                           (I) *a plan approved by the Sec-*  
 21                           *retary; and*

22                           (II) *any other terms and condi-*  
 23                           *tions specified by the Secretary in the*  
 24                           *agreement.*

1                   (ii) *REQUIREMENTS.*—A written agree-  
 2                   ment under clause (i) shall provide that the  
 3                   non-Federal interest shall comply with the  
 4                   same legal and technical requirements that  
 5                   would apply if the modernization activities  
 6                   were carried out by the Secretary, including  
 7                   all mitigation required to offset environ-  
 8                   mental impacts of the activities, as deter-  
 9                   mined by the Secretary.

10                  (B) *ALIGNMENT WITH ONGOING ACTIVI-*  
 11                  *TIES.*—A written agreement under subparagraph  
 12                  (A) shall include provisions that, to the max-  
 13                  imum extent practicable, align modernization  
 14                  activities under this section with ongoing oper-  
 15                  ations and maintenance activities for the appli-  
 16                  cable authorized project.

17                  (C) *INDEMNIFICATION.*—As part of a writ-  
 18                  ten agreement under subparagraph (A), the non-  
 19                  Federal interest shall agree to hold and save the  
 20                  United States free from liability for any and all  
 21                  damage that arises from the modernization ac-  
 22                  tivities carried out by the non-Federal interest  
 23                  pursuant to this section.

24                  (2) *ACTIVITIES CARRIED OUT BY SECRETARY.*—  
 25                  For modernization activities to be carried out by the

1     *Secretary pursuant to subsection (c)(1)(A), the non-*  
 2     *Federal interest shall enter into a written agreement*  
 3     *with the Secretary, containing such terms and condi-*  
 4     *tions as the Secretary determines appropriate.*

5     *(e) REIMBURSEMENT.—*

6             *(1) AUTHORIZATION.—Subject to the availability*  
 7     *of appropriations, the Secretary may reimburse a*  
 8     *non-Federal interest for the costs of modernization ac-*  
 9     *tivities carried out by the non-Federal interest pursu-*  
 10    *ant to an agreement entered into under subsection*  
 11    *(d), or for funds provided to the Secretary under sub-*  
 12    *section (c)(1)(A), if—*

13            *(A) the non-Federal interest complies with*  
 14            *the agreement entered into under subsection (d);*  
 15            *and*

16            *(B) with respect to modernization activities*  
 17            *carried out by the non-Federal interest pursuant*  
 18            *to the agreement, the Secretary determines that*  
 19            *the non-Federal interest complied with all appli-*  
 20            *cable Federal requirements in carrying out the*  
 21            *modernization activities.*

22            *(2) LIMITATION.—The Secretary may only reim-*  
 23            *burse a non-Federal interest under paragraph (1) for*  
 24            *costs of construction that would otherwise be paid*  
 25            *from amounts appropriated from the general fund of*



1        *the Treasury pursuant to section 102 of the Water Re-*  
 2        *sources Development Act of 1986 (33 U.S.C. 2212).*

3        *(f) RULE OF CONSTRUCTION.—Nothing in this sec-*  
 4        *tion—*

5                *(1) affects the responsibility of the Secretary for*  
 6        *the operations and maintenance of the inland water-*  
 7        *way system, as of the day before the date of enactment*  
 8        *of this Act, including the responsibility of the Sec-*  
 9        *retary for the operations and maintenance costs for*  
 10       *any covered project after the modernization activities*  
 11       *are completed pursuant to this section;*

12               *(2) prohibits or prevents the use of Federal funds*  
 13       *for operations and maintenance of the inland water-*  
 14       *way system or any authorized project within the in-*  
 15       *land waterway system; or*

16               *(3) prohibits or prevents the use of Federal funds*  
 17       *for construction or major rehabilitation activities*  
 18       *within the inland waterway system or for any au-*  
 19       *thorized project within the inland waterway system.*

20        *(g) NOTIFICATION.—If a non-Federal interest notifies*  
 21       *the Secretary that the non-Federal interest intends to carry*  
 22       *out modernization activities for an authorized project, or*  
 23       *separable element thereof, pursuant to this section, the Sec-*  
 24       *retary shall provide written notice to the Committee on En-*  
 25       *vironment and Public Works of the Senate and the Com-*

1 *mittee on Transportation and Infrastructure of the House*  
 2 *of Representatives concerning the intent of the non-Federal*  
 3 *interest.*

4 *(h) SUNSET.—*

5 *(1) IN GENERAL.—The authority of the Secretary*  
 6 *to enter into an agreement under this section shall*  
 7 *terminate on the date that is 5 years after the date*  
 8 *of enactment of this Act.*

9 *(2) REIMBURSEMENT ELIGIBILITY.—The termi-*  
 10 *nation of authority under paragraph (1) shall not ex-*  
 11 *tinguish the eligibility of a non-Federal interest to*  
 12 *seek reimbursement under subsection (e).*

13 **SEC. 160. DEFINITION OF ECONOMICALLY DISADVANTAGED**  
 14 **COMMUNITY.**

15 *(a) IN GENERAL.—Not later than 180 days after the*  
 16 *date of enactment of this Act, the Secretary shall issue guid-*  
 17 *ance defining the term “economically disadvantaged com-*  
 18 *munity” for the purposes of this Act and the amendments*  
 19 *made by this Act.*

20 *(b) CONSIDERATIONS.—In defining the term “economi-*  
 21 *cally disadvantaged community” under subsection (a), the*  
 22 *Secretary shall, to the maximum extent practicable, utilize*  
 23 *the criteria under paragraph (1) or (2) of section 301(a)*  
 24 *of the Public Works and Economic Development Act of 1965*  
 25 *(42 U.S.C. 3161), to the extent that such criteria are appli-*

1 *cable in relation to the development of water resources devel-*  
 2 *opment projects.*

3 (c) *PUBLIC COMMENT.*—*In developing the guidance*  
 4 *under subsection (a), the Secretary shall provide notice and*  
 5 *an opportunity for public comment.*

6 **SEC. 161. STUDIES OF WATER RESOURCES DEVELOPMENT**

7 **PROJECTS BY NON-FEDERAL INTERESTS.**

8 (a) *IN GENERAL.*—*Section 203 of the Water Resources*  
 9 *Development Act of 1986 (33 U.S.C. 2231) is amended—*  
 10 *(1) in subsection (a)—*

11 (A) *in paragraph (1), by inserting “, or,*  
 12 *upon the written approval of the Secretary that*  
 13 *the modifications are consistent with the author-*  
 14 *ized purposes of the project, undertake a feasi-*  
 15 *bility study on modifications to a water re-*  
 16 *sources development project constructed by the*  
 17 *Corps of Engineers,” after “water resources de-*  
 18 *velopment project”; and*

19 (B) *in paragraph (2), by striking “for feasi-*  
 20 *bility studies” and all that follows through the*  
 21 *period at the end and inserting “for the formula-*  
 22 *tion of feasibility studies of water resources de-*  
 23 *velopment projects undertaken by non-Federal*  
 24 *interests to—*

1           “(A) ensure that any feasibility study with  
 2           respect to which the Secretary submits an assess-  
 3           ment to Congress under subsection (c) complies  
 4           with all of the requirements that would apply to  
 5           a feasibility study undertaken by the Secretary;  
 6           and

7           “(B) provide sufficient information for the  
 8           formulation of the studies, including processes  
 9           and procedures related to reviews and assistance  
 10          under subsection (e).”;

11          (2) in subsection (b)—

12                 (A) by striking “The Secretary” and insert-  
 13                 ing the following:

14                 “(1) IN GENERAL.—The Secretary”; and

15                 (B) by adding at the end the following:

16                 “(2) TIMING.—The Secretary may not submit to  
 17                 Congress an assessment of a feasibility study under  
 18                 this section until such time as the Secretary—

19                         “(A) determines that the feasibility study  
 20                         complies with all of the requirements that would  
 21                         apply to a feasibility study undertaken by the  
 22                         Secretary; and

23                         “(B) completes all of the Federal analyses,  
 24                         reviews, and compliance processes under the Na-  
 25                         tional Environmental Policy Act of 1969 (42

1       *U.S.C. 4321 et seq.*), that would be required with  
 2       respect to the proposed project if the Secretary  
 3       had undertaken the feasibility study.

4       “(3) *INITIATION OF REVIEW.*—

5               “(A) *REQUEST.*—

6                       “(i) *SUBMISSION.*—*The non-Federal*  
 7                       *interest may submit to the Secretary a re-*  
 8                       *quest that the Secretary initiate the anal-*  
 9                       *yses, reviews, and compliance processes de-*  
 10                      *scribed in paragraph (2)(B) with respect to*  
 11                      *the proposed project prior to the non-Fed-*  
 12                      *eral interest’s submission of a feasibility*  
 13                      *study under subsection (a)(1).*

14                   “(ii) *EFFECT.*—*Receipt by the Sec-*  
 15                   *retary of a request submitted under clause*  
 16                   *(i) shall be considered the receipt of a pro-*  
 17                   *posal or application that will lead to a*  
 18                   *major Federal action that is subject to the*  
 19                   *requirements of section 102(2)(C) of the Na-*  
 20                   *tional Environmental Policy Act of 1969*  
 21                   *(42 U.S.C. 4332(2)(C)) that would be re-*  
 22                   *quired if the Secretary were to undertake*  
 23                   *the feasibility study.*

24               “(B) *DEADLINE.*—*Not later than 10 days*  
 25       *after the Secretary receives a request under this*

1           *paragraph, the Secretary shall begin the required*  
 2           *analyses, reviews, and compliance processes.*

3           “(4) *NOTIFICATION.*—*Upon receipt of a request*  
 4           *under paragraph (3), the Secretary shall notify the*  
 5           *Committee on Transportation and Infrastructure of*  
 6           *the House of Representatives and the Committee on*  
 7           *Environment and Public Works of the Senate of the*  
 8           *request and a timeline for completion of the required*  
 9           *analyses, reviews, and compliance processes.*

10           “(5) *STATUS UPDATES.*—*Not later than 30 days*  
 11           *after receiving a request under paragraph (3), and*  
 12           *every 30 days thereafter until the Secretary submits*  
 13           *an assessment under subsection (c) for the applicable*  
 14           *feasibility study, the Secretary shall notify the Com-*  
 15           *mittee on Transportation and Infrastructure of the*  
 16           *House of Representatives, the Committee on Environ-*  
 17           *ment and Public Works of the Senate, and the non-*  
 18           *Federal interest of the status of the Secretary’s re-*  
 19           *quired analyses, reviews, and compliance processes.”;*  
 20           *and*

21           *(3) in subsection (c)(1), in the matter preceding*  
 22           *subparagraph (A)—*

23                   *(A) by striking “after the date of receipt of*  
 24                   *a feasibility study of a project under subsection*  
 25                   *(a)(1)” and insert “after the completion of re-*

1           *view of a feasibility study under subsection (b)’;*  
 2           *and*

3                   *(B) by striking “a report” and inserting*  
 4                   *“an assessment”.*

5           *(b) DEADLINE.—Not later than 90 days after the date*  
 6 *of enactment of this Act, the Secretary shall issue revised*  
 7 *guidelines under section 203 of the Water Resources Devel-*  
 8 *opment Act of 1986 (33 U.S.C. 2231) to implement the*  
 9 *amendments made by this section.*

10          *(c) HOLD HARMLESS.—*

11                   *(1) ONE-YEAR WINDOW.—The amendments made*  
 12 *by this section shall not apply to any feasibility study*  
 13 *submitted to the Secretary under section 203 of the*  
 14 *Water Resources Development Act of 1986 (33 U.S.C.*  
 15 *2231) during the one-year period prior to the date of*  
 16 *enactment of this section.*

17                   *(2) 2020 PROJECTS.—The amendments made by*  
 18 *this section shall not apply to any project authorized*  
 19 *by section 403 of this Act.*

20   **SEC. 162. LEVERAGING FEDERAL INFRASTRUCTURE FOR IN-**  
 21                   **CREASED WATER SUPPLY.**

22           *Section 1118(i) of the Water Resources Development*  
 23 *Act of 2016 (43 U.S.C. 390b-2(i)) is amended—*

24                   *(1) by striking “The Secretary may” and insert-*  
 25 *ing the following:*

1           “(1) CONTRIBUTED FUNDS FOR CORPS  
2       PROJECTS.—The Secretary may”; and

3           (2) by adding at the end the following:

4           “(2) CONTRIBUTED FUNDS FOR OTHER FEDERAL  
5       RESERVOIR PROJECTS.—The Secretary is authorized  
6       to receive and expend funds from a non-Federal inter-  
7       est to formulate, review, or revise operational docu-  
8       ments, pursuant to a proposal submitted in accord-  
9       ance subsection (a), for any reservoir for which the  
10      Secretary is authorized to prescribe regulations for  
11      the use of storage allocated for flood control or naviga-  
12      tion pursuant to section 7 of the Act of December 22,  
13      1944 (33 U.S.C. 709).”.

14 **SEC. 163. SENSE OF CONGRESS ON REMOVAL OF UNAU-**  
15           **THORIZED, MANMADE, FLAMMABLE MATE-**  
16           **RIALS ON CORPS PROPERTY.**

17       *It is the sense of Congress that the Secretary should,*  
18       *using existing authorities, prioritize the removal, from fa-*  
19       *cilities and lands of the Corps of Engineers in regions that*  
20       *are urban and arid, of materials that are manmade, flam-*  
21       *mable, unauthorized to be present, and determined by the*  
22       *Secretary to pose a fire risk that is a threat to public safety.*

23 **SEC. 164. ENHANCED DEVELOPMENT PROGRAM.**

24       (a) *IN GENERAL.*—The Secretary shall review the mas-  
25       ter plan and shoreline management plan for any lake de-



1 scribed in section 3134 of the Water Resources Development  
 2 Act of 2007 (121 Stat. 1142; 130 Stat. 1671) for the purpose  
 3 of identifying structures or other improvements that are  
 4 owned by the Secretary and are suitable for enhanced devel-  
 5 opment, if—

6 (1) the master plan and shoreline management  
 7 plan of the lake have been updated since January 1,  
 8 2013; and

9 (2) the applicable district office of the Corps of  
 10 Engineers has received a written request for such a  
 11 review from any entity.

12 (b) *DEFINITION OF ENHANCED DEVELOPMENT.*—In  
 13 this section, the term “enhanced development” means the  
 14 use, for non-water-dependent commercial or hospitality in-  
 15 dustry purposes or for residential or recreational purposes,  
 16 of an existing structure or other improvement.

17 (c) *DIVESTMENT AUTHORITY.*—Not later than 1 year  
 18 after the date of enactment of this Act, the Secretary shall—

19 (1) submit to the Committee on Environment  
 20 and Public Works of the Senate and the Committee on  
 21 Transportation and Infrastructure of the House of  
 22 Representatives a report that identifies—

23 (A) any structure or other improvement  
 24 owned by the Secretary that—

1                   (i) *has been identified as suitable for*  
 2                   *enhanced development pursuant to sub-*  
 3                   *section (a);*

4                   (ii) *the Secretary determines the di-*  
 5                   *vestment of which would not adversely affect*  
 6                   *the Corps of Engineers operation of the lake*  
 7                   *at which the structure or other improvement*  
 8                   *is located; and*

9                   (iii) *a non-Federal interest has offered*  
 10                  *to purchase from the Secretary; and*

11                  (B) *the fair market value of any structure*  
 12                  *or other improvement identified under subpara-*  
 13                  *graph (A); and*

14                  (2) *develop a plan to divest any structure or*  
 15                  *other improvement identified under paragraph*  
 16                  *(1)(A), at fair market value, to the applicable non-*  
 17                  *Federal interest.*

18 **SEC. 165. CONTINUING AUTHORITY PROGRAMS.**

19                  (a) *PILOT PROGRAM FOR CONTINUING AUTHORITY*  
 20                  *PROJECTS IN SMALL OR DISADVANTAGED COMMUNITIES.—*

21                   (1) *IN GENERAL.—Not later than 180 days after*  
 22                   *the date of enactment of this Act, the Secretary shall*  
 23                   *implement a pilot program, in accordance with this*  
 24                   *subsection, for carrying out a project under a con-*

1 *tinuing authority program for an economically dis-*  
 2 *advantaged community.*

3 (2) *PARTICIPATION IN PILOT PROGRAM.*—*In car-*  
 4 *rying out paragraph (1), the Secretary shall—*

5 (A) *publish a notice in the Federal Register*  
 6 *that requests non-Federal interest proposals for a*  
 7 *project under a continuing authority program*  
 8 *for an economically disadvantaged community;*  
 9 *and*

10 (B) *review such proposals and select a total*  
 11 *of 10 projects, taking into consideration geo-*  
 12 *graphic diversity among the selected projects.*

13 (3) *COST SHARE.*—*Notwithstanding the cost*  
 14 *share authorized for the applicable continuing author-*  
 15 *ity program, the Federal share of the cost of a project*  
 16 *selected under paragraph (2) shall be 100 percent.*

17 (4) *SUNSET.*—*The authority to commence pursu-*  
 18 *ant to this subsection a project selected under para-*  
 19 *graph (2) shall terminate on the date that is 10 years*  
 20 *after the date of enactment of this Act.*

21 (5) *CONTINUING AUTHORITY PROGRAM DE-*  
 22 *FINED.*—*In this subsection, the term “continuing au-*  
 23 *thority program” has the meaning given that term in*  
 24 *section 7001(c)(1)(D) of Water Resources Reform and*  
 25 *Development Act of 2014 (33 U.S.C. 2282d).*

1       (b) *AUTHORIZATIONS OF APPROPRIATIONS.*—

2               (1) *EMERGENCY STREAMBANK AND SHORELINE*  
3       *PROTECTION.*—*Notwithstanding section 14 of the*  
4       *Flood Control Act of 1946 (33 U.S.C. 701r), there is*  
5       *authorized to be appropriated to carry out such sec-*  
6       *tion \$25,500,000 for each of fiscal years 2021 through*  
7       *2024.*

8               (2) *STORM AND HURRICANE RESTORATION AND*  
9       *IMPACT MINIMIZATION PROGRAM.*—*Notwithstanding*  
10       *section 3(c) of the Act of August 13, 1946 (33 U.S.C.*  
11       *426g(c)), there is authorized to be appropriated to*  
12       *carry out such section \$38,000,000 for each of fiscal*  
13       *years 2021 through 2024.*

14              (3) *SMALL RIVER AND HARBOR IMPROVEMENT*  
15       *PROJECTS.*—*Notwithstanding section 107(a) of the*  
16       *River and Harbor Act of 1960 (33 U.S.C. 577(a)),*  
17       *there is authorized to be appropriated to carry out*  
18       *such section \$63,000,000 for each of fiscal years 2021*  
19       *through 2024.*

20              (4) *REGIONAL SEDIMENT MANAGEMENT.*—*Not-*  
21       *withstanding section 204(g) of the Water Resources*  
22       *Development Act of 1992 (33 U.S.C. 2326(g)), there*  
23       *is authorized to be appropriated to carry out such*  
24       *section \$63,000,000 for each of fiscal years 2021*  
25       *through 2024.*

1           (5) *SMALL FLOOD CONTROL PROJECTS.*—Not-  
 2           withstanding section 205 of the Flood Control Act of  
 3           1948 (33 U.S.C. 701s), there is authorized to be ap-  
 4           propriated to carry out such section \$69,250,000 for  
 5           each of fiscal years 2021 through 2024.

6           (6) *AQUATIC ECOSYSTEM RESTORATION.*—Not-  
 7           withstanding section 206(f) of the Water Resources  
 8           Development Act of 1996 (33 U.S.C. 2330(f)), there is  
 9           authorized to be appropriated to carry out such sec-  
 10          tion \$63,000,000 for each of fiscal years 2021 through  
 11          2024.

12          (7) *REMOVAL OF OBSTRUCTIONS; CLEARING*  
 13          *CHANNELS.*—Notwithstanding section 2 of the Act of  
 14          August 28, 1937 (33 U.S.C. 701g), there is authorized  
 15          to be appropriated to carry out such section  
 16          \$8,000,000 for each of fiscal years 2021 through 2024.

17          (8) *PROJECT MODIFICATIONS FOR IMPROVEMENT*  
 18          *OF ENVIRONMENT.*—Notwithstanding section 1135(h)  
 19          of the Water Resources Development Act of 1986 (33  
 20          U.S.C. 2309a(h)), there is authorized to be appro-  
 21          priated to carry out such section \$50,500,000 for each  
 22          of fiscal years 2021 through 2024.

## **TITLE II—STUDIES AND REPORTS**

### **SEC. 201. AUTHORIZATION OF PROPOSED FEASIBILITY STUDIES.**

*(a) IN GENERAL.—The Secretary is authorized to conduct a feasibility study for the following projects for water resources development and conservation and other purposes, as identified in the reports titled “Report to Congress on Future Water Resources Development” submitted to Congress pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed by Congress:*

*(1) SULPHUR RIVER, ARKANSAS AND TEXAS.—Project for ecosystem restoration, Sulphur River, Arkansas and Texas.*

*(2) CABLE CREEK, CALIFORNIA.—Project for flood risk management, water supply, and related benefits, Cable Creek, California.*

*(3) OROVILLE DAM, CALIFORNIA.—Project for dam safety improvements, Oroville Dam, California.*

*(4) RIO HONDO CHANNEL, CALIFORNIA.—Project for ecosystem restoration, Rio Hondo Channel, San Gabriel River, California.*

*(5) SHINGLE CREEK AND KISSIMMEE RIVER, FLORIDA.—Project for ecosystem restoration and*

1        *water storage, Shingle Creek and Kissimmee River,*  
 2        *Osceola County, Florida.*

3            (6) *ST. JOHN'S RIVER AND LAKE JESUP, FLOR-*  
 4        *IDA.—Project for ecosystem restoration, St. John's*  
 5        *River and Lake Jesup, Florida.*

6            (7) *CHICAGO AREA WATERWAYS SYSTEM, ILLI-*  
 7        *NOIS.—Project for ecosystem restoration, recreation,*  
 8        *and other purposes, Illinois River, Chicago River,*  
 9        *Calumet River, Grand Calumet River, Little Calumet*  
 10       *River, and other waterways in the vicinity of Chi-*  
 11       *cago, Illinois.*

12           (8) *FOX RIVER, ILLINOIS.—Project for flood risk*  
 13        *management, Fox River, Illinois.*

14           (9) *LOWER MISSOURI RIVER, KANSAS.—Project*  
 15        *for bank stabilization and navigation, Lower Mis-*  
 16        *souri River, Sioux City, Kansas.*

17           (10) *TANGIPAHOA PARISH, LOUISIANA.—Project*  
 18        *for flood risk management, Tangipahoa Parish, Lou-*  
 19        *isiana.*

20           (11) *NEWBURY AND NEWBURYPORT, MASSACHU-*  
 21        *SETTS.—Project for coastal storm risk management,*  
 22        *Newbury and Newburyport, Massachusetts.*

23           (12) *ESCATAWPA RIVER BASIN, MISSISSIPPI.—*  
 24        *Project for flood risk management and ecosystem res-*

1        *toration, Escatawpa River, Jackson County, Mis-*  
 2        *issippi.*

3            (13) *LONG BEACH, BAY ST. LOUIS AND MIS-*  
 4        *SISSIPPI SOUND, MISSISSIPPI.—Project for hurricane*  
 5        *and storm damage risk reduction and flood risk man-*  
 6        *agement, Long Beach, Bay St. Louis and Mississippi*  
 7        *Sound, Mississippi.*

8            (14) *TALLAHOMA AND TALLAHALA CREEKS, MIS-*  
 9        *SISSIPPI.—Project for flood risk management, Leaf*  
 10       *River, Jones County, Mississippi.*

11           (15) *LOWER MISSOURI RIVER, MISSOURI.—*  
 12       *Project for navigation, Lower Missouri River, Mis-*  
 13       *souri.*

14           (16) *LOWER OSAGE RIVER BASIN, MISSOURI.—*  
 15       *Project for ecosystem restoration, Lower Osage River*  
 16       *Basin, Missouri.*

17           (17) *WYATT, MISSOURI.—Project for flood risk*  
 18       *management, P. Fields Pump Station, Wyatt, Mis-*  
 19       *souri.*

20           (18) *UPPER BASIN AND STONY BROOK (GREEN*  
 21       *BROOK SUB-BASIN), RARITAN RIVER BASIN, NEW JER-*  
 22       *SEY.—Reevaluation of the Upper Basin and Stony*  
 23       *Brook portions of the project for flood control, Green*  
 24       *Brook Sub-basin, Raritan River Basin, New Jersey,*  
 25       *authorized by section 401 of the Water Resources De-*



1        *velopment Act of 1986 (100 Stat. 4119), including the*  
 2        *evaluation of nonstructural measures to achieve the*  
 3        *project purpose.*

4            (19) *WADING RIVER CREEK, NEW YORK.—Project*  
 5        *for hurricane and storm damage risk reduction, flood*  
 6        *risk management, navigation, and ecosystem restora-*  
 7        *tion, Wading River Creek, New York.*

8            (20) *LOWER COLUMBIA RIVER BASIN (TURNING*  
 9        *BASIN), OREGON AND WASHINGTON.—Project to im-*  
 10       *prove and add turning basins for the project for navi-*  
 11       *gation, Columbia River Channel, Oregon and Wash-*  
 12       *ington, authorized by section 101(b)(13) of the Water*  
 13       *Resources Development Act of 1999 (113 Stat. 280).*

14           (21) *WILLIAMSPORT, PENNSYLVANIA.—Project*  
 15       *for flood risk management and levee rehabilitation,*  
 16       *greater Williamsport, Pennsylvania.*

17           (22) *CITY OF CHARLESTON, SOUTH CAROLINA.—*  
 18       *Project for tidal- and inland-related flood risk man-*  
 19       *agement, Charleston, South Carolina.*

20           (23) *CHOCOLATE BAYOU, TEXAS.—Project for*  
 21       *flood risk management, Chocolate Bayou, Texas.*

22           (24) *HOUSTON-GALVESTON, TEXAS.—Project for*  
 23       *navigation, Houston-Galveston, Texas.*

24           (25) *PORT ARTHUR AND ORANGE COUNTY,*  
 25       *TEXAS.—Project for flood risk management, Port Ar-*

1        *thur and Orange County, Texas, including construc-*  
 2        *tion of improvements to interior drainage.*

3            (26) *PORT OF VICTORIA, TEXAS.—Project for*  
 4        *flood risk management, Port of Victoria, Texas.*

5            (27) *VIRGINIA BEACH AND VICINITY, VIRGINIA*  
 6        *AND NORTH CAROLINA.—Project for coastal storm risk*  
 7        *management, Virginia Beach and vicinity, Virginia*  
 8        *and North Carolina.*

9            (b) *SPECIAL RULE.—The Secretary shall consider any*  
 10       *study carried out by the Secretary to formulate the project*  
 11       *for flood risk management, Port Arthur and Orange Coun-*  
 12       *ty, Texas, identified in subsection (a)(25) to be a continu-*  
 13       *ation of the study carried out for Sabine Pass to Galveston*  
 14       *Bay, Texas, authorized by a resolution of the Committee*  
 15       *on Environment and Public Works of the Senate, approved*  
 16       *June 23, 2004, and funded by title IV of division B of the*  
 17       *Bipartisan Budget Act of 2018, under the heading “CORPS*  
 18       *OF ENGINEERS—CIVIL—DEPARTMENT OF THE*  
 19       *ARMY—CONSTRUCTION” (Public Law 115–123; 132*  
 20       *Stat. 76).*

21        **SEC. 202. EXPEDITED COMPLETIONS.**

22            (a) *FEASIBILITY REPORTS.—The Secretary shall expe-*  
 23       *dite the completion of a feasibility study for each of the*  
 24       *following projects, and if the Secretary determines that the*  
 25       *project is justified in a completed report, may proceed di-*

1 rectly to preconstruction planning, engineering, and design  
 2 of the project:

3 (1) *Project for navigation, Florence, Alabama.*

4 (2) *Project to modify the project for navigation,*  
 5 *Tennessee-Tombigbee Waterway, Alabama, Kentucky,*  
 6 *Mississippi, and Tennessee.*

7 (3) *Project for shoreline stabilization, Aunu'u*  
 8 *Harbor, American Samoa.*

9 (4) *Project for shoreline stabilization, Tutuila Is-*  
 10 *land, American Samoa.*

11 (5) *Project for flood risk management, Lower*  
 12 *Santa Cruz River, Arizona.*

13 (6) *Project for flood risk management, Rio de*  
 14 *Flag, Arizona.*

15 (7) *Project for flood risk management, Tonto*  
 16 *Creek, Gila River, Arizona.*

17 (8) *Project for flood control, water conservation,*  
 18 *and related purposes, Coyote Valley Dam, California.*

19 (9) *Project for shoreline stabilization, Del Mar*  
 20 *Bluffs, San Diego County, California, carried out*  
 21 *pursuant to the resolution of the Committee on Trans-*  
 22 *portation and Infrastructure of the House of Rep-*  
 23 *resentatives adopted on April 22, 1999 (docket num-*  
 24 *ber 2598).*

1           (10) *Project for flood damage reduction and eco-*  
2           *system restoration, Del Rosa Channel, city of San*  
3           *Bernardino, California.*

4           (11) *Project for flood risk management, Lower*  
5           *Cache Creek, California.*

6           (12) *Project for flood damage reduction and eco-*  
7           *system restoration, Mission-Zanja Channel, cities of*  
8           *San Bernardino and Redlands, California.*

9           (13) *Project for flood risk management, Napa,*  
10          *California.*

11          (14) *Project for shoreline protection, Oceanside,*  
12          *California, authorized pursuant to section 414 of the*  
13          *Water Resources Development Act of 2000 (114 Stat.*  
14          *2636; 121 Stat. 1176).*

15          (15) *Project for ecosystem restoration and water*  
16          *conservation, Prado Basin, Orange, Riverside, and*  
17          *San Bernardino counties, California.*

18          (16) *Project for water conservation and water*  
19          *supply, Redbank and Fancher Creeks, California.*

20          (17) *Project for coastal storm damage reduction,*  
21          *San Diego County shoreline, California.*

22          (18) *Project to modify the project for navigation,*  
23          *San Francisco Bay to Stockton, California.*

24          (19) *Project for flood risk management, San*  
25          *Francisquito Creek, California.*

1           (20) *Project to modify the Seven Oaks Dam,*  
2           *California, portion of the project for flood control,*  
3           *Santa Ana River Mainstem, California, authorized*  
4           *by section 401(a) of the Water Resources Development*  
5           *Act of 1986 (100 Stat. 4113; 101 Stat. 1329–111; 104*  
6           *Stat. 4611; 110 Stat. 3713; 121 Stat. 1115), to in-*  
7           *clude water conservation as an authorized purpose.*

8           (21) *Project for coastal storm damage reduction,*  
9           *Southern California.*

10          (22) *Project for water storage, Halligan Dam,*  
11          *Colorado.*

12          (23) *Project for flood risk management, East*  
13          *Hartford Levee System, Connecticut.*

14          (24) *Project for flood risk management, Fairfield*  
15          *and New Haven Counties, Connecticut.*

16          (25) *Project for navigation, Guilford Harbor and*  
17          *Sluice Channel, Connecticut.*

18          (26) *Project for flood risk management, Hartford*  
19          *Levee System, Connecticut.*

20          (27) *Project for ecosystem restoration, Central*  
21          *and Southern Florida Project Canal 111 (C-111),*  
22          *South Dade County, Florida.*

23          (28) *Project for ecosystem restoration, Lake*  
24          *Okeechobee, Florida.*

1           (29) *Project for ecosystem restoration, Western*  
 2           *Everglades, Florida.*

3           (30) *Project for flood risk management,*  
 4           *Hanapepe River, Kauai, Hawaii.*

5           (31) *Project for flood risk management, Wailupe*  
 6           *Stream, Oahu, Hawaii.*

7           (32) *Project for flood risk management, Waimea*  
 8           *River, Kauai, Hawaii, being carried out under sec-*  
 9           *tion 205 of the Flood Control Act of 1948 (33 U.S.C.*  
 10          *701s).*

11          (33) *Project for comprehensive hurricane and*  
 12          *storm damage risk reduction and shoreline erosion*  
 13          *protection, Chicago, Illinois, authorized by section*  
 14          *101(a)(12) of the Water Resources Development Act of*  
 15          *1996 (110 Stat. 3664; 113 Stat. 302).*

16          (34) *Project for flood risk management, Wheaton,*  
 17          *DuPage County, Illinois.*

18          (35) *Project for flood damage reduction, eco-*  
 19          *system restoration, and recreation, Blue River Basin,*  
 20          *Kansas City, Kansas, carried out pursuant to the res-*  
 21          *olution of the Committee on Transportation and In-*  
 22          *frastructure of the House of Representatives adopted*  
 23          *on September 24, 2008 (docket number 2803).*

24          (36) *Project for flood control, Amite River and*  
 25          *Tributaries east of the Mississippi River, Louisiana.*

1           (37) *Project for coastal storm risk management,*  
2           *Upper Barataria Basin, Louisiana.*

3           (38) *Project for navigation, Kent Narrows and*  
4           *Chester River, Queen Anne's County, Maryland.*

5           (39) *Project to replace the Bourne and Sagamore*  
6           *Bridges, Cape Cod, Massachusetts.*

7           (40) *Project for flood risk management, eco-*  
8           *system restoration, and recreation, Lower St. Croix*  
9           *River, Minnesota, carried out pursuant to the resolu-*  
10          *tion of the Committee on Transportation and Infra-*  
11          *structure of the House of Representatives adopted on*  
12          *September 25, 2002 (docket number 2705).*

13          (41) *Project to deepen the project for navigation,*  
14          *Gulfport Harbor, Mississippi, authorized by section*  
15          *202(a) of the Water Resources Development Act of*  
16          *1986 (100 Stat. 4094).*

17          (42) *Project for navigation, Shark River, New*  
18          *Jersey.*

19          (43) *Project for navigation, Goldsmith Inlet,*  
20          *New York.*

21          (44) *Project for navigation, Lake Montauk Har-*  
22          *bor, New York.*

23          (45) *Project for rehabilitation of Lock E-32,*  
24          *Erie Canal, Pittsford, New York.*

1           (46) *Project for navigation and shoreline sta-*  
2           *bilization, Reel Point Preserve, New York, carried out*  
3           *pursuant to the resolution of the Committee on Trans-*  
4           *portation and Infrastructure of the House of Rep-*  
5           *resentatives adopted on May 2, 2007 (docket number*  
6           *2775).*

7           (47) *Project for flood risk management, Rondout*  
8           *Creek-Wallkill River Watershed, New York, carried*  
9           *out pursuant to the resolution of the Committee on*  
10          *Transportation and Infrastructure of the House of*  
11          *Representatives adopted on May 2, 2007 (docket num-*  
12          *ber 2776).*

13          (48) *Project for ecosystem restoration and hurri-*  
14          *cane and storm damage risk reduction, Spring Creek*  
15          *South (Howard Beach), Queens, New York.*

16          (49) *Project for ecosystem restoration, Hood*  
17          *River at the confluence with the Columbia River, Or-*  
18          *egon.*

19          (50) *Project to resolve increased silting and*  
20          *shoaling adjacent to the Federal channel, Port of*  
21          *Bandon, Coquille River, Oregon.*

22          (51) *Project for flood control, 42nd Street Levee,*  
23          *Springfield, Oregon, being carried out under section*  
24          *205 of the Flood Control Act of 1948 (33 U.S.C.*  
25          *701s).*



1           (52) *Project for construction of Tribal housing*  
 2           *authorized by title IV of Public Law 100–581 (102*  
 3           *Stat. 2944), Oregon and Washington.*

4           (53) *Project for flood risk management, Dor-*  
 5           *chester County, South Carolina.*

6           (54) *Project for navigation, Georgetown Harbor,*  
 7           *South Carolina.*

8           (55) *Project for hurricane and storm damage*  
 9           *risk reduction, Myrtle Beach, South Carolina.*

10          (56) *Project to modify the projects for navigation*  
 11          *and other purposes, Old Hickory Lock and Dam and*  
 12          *the Cordell Hull Dam and Reservoir, Cumberland*  
 13          *River, Tennessee, authorized by the Act of July 24,*  
 14          *1946 (chapter 595, 60 Stat. 636), to add flood risk*  
 15          *management as an authorized purpose.*

16          (57) *Project for flood risk management, Buffalo*  
 17          *Bayou, Texas.*

18          (58) *Project for flood risk management, eco-*  
 19          *system restoration, water supply, and related pur-*  
 20          *poses, Lower Rio Grande River, Cameron County,*  
 21          *Texas, carried out pursuant to the resolution of the*  
 22          *Committee on Transportation and Infrastructure of*  
 23          *the House of Representatives adopted on May 21,*  
 24          *2003 (docket number 2710).*

1           (59) *Project for hurricane and storm damage*  
 2           *risk reduction and shoreline erosion protection,*  
 3           *Bolongo Bay, St. Thomas, United States Virgin Is-*  
 4           *lands.*

5           (60) *Project for water supply and ecosystem res-*  
 6           *toration, Howard Hanson Dam, Washington.*

7           (61) *Project for ecosystem restoration, Puget*  
 8           *Sound, Washington.*

9           (62) *Project for navigation, Seattle Harbor,*  
 10          *Washington.*

11          (63) *Project for navigation, Tacoma Harbor,*  
 12          *Washington.*

13          (64) *Project for dam safety remediation,*  
 14          *Bluestone Dam, West Virginia.*

15          (65) *Project to modify the project for navigation,*  
 16          *Milwaukee Harbor, Wisconsin.*

17          (b) *POST-AUTHORIZATION CHANGE REPORTS.—The*  
 18          *Secretary shall expedite completion of a post-authorization*  
 19          *change report for the following projects:*

20               (1) *Project for ecosystem restoration, Tres Rios,*  
 21               *Arizona.*

22               (2) *Project for flood risk management, Des*  
 23               *Moines Levee System, including Birdland Park Levee,*  
 24               *Des Moines and Raccoon Rivers, Des Moines, Iowa.*

1       (c) *WATERSHED AND RIVER BASIN ASSESSMENTS.*—  
 2   *The Secretary shall expedite the completion of an assess-*  
 3   *ment under section 729 of the Water Resources Development*  
 4   *Act of 1986 (33 U.S.C. 2267a) for the following:*

5           (1) *Kansas River Basin, Kansas.*

6           (2) *Merrimack River Basin, Massachusetts.*

7           (3) *Pascagoula River Basin, Mississippi.*

8           (4) *Tuscarawas River Basin, Ohio.*

9           (5) *Lower Fox River Basin, Wisconsin.*

10          (6) *Upper Fox River Basin and Wolf River*  
 11   *Basin, Wisconsin.*

12       (d) *DISPOSITION STUDIES.*—*The Secretary shall expe-*  
 13   *dite the completion of a disposition study, carried out under*  
 14   *section 216 of the Flood Control Act of 1970 (33 U.S.C.*  
 15   *549a), for the project for Salinas Reservoir (Santa Mar-*  
 16   *garita Lake), California.*

17       (e) *REALLOCATION STUDIES.*—*The Secretary shall ex-*  
 18   *pedite the completion of a study for the reallocation of water*  
 19   *supply storage, carried out in accordance with section 301*  
 20   *of the Water Supply Act of 1958 (43 U.S.C. 390b), for the*  
 21   *following:*

22           (1) *Aquilla Lake, Texas.*

23           (2) *Lake Whitney, Texas.*

24       (f) *ECONOMIC REEVALUATION REPORT.*—*The Sec-*  
 25   *retary shall expedite the completion of the economic reeval-*

1 *ation report for the navigation and sustainability program*  
 2 *carried out pursuant to title VIII of the Water Resources*  
 3 *Development Act of 2007 (33 U.S.C. 652 note).*

4 **SEC. 203. EXPEDITED MODIFICATIONS OF EXISTING FEASI-**  
 5 **BILITY STUDIES.**

6 *(a) IN GENERAL.—The Secretary shall expedite the*  
 7 *completion of the following feasibility studies, as modified*  
 8 *by this section, and if the Secretary determines that a*  
 9 *project that is the subject of the feasibility study is justified*  
 10 *in a completed report, may proceed directly to*  
 11 *preconstruction planning, engineering, and design of the*  
 12 *project:*

13 *(1) SAN FRANCISCO BAY, CALIFORNIA.—The*  
 14 *study for flood risk reduction authorized by section*  
 15 *142 of the Water Resources Development Act of 1976*  
 16 *(90 Stat. 2930), is modified to authorize the Secretary*  
 17 *to—*

18 *(A) investigate the ocean shoreline of San*  
 19 *Mateo, San Francisco, and Marin Counties for*  
 20 *the purposes of providing flood protection*  
 21 *against tidal and fluvial flooding;*

22 *(B) with respect to the bay and ocean shore-*  
 23 *lines of San Mateo, San Francisco, and Marin*  
 24 *Counties, investigate measures to adapt to rising*  
 25 *sea levels; and*

1           (C) with respect to the bay and ocean shore-  
 2           lines, and streams running to the bay and ocean  
 3           shorelines, of San Mateo, San Francisco, and  
 4           Marin Counties, investigate the effects of pro-  
 5           posed flood protection and other measures or im-  
 6           provements on—

7                   (i) the local economy;

8                   (ii) habitat restoration, enhancement,  
 9                   or expansion efforts or opportunities;

10                  (iii) public infrastructure protection  
 11                  and improvement;

12                  (iv) stormwater runoff capacity and  
 13                  control measures, including those that may  
 14                  mitigate flooding;

15                  (v) erosion of beaches and coasts; and

16                  (vi) any other measures or improve-  
 17                  ments relevant to adapting to rising sea lev-  
 18                  els.

19           (2) SACRAMENTO RIVER, SOUTHERN SUTTER  
 20           COUNTY, CALIFORNIA.—The study for flood control  
 21           and allied purposes for the Sacramento River Basin,  
 22           authorized by section 209 of the Flood Control Act of  
 23           1962 (76 Stat. 1197), is modified to authorize the  
 24           Secretary to conduct a study for flood risk manage-

1        *ment, southern Sutter County between the Sac-*  
 2        *ramento River and Sutter Bypass, California.*

3            (3) *SALTON SEA, CALIFORNIA.—In carrying out*  
 4        *the program to implement projects to restore the*  
 5        *Salton Sea, California, authorized by section 3032 of*  
 6        *the Water Resources Development Act of 2007 (121*  
 7        *Stat. 1113; 130 Stat. 1677), the Secretary is author-*  
 8        *ized to carry out a study for the construction of a pe-*  
 9        *rimeter lake, or a northern or southern subset thereof,*  
 10       *for the Salton Sea, California.*

11           (4) *NEW YORK AND NEW JERSEY HARBOR AND*  
 12        *TRIBUTARIES, NEW YORK AND NEW JERSEY.—The*  
 13        *study for flood and storm damage reduction for the*  
 14        *New York and New Jersey Harbor and Tributaries*  
 15        *project, authorized by the Act of June 15, 1955 (chap-*  
 16        *ter 140, 69 Stat. 132), and being carried out pursu-*  
 17        *ant to the Disaster Relief Appropriations Act, 2013*  
 18        *(Public Law 113–2), is modified to require the Sec-*  
 19        *retary to—*

20                (A) *evaluate and address the impacts of*  
 21                *low-frequency precipitation and sea-level rise on*  
 22                *the study area;*

23                (B) *consult with affected communities; and*

24                (C) *ensure the study is carried out in ac-*  
 25                *cordance with section 1001 of the Water Re-*

1           *sources Reform and Development Act of 2014 (33*  
 2           *U.S.C. 2282c).*

3           **(b) CONSIDERATIONS.**—*Where appropriate, the Sec-*  
 4           *retary may use the authority provided by section 216 of*  
 5           *the Flood Control Act of 1970 (33 U.S.C. 549a) to carry*  
 6           *out this section.*

7           **SEC. 204. ASSISTANCE TO NON-FEDERAL SPONSORS; FEASI-**  
 8           **BILITY ANALYSIS.**

9           **(a) ASSISTANCE TO NON-FEDERAL SPONSORS.**—

10           **(1) IN GENERAL.**—*Subject to the availability of*  
 11           *appropriations, during the period during which a*  
 12           *non-Federal interest may submit a proposal to be*  
 13           *considered for inclusion in an annual report pursu-*  
 14           *ant to section 7001(b) of the Water Resources Reform*  
 15           *and Development Act of 2014 (33 U.S.C. 2282d(b)),*  
 16           *the Secretary is authorized to provide assistance in*  
 17           *accordance with section 1104(b) of the Water Re-*  
 18           *sources Development Act of 2018 (33 U.S.C. 2282d*  
 19           *note) to the non-Federal interest of a project proposal*  
 20           *described in paragraph (2).*

21           **(2) PROJECT PROPOSALS DESCRIBED.**—*A project*  
 22           *proposal referred to in paragraph (1) is a proposal*  
 23           *for any of the following:*

1           (A) *A feasibility study for a fish passage for*  
2           *ecosystem restoration, Lower Alabama River,*  
3           *Alabama.*

4           (B) *A feasibility study for dredged material*  
5           *disposal management activities, Port of Florence,*  
6           *Alabama.*

7           (C) *A feasibility study for a project for*  
8           *flood risk management, Sikorsky Memorial Air-*  
9           *port, Bridgeport, Connecticut.*

10          (D) *A feasibility study for a project to de-*  
11          *sign and construct the Naugatuck River Green-*  
12          *way Trail, a multiuse trail on Federal land be-*  
13          *tween Torrington and Derby, Connecticut.*

14          (E) *A feasibility study for a project for*  
15          *coastal and flood risk management, Stratford,*  
16          *Connecticut.*

17          (F) *A feasibility study for projects for flood*  
18          *risk management, Woodbridge, Connecticut.*

19          (G) *The project for flood risk management,*  
20          *Bloomington, Indiana.*

21          (H) *The project for flood risk management,*  
22          *Gary, Indiana.*

23          (I) *Modification of the project for beach ero-*  
24          *sion and hurricane protection, Grand Isle, Lou-*  
25          *isiana, to include periodic beach nourishment.*



1           *(J) A feasibility study for a project for flood*  
 2           *risk management, Cataouatche Subbasin area of*  
 3           *the west bank of Jefferson Parish, Louisiana.*

4           *(K) A feasibility study for projects for flood*  
 5           *risk management and storm damage reduction*  
 6           *in the Hoey's Basin area of the east bank of Jef-*  
 7           *erson Parish, Louisiana, including a study of*  
 8           *the "pump to the river" concept.*

9           *(L) A feasibility study for a project for*  
 10          *flood risk management, Hoosic River, Massachu-*  
 11          *setts.*

12          *(M) Modification of the project for naviga-*  
 13          *tion, River Rouge, Michigan.*

14          *(N) A project to extend dredging of the*  
 15          *South Haven Harbor, Michigan, to include the*  
 16          *former turning basin.*

17          *(O) Modification of the project for flood risk*  
 18          *management, Upper Rouge River, Wayne Coun-*  
 19          *ty, Michigan.*

20          *(P) A project for aquatic and riparian eco-*  
 21          *system restoration, Line Creek, Riverside, Mis-*  
 22          *souri.*

23          *(Q) A feasibility study for projects for eco-*  
 24          *system restoration, Bangert Island, St. Charles,*

1        *Missouri, related to channels and aquatic habi-*  
 2        *tats.*

3                *(R) A study of the resiliency of the Alle-*  
 4        *gheny Reservoir, New York, in consultation with*  
 5        *the Seneca Nation.*

6                *(S) A feasibility study for the rehabilitation*  
 7        *of the tainter gates and guard gate, Caughdenoy*  
 8        *Dam, New York, including an evaluation of the*  
 9        *rehabilitation work necessary to extend the serv-*  
 10        *ice life of those structures, such as—*

11                *(i) improvements to the hydraulic effi-*  
 12        *ciency of the gate systems;*

13                *(ii) improvements to the concrete foun-*  
 14        *dation and gate support structures; and*

15                *(iii) any other improvements the Sec-*  
 16        *retary determines to be necessary.*

17                *(T) A project for repairs to the West Pier*  
 18        *and West Barrier Bar, Little Sodus Bay Harbor,*  
 19        *Cayuga County, New York.*

20                *(U) A project for repair of a sheet pile wall*  
 21        *and east breakwater, Great Sodus Bay, New*  
 22        *York.*

23                *(V) A feasibility study for the project for*  
 24        *navigation, Port of Oswego, New York.*

1           (W) *A feasibility study for potential*  
 2           *projects for the rehabilitation of the Glens Falls*  
 3           *Feeder Canal, which begins at the Feeder Dam*  
 4           *intersection with the Hudson River in*  
 5           *Queensbury, New York, and runs to the con-*  
 6           *fluence of the Old Champlain Canal in*  
 7           *Kingsbury, New York.*

8           (X) *A feasibility study to determine whether*  
 9           *the purchase of additional flood easements,*  
 10           *changes in lake level management, additional*  
 11           *levee infrastructure, or implementation of other*  
 12           *flood risk management or containment mecha-*  
 13           *nisms in the Arkansas River Basin, Oklahoma,*  
 14           *would benefit local communities by reducing*  
 15           *flood risks around water resources development*  
 16           *projects of the Corps of Engineers in a range of*  
 17           *different flood scenarios.*

18           (Y) *A feasibility study on increasing the*  
 19           *frequency and depth of dredging assistance from*  
 20           *the Corps of Engineers at the Port of Astoria, lo-*  
 21           *cated at the mouth of the Columbia River, Or-*  
 22           *egon.*

23           (b) *FEASIBILITY ANALYSIS.—*

24           (1) *IN GENERAL.—Subject to the availability of*  
 25           *appropriations, the Secretary is authorized to review*

1     *a project proposal described in paragraph (2) and*  
 2     *issue a report to the Committee on Environment and*  
 3     *Public Works of the Senate and the Committee on*  
 4     *Transportation and Infrastructure of the House of*  
 5     *Representatives on whether a modification to the*  
 6     *project that is the subject of the proposal is necessary*  
 7     *and recommended to carry out the authorized pur-*  
 8     *poses of such project.*

9             (2) *PROJECT PROPOSALS DESCRIBED.*—*A project*  
 10     *proposal referred to in paragraph (1) is a proposal*  
 11     *to modify any of the following:*

12             (A) *The project for environmental infra-*  
 13     *structure, City of Sheffield, Alabama, authorized*  
 14     *pursuant to section 219(f)(78) of the Water Re-*  
 15     *sources Development Act of 1992 (106 Stat.*  
 16     *4835; 113 Stat. 335; 121 Stat. 1258; 130 Stat.*  
 17     *1687).*

18             (B) *The project for environmental infra-*  
 19     *structure, Calaveras County, California, under*  
 20     *section 219(f)(86) of the Water Resources Devel-*  
 21     *opment Act of 1992 (106 Stat. 4835; 113 Stat.*  
 22     *335; 121 Stat. 1259).*

23             (C) *The project for environmental infra-*  
 24     *structure, Charlotte County, Florida, authorized*  
 25     *by section 219(f)(121) of the Water Resources*

1       *Development Act of 1992 (106 Stat. 4835; 113*  
2       *Stat. 335; 121 Stat. 1261).*

3               *(D) The Mississippi River and Tributaries*  
4       *project authorized by the first section of the Act*  
5       *of May 15, 1928 (33 U.S.C. 702a), to include the*  
6       *portion of the Ouachita River Levee System at*  
7       *and below Monroe, Louisiana, to Caldwell Par-*  
8       *ish, Louisiana.*

9               *(E) The project for environmental infra-*  
10       *structure, Central New Mexico, authorized by*  
11       *section 593 of the Water Resources Development*  
12       *Act of 1999 (113 Stat. 380; 119 Stat. 2255).*

13               *(F) The project for environmental infra-*  
14       *structure, Village of Whitehall, New York, au-*  
15       *thorized pursuant to section 542 of the Water*  
16       *Resources Development Act of 2000 (114 Stat.*  
17       *2671; 121 Stat. 1150).*

18               *(G) The project for environmental infra-*  
19       *structure, Ohio and North Dakota, authorized by*  
20       *section 594 of the Water Resources Development*  
21       *Act of 1999 (113 Stat. 383; 121 Stat. 1140; 121*  
22       *Stat. 1944).*

23               *(H) The project for flood risk management*  
24       *and water supply, Tenkiller Ferry Lake, Arkan-*  
25       *sas River Basin, Oklahoma, authorized by sec-*

tion 4 of the Act of June 28, 1938 (chapter 795, 52 Stat. 1218), to modify water storage to provide for a sufficient quantity of water supply storage space in the inactive pool storage to support the fishery downstream from Tenkiller Reservoir.

(I) The project for environmental infrastructure, Athens, Tennessee, authorized by section 219(f)(254) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1267).

(J) The project for environmental infrastructure, Blaine, Tennessee, authorized by section 219(f)(255) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1267).

(K) The project for environmental infrastructure, Claiborne County, Tennessee, authorized by section 219(f)(256) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1267).

(L) The project for environmental infrastructure, Giles County, Tennessee, authorized by section 219(f)(257) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1267).

1        *opment Act of 1992 (106 Stat. 4835; 113 Stat.*  
2        *335; 121 Stat. 1267).*

3                *(M) The project for environmental infra-*  
4        *structure, Grainger County, Tennessee, author-*  
5        *ized by section 219(f)(258) of the Water Re-*  
6        *sources Development Act of 1992 (106 Stat.*  
7        *4835; 113 Stat. 335; 121 Stat. 1267).*

8                *(N) The project for environmental infra-*  
9        *structure, Hamilton County, Tennessee, author-*  
10       *ized by section 219(f)(259) of the Water Re-*  
11       *sources Development Act of 1992 (106 Stat.*  
12       *4835; 113 Stat. 335; 121 Stat. 1267).*

13               *(O) The project for environmental infra-*  
14       *structure, Harrogate, Tennessee, authorized by*  
15       *section 219(f)(260) of the Water Resources Devel-*  
16       *opment Act of 1992 (106 Stat. 4835; 113 Stat.*  
17       *335; 121 Stat. 1267).*

18               *(P) The project for environmental infra-*  
19       *structure, Johnson County, Tennessee, authorized*  
20       *by section 219(f)(261) of the Water Resources*  
21       *Development Act of 1992 (106 Stat. 4835; 113*  
22       *Stat. 335; 121 Stat. 1267).*

23               *(Q) The project for environmental infra-*  
24       *structure, Knoxville, Tennessee, authorized by*  
25       *section 219(f)(262) of the Water Resources Devel-*

1        *opment Act of 1992 (106 Stat. 4835; 113 Stat.*  
2        *335; 121 Stat. 1267).*

3                *(R) The project for environmental infra-*  
4        *structure, Lewis, Lawrence, and Wayne Coun-*  
5        *ties, Tennessee, authorized by section 219(f)(264)*  
6        *of the Water Resources Development Act of 1992*  
7        *(106 Stat. 4835; 113 Stat. 335; 121 Stat. 1268).*

8                *(S) The project for environmental infra-*  
9        *structure, Nashville, Tennessee, authorized by*  
10       *section 219(f)(263) of the Water Resources Devel-*  
11       *opment Act of 1992 (106 Stat. 4835; 113 Stat.*  
12       *335; 121 Stat. 1267).*

13               *(T) The project for environmental infra-*  
14       *structure, Oak Ridge, Tennessee, authorized by*  
15       *section 219(f)(265) of the Water Resources Devel-*  
16       *opment Act of 1992 (106 Stat. 4835; 113 Stat.*  
17       *335; 121 Stat. 1268).*

18               *(U) The project for environmental infra-*  
19       *structure, Plateau Utility District, Morgan*  
20       *County, Tennessee, authorized by section*  
21       *219(f)(266) of the Water Resources Development*  
22       *Act of 1992 (106 Stat. 4835; 113 Stat. 335; 121*  
23       *Stat. 1268).*

24               *(V) The authorized funding level for critical*  
25       *restoration projects, Lake Champlain watershed,*



1           *Vermont and New York, authorized by section*  
 2           *542 of the Water Resources Development Act of*  
 3           *2000 (114 Stat. 2671; 121 Stat. 1150).*

4           *(W) The project for environmental infra-*  
 5           *structure, Eastern Shore and Southwest Vir-*  
 6           *ginia, authorized by section 219(f)(10) of the*  
 7           *Water Resources Development Act of 1992 (106*  
 8           *Stat. 4835; 113 Stat. 335; 121 Stat. 1255).*

9   **SEC. 205. SELMA, ALABAMA.**

10       *Not later than 180 days after the date of enactment*  
 11       *of this Act, the Secretary shall submit to the Committee on*  
 12       *Transportation and Infrastructure of the House of Rep-*  
 13       *resentatives and the Committee on Environment and Public*  
 14       *Works of the Senate a report that—*

15           *(1) provides an update on the study for flood*  
 16           *risk management and riverbank stabilization, Selma,*  
 17           *Alabama, authorized by resolutions of the Committees*  
 18           *on Public Works and Rivers and Harbors of the*  
 19           *House of Representatives on June 7, 1961, and April*  
 20           *28, 1936, respectively, the completion of which the*  
 21           *Secretary was required to expedite by section 1203 of*  
 22           *the Water Resources Development Act of 2018 (132*  
 23           *Stat. 3803); and*

24           *(2) identifies project alternatives necessary to—*

1                   (A) assure the preservation of cultural and  
 2                   historic values associated with national historic  
 3                   landmarks within the study area; and

4                   (B) provide flood risk management for eco-  
 5                   nomically disadvantaged communities within the  
 6                   study area.

7   **SEC. 206. REPORT ON CORPS OF ENGINEERS FACILITIES IN**  
 8                   **APPALACHIA.**

9           (a) *IN GENERAL.*—Not later than 180 days after the  
 10   date of enactment of this Act, the Secretary, in collaboration  
 11   with the Appalachian Regional Commission established by  
 12   section 14301(a) of title 40, United States Code, shall sub-  
 13   mit to the Committee on Environment and Public Works  
 14   of the Senate and the Committee on Transportation and  
 15   Infrastructure of the House of Representatives a report that  
 16   identifies each Corps of Engineers facility that—

17                   (1) is located within a distressed county or an  
 18                   at-risk county (as designated by the Appalachian Re-  
 19                   gional Commission pursuant to subparagraph (A) or  
 20                   (B) of section 14526(a)(1), of title 40, United States  
 21                   Code), including in counties that are experiencing  
 22                   high unemployment or job loss; and

23                   (2) could be improved for purposes of economic  
 24                   development, recreation, or other uses.

25           (b) *HYDROPOWER FACILITIES.*—

1           (1) *IDENTIFICATION OF POTENTIAL HYDRO-*  
 2           *POWER DEVELOPMENT.*—*The Secretary shall include*  
 3           *in the report submitted under subsection (a) the iden-*  
 4           *tification of any existing nonpowered dams, located*  
 5           *within a distressed county or an at-risk county, with*  
 6           *the potential to be used to test, evaluate, pilot, dem-*  
 7           *onstrate, or deploy hydropower or energy storage tech-*  
 8           *nologies.*

9           (2) *INFORMATION.*—*In carrying out this sub-*  
 10          *section, the Secretary may use any information devel-*  
 11          *oped pursuant to section 1206 of the Water Resources*  
 12          *Development Act of 2018 (132 Stat. 3806).*

13          (3) *COORDINATION.*—*In carrying out paragraph*  
 14          *(1), the Secretary shall coordinate with any relevant*  
 15          *National Laboratories.*

16 **SEC. 207. ADDITIONAL STUDIES UNDER NORTH ATLANTIC**  
 17 **COAST COMPREHENSIVE STUDY.**

18          (a) *IN GENERAL.*—*The Secretary shall carry out a*  
 19          *study to determine the feasibility of a project for hurricane*  
 20          *and storm damage risk reduction for any major metropoli-*  
 21          *tan area located in the study area for the comprehensive*  
 22          *study authorized under the heading “Department of the*  
 23          *Army—Corps of Engineers—Civil—Investigations” under*  
 24          *the Disaster Relief Appropriations Act, 2013 (Public Law*

1 113–2) that was not included in a high-risk focus area iden-  
 2 tified in the study.

3 (b) *TREATMENT*.—A study carried out under sub-  
 4 section (a) shall be considered to be a continuation of the  
 5 comprehensive study described in that subsection.

6 **SEC. 208. SOUTH ATLANTIC COASTAL STUDY.**

7 Section 1204 of the Water Resources Development Act  
 8 of 2016 (130 Stat. 1685) is amended by adding at the end  
 9 the following:

10 “(d) *ANNUAL REPORTS*.—Not later than 180 days  
 11 after the enactment of the Water Resources Development Act  
 12 of 2020, and not less frequently than annually thereafter  
 13 until 2025, the Secretary shall submit to the Committee on  
 14 Environment and Public Works of the Senate and the Com-  
 15 mittee on Transportation and Infrastructure of the House  
 16 of Representatives a report on the status of the study under  
 17 subsection (a), on a State-by-State basis, including infor-  
 18 mation on the engagement of the Corps of Engineers with  
 19 non-Federal interests, including detailed lists of all meet-  
 20 ings and decision outcomes associated with those engage-  
 21 ments.”.

22 **SEC. 209. COMPREHENSIVE STUDY OF THE SACRAMENTO**  
 23 **RIVER, YOLO BYPASS, CALIFORNIA.**

24 (a) *COMPREHENSIVE STUDY*.—The Secretary shall  
 25 conduct a comprehensive study of the Sacramento River in

1 *the vicinity of the Yolo Bypass System, California, to iden-*  
 2 *tify actions to be undertaken by the Secretary for the com-*  
 3 *prehensive management of the Yolo Bypass System for the*  
 4 *purposes of flood risk management, ecosystem restoration,*  
 5 *water supply, hydropower, and recreation.*

6 (b) *CONSULTATION AND USE OF EXISTING DATA.—*

7 (1) *CONSULTATION.—In conducting the com-*  
 8 *prehensive study under subsection (a), the Secretary*  
 9 *shall consult with the Governor of the State of Cali-*  
 10 *fornia, applicable Federal, State, and local agencies,*  
 11 *non-Federal interests, the Yolo Bypass and Cache*  
 12 *Slough Partnership, and other stakeholders.*

13 (2) *USE OF EXISTING DATA AND PRIOR STUD-*  
 14 *IES.—To the maximum extent practicable and where*  
 15 *appropriate, the Secretary may—*

16 (A) *make use of existing data provided to*  
 17 *the Secretary by the entities identified in para-*  
 18 *graph (1); and*

19 (B) *incorporate—*

20 (i) *relevant information from prior*  
 21 *studies and projects carried out by the Sec-*  
 22 *retary within the study area; and*

23 (ii) *the latest technical data and sci-*  
 24 *entific approaches to changing hydrologic*  
 25 *and climatic conditions.*

1       (c) *RECOMMENDATIONS.*—

2               (1) *IN GENERAL.*—*In conducting the comprehen-*  
 3       *sive study under subsection (a), the Secretary may de-*  
 4       *velop a recommendation to Congress for—*

5                       (A) *the construction of a water resources de-*  
 6       *velopment project;*

7                       (B) *the structural or operational modifica-*  
 8       *tion of an existing water resources development*  
 9       *project;*

10                      (C) *additional monitoring of, or adaptive*  
 11       *management measures to carry out with respect*  
 12       *to, existing water resources development projects,*  
 13       *to respond to changing hydrologic and climatic*  
 14       *conditions; or*

15                      (D) *geographic areas within the Yolo By-*  
 16       *pass System for additional study by the Sec-*  
 17       *retary.*

18               (2) *ADDITIONAL CONSIDERATIONS.*—*Any feasi-*  
 19       *bility study carried out pursuant to a recommenda-*  
 20       *tion under paragraph (1)(D) shall be considered to be*  
 21       *a continuation of the comprehensive study authorized*  
 22       *under subsection (a).*

23       (d) *COMPLETION OF STUDY; REPORT TO CONGRESS.*—  
 24       *Not later than 3 years after the date of enactment of this*  
 25       *section, the Secretary shall submit to the Committee on*

1 *Transportation and Infrastructure of the House of Rep-*  
 2 *resentatives and the Committee on Environment and Public*  
 3 *Works of the Senate a report detailing—*

4           (1) *the results of the comprehensive study con-*  
 5 *ducted under subsection (a), including any rec-*  
 6 *ommendations developed under subsection (c);*

7           (2) *any additional, site-specific areas within the*  
 8 *Yolo Bypass System where additional study for flood*  
 9 *risk management or ecosystem restoration projects is*  
 10 *recommended by the Secretary; and*

11           (3) *any interim actions relating to existing*  
 12 *water resources development projects undertaken by*  
 13 *the Secretary during the study period.*

14 (e) *DEFINITIONS.—In this section:*

15           (1) *YOLO BYPASS SYSTEM.—The term “Yolo By-*  
 16 *pass System” means the system of weirs, levees, by-*  
 17 *pass structures, and other water resources develop-*  
 18 *ment projects in California’s Sacramento River Val-*  
 19 *ley, extending from the Fremont Weir near Woodland,*  
 20 *California, to the Sacramento River near Rio Vista,*  
 21 *California, authorized pursuant to section 2 of the*  
 22 *Act of March 1, 1917 (chapter 144; 39 Stat. 949).*

23           (2) *YOLO BYPASS AND CACHE SLOUGH PARTNER-*  
 24 *SHIP.—The term “Yolo Bypass and Cache Slough*  
 25 *Partnership” means the group of parties to the Yolo*

1       *Bypass and Cache Slough Memorandum of Under-*  
 2       *standing, effective May 2016, regarding collaboration*  
 3       *and cooperation in the Yolo Bypass and Cache Slough*  
 4       *region.*

5       **SEC. 210. LAKE OKEECHOBEE REGULATION SCHEDULE,**  
 6               **FLORIDA.**

7       *(a) IN GENERAL.—In carrying out the review of the*  
 8       *Lake Okeechobee regulation schedule pursuant to section*  
 9       *1106 of the Water Resources Development Act of 2018 (132*  
 10       *Stat. 3773), the Secretary shall—*

11               *(1) evaluate the implications of prohibiting re-*  
 12       *leases from Lake Okeechobee through the S–308 and*  
 13       *S–80 lock and dam structures, and evaluate sepa-*  
 14       *rately the implications of prohibiting high volume re-*  
 15       *leases through the S–77, S–78, and S–79 lock and*  
 16       *dam structures, on the operation of the lake in ac-*  
 17       *cordance with authorized purposes and seek to mini-*  
 18       *mize unnecessary releases to coastal estuaries; and*

19               *(2) to the maximum extent practicable, coordi-*  
 20       *nate with the ongoing efforts of Federal and State*  
 21       *agencies responsible for monitoring, forecasting, and*  
 22       *notification of cyanobacteria levels in Lake Okee-*  
 23       *chobee.*

24       *(b) MONTHLY REPORT.—Each month, the Secretary*  
 25       *shall make public a report, which may be based on the*



1 *Water Management Daily Operational Reports, disclosing*  
 2 *the volumes of water deliveries to or discharges from Lake*  
 3 *Okeechobee & Vicinity, Water Conservation Area I, Water*  
 4 *Conservation Area II, Water Conservation Area III, East*  
 5 *Coast Canals, and the South Dade Conveyance. Such report*  
 6 *shall be aggregated and reported in a format designed for*  
 7 *the general public, using maps or other widely understood*  
 8 *communication tools.*

9       (c) *EFFECT.*—*In carrying out the evaluation under*  
 10 *subsection (a)(1), nothing shall be construed to authorize*  
 11 *any new purpose for the management of Lake Okeechobee*  
 12 *or authorize the Secretary to affect any existing authorized*  
 13 *purpose, including flood protection and management of*  
 14 *Lake Okeechobee to provide water supply for all authorized*  
 15 *users.*

16 **SEC. 211. GREAT LAKES COASTAL RESILIENCY STUDY.**

17       (a) *IN GENERAL.*—*In carrying out the comprehensive*  
 18 *assessment of water resources needs for the Great Lakes Sys-*  
 19 *tem under section 729 of the Water Resources Development*  
 20 *Act of 1986 (33 U.S.C. 2267a), as required by section 1219*  
 21 *of the Water Resources Development Act of 2018 (132 Stat.*  
 22 *3811), the Secretary shall—*

23               (1) *taking into account recent high lake levels*  
 24 *within the Great Lakes, assess and make rec-*  
 25 *ommendations to Congress on—*

1           (A) coastal storm and flood risk manage-  
 2           ment measures, including measures that use nat-  
 3           ural features and nature-based features, as those  
 4           terms are defined in section 1184 of the Water  
 5           Resources Development Act of 2016 (33 U.S.C.  
 6           2289a);

7           (B) operation and maintenance of the Great  
 8           Lakes Navigation System, as such term is de-  
 9           fined in section 210 of the Water Resources De-  
 10          velopment Act of 1986 (33 U.S.C. 2238);

11          (C) ecosystem protection and restoration;

12          (D) the prevention and control of invasive  
 13          species and the effects of invasive species; and

14          (E) recreation associated with water re-  
 15          sources development projects;

16          (2) prioritize actions necessary to protect critical  
 17          public infrastructure, communities, and critical nat-  
 18          ural or cultural resources; and

19          (3) to the maximum extent practicable and  
 20          where appropriate, utilize existing data provided to  
 21          the Secretary by Federal and State agencies, Indian  
 22          Tribes, and other stakeholders, including data ob-  
 23          tained through other Federal programs.

24          (b) RECOMMENDATIONS; ADDITIONAL STUDY.—

1           (1) *IN GENERAL.*—*In carrying out the com-*  
 2           *prehensive assessment described in subsection (a), the*  
 3           *Secretary may make a recommendation to Congress*  
 4           *for—*

5                     (A) *the construction of a water resources de-*  
 6                     *velopment project;*

7                     (B) *the structural or operational modifica-*  
 8                     *tion of an existing water resources development*  
 9                     *project;*

10                    (C) *additional monitoring of, or adaptive*  
 11                    *management measures to carry out with respect*  
 12                    *to, existing water resources development projects,*  
 13                    *to respond to changing hydrologic and climatic*  
 14                    *conditions; or*

15                    (D) *geographic areas within the Great*  
 16                    *Lakes System for additional study by the Sec-*  
 17                    *retary.*

18           (2) *FOCUS AREAS.*—*In addition to carrying out*  
 19           *subsection (a), to contribute to the comprehensive as-*  
 20           *essment described in such subsection, the Secretary is*  
 21           *authorized to conduct feasibility studies for—*

22                     (A) *the project for coastal storm resiliency,*  
 23                     *Lake Ontario shoreline, New York; and*

24                     (B) *the project for coastal storm resiliency,*  
 25                     *Chicago shoreline, Illinois.*

1           (3) *ADDITIONAL CONSIDERATIONS.*—Any feasi-  
 2           bility study carried out pursuant to this subsection,  
 3           including pursuant to a recommendation under para-  
 4           graph (1)(D), shall be considered to be a continuation  
 5           of the comprehensive assessment described in sub-  
 6           section (a).

7           (c) *EXEMPTION FROM MAXIMUM STUDY COST AND*  
 8           *DURATION LIMITATIONS.*—Section 1001 of the Water Re-  
 9           sources Reform and Development Act of 2014 (33 U.S.C.  
 10          2282c) shall not apply to any study recommended under  
 11          subsection (b)(1)(D) or carried out pursuant to subsection  
 12          (b)(2).

13       **SEC. 212. REPORT ON THE STATUS OF RESTORATION IN**  
 14                               **THE LOUISIANA COASTAL AREA.**

15          Not later than 1 year after the date of enactment of  
 16          this Act, the Coastal Louisiana Ecosystem Protection and  
 17          Restoration Task Force established by section 7004 of Water  
 18          Resources Development Act of 2007 (121 Stat. 1272) shall  
 19          submit to Congress a report that summarizes the activities  
 20          and recommendations of the Task Force, including—

21               (1) policies, strategies, plans, programs, projects,  
 22               and activities undertaken for addressing conservation,  
 23               protection, restoration, and maintenance of the coast-  
 24               al Louisiana ecosystem; and

1           (2) *financial participation by each agency rep-*  
 2           *resented on the Task Force in conserving, protecting,*  
 3           *restoring, and maintaining the coastal Louisiana eco-*  
 4           *system.*

5 **SEC. 213. LOWER MISSISSIPPI RIVER COMPREHENSIVE**  
 6           **MANAGEMENT STUDY.**

7           (a) *COMPREHENSIVE STUDY.*—

8           (1) *PURPOSE.*—*The Secretary, in collaboration*  
 9           *with the heads of other relevant Federal agencies and*  
 10          *pursuant to subsection (d)(1)(A), shall conduct a com-*  
 11          *prehensive study of the Lower Mississippi River*  
 12          *basin, from Cape Girardeau, Missouri, to the Gulf of*  
 13          *Mexico, to identify recommendations of actions to be*  
 14          *undertaken by the Secretary, under existing authori-*  
 15          *ties or after congressional authorization, for the com-*  
 16          *prehensive management of the basin for the purposes*  
 17          *of—*

18                   (A) *hurricane and storm damage reduction,*  
 19                   *flood risk management, structural and non-*  
 20                   *structural flood control, and floodplain manage-*  
 21                   *ment strategies;*

22                   (B) *navigation;*

23                   (C) *ecosystem and environmental restora-*  
 24                   *tion;*

25                   (D) *water supply;*

1                   (E) hydropower production;  
 2                   (F) recreation; and  
 3                   (G) other purposes as determined by the  
 4           Secretary.

5           (2) *DEVELOPMENT.*—In conducting the com-  
 6           prehensive study under paragraph (1), the Secretary  
 7           shall investigate—

8                   (A) the construction of new water resources  
 9           development projects;

10                  (B) structural and operational modifica-  
 11           tions to completed water resources development  
 12           projects within the study area;

13                  (C) projects proposed in the comprehensive  
 14           coastal protection master plan entitled “Louisisi-  
 15           ana’s Comprehensive Master Plan for a Sustain-  
 16           able Coast”, prepared by the State of Louisiana  
 17           and accepted by the Louisiana Coastal Protec-  
 18           tion and Restoration Authority (including any  
 19           subsequent amendments or revisions), includ-  
 20           ing—

21                   (i) Ama sediment diversion;  
 22                   (ii) Union freshwater diversion;  
 23                   (iii) increase Atchafalaya flow to  
 24           Terrebonne; and  
 25                   (iv) Manchac Landbridge diversion;

1           (D) natural features and nature-based fea-  
 2           tures, including levee setbacks and instream and  
 3           floodplain restoration;

4           (E) fish and wildlife habitat resources, in-  
 5           cluding in the Mississippi Sound Estuary, the  
 6           Lake Pontchartrain Basin, the Breton Sound,  
 7           the Barataria Basin, the Terrebonne Basin, the  
 8           Atchafalaya Basin, the Vermilion–Teche Basin,  
 9           and other outlets of the Mississippi River and  
 10          Tributaries project;

11          (F) mitigation of adverse impacts from op-  
 12          erations of flood control structures to the Mis-  
 13          sissippi Sound Estuary, the Lake Pontchartrain  
 14          Basin, the Breton Sound, the Barataria Basin,  
 15          the Atchafalaya Basin, and other outlets of the  
 16          Mississippi River and Tributaries project;

17          (G) the effects of dredging and river-bottom  
 18          elevation changes on drainage efficiency;

19          (H) the economic impacts of existing prac-  
 20          tices, including such impacts on coastal re-  
 21          sources;

22          (I) monitoring requirements, including as  
 23          near-real time monitoring as practicable, and  
 24          adaptive management measures to respond to  
 25          changing conditions over time;

1                   (J) the division of responsibilities among  
 2                   the Federal Government and non-Federal inter-  
 3                   ests with respect to the purposes described in  
 4                   paragraph (1); and

5                   (K) other matters, as determined by the Sec-  
 6                   retary.

7           (b) *CONSULTATION AND USE OF EXISTING DATA.*—In  
 8           conducting the comprehensive study under subsection (a),  
 9           the Secretary shall consult with applicable Federal, State,  
 10          and local agencies, Indian Tribes, non-Federal interests,  
 11          and other stakeholders, and, to the maximum extent prac-  
 12          ticable and where appropriate, make use of existing data  
 13          provided to the Secretary by such entities or from any rel-  
 14          evant multistate monitoring programs.

15          (c) *RECOMMENDATIONS.*—In conducting the com-  
 16          prehensive study under subsection (a), the Secretary shall  
 17          develop actionable recommendations to Congress, including  
 18          for—

19               (1) the construction of new water resources devel-  
 20               opment projects to improve the maximum effective  
 21               river resource use and control;

22               (2) the structural or operational modification of  
 23               completed water resources development projects;

24               (3) such additional monitoring of, or adaptive  
 25               management measures to carry out with respect to,



1        *completed water resources development projects, to re-*  
 2        *spond to changing conditions;*

3            *(4) improving the efficiency of operational and*  
 4        *maintenance dredging within the study area;*

5            *(5) whether changes are necessary to the Mis-*  
 6        *sissippi River and Tributaries project within the*  
 7        *study area;*

8            *(6) other Federal and non-Federal action, where*  
 9        *appropriate; and*

10          *(7) follow-up studies and data collection and*  
 11        *monitoring to be carried out by the relevant Federal*  
 12        *or State agency.*

13        *(d) COMPLETION OF STUDY; REPORT TO CONGRESS.—*

14            *(1) ANNUAL REPORTS.—Not later than 1 year*  
 15        *after the date of enactment of this Act, and annually*  
 16        *thereafter until the final report under paragraph (2)*  
 17        *is submitted, the Secretary shall submit to the Com-*  
 18        *mittee on Transportation and Infrastructure of the*  
 19        *House of Representatives and the Committee on Envi-*  
 20        *ronment and Public Works of the Senate a report de-*  
 21        *tailing—*

22            *(A) any interim actions relating to water*  
 23        *resources development projects within the study*  
 24        *area undertaken by the Secretary under existing*  
 25        *authority; and*

1                   (B) any recommendations developed under  
2                   subsection (c).

3                   (2) *FINAL REPORT.*—Not later than 5 years after  
4                   the date of enactment of this section, the Secretary  
5                   shall submit to the Committee on Transportation and  
6                   Infrastructure of the House of Representatives and the  
7                   Committee on Environment and Public Works of the  
8                   Senate a final report detailing the results of the com-  
9                   prehensive study required by this section, including  
10                  the recommendations developed under subsection (c).

11                  (3) *APPLICATION OF CERTAIN REQUIREMENTS.*—  
12                  Section 1001(a) of the Water Resources Reform and  
13                  Development Act of 2014 (33 U.S.C. 2282c(a)) shall  
14                  not apply to the study carried out by the Secretary  
15                  under this section.

16                  (e) *FURTHER ANALYSIS.*—

17                  (1) *IN GENERAL.*—In conducting the comprehen-  
18                  sive study under subsection (a), the Secretary shall  
19                  carry out activities in geographic areas that warrant  
20                  additional analysis by the Corps of Engineers, in-  
21                  cluding feasibility studies.

22                  (2) *TREATMENT.*—A feasibility study carried out  
23                  under paragraph (1) shall be considered to be a con-  
24                  tinuation of the comprehensive study conducted under  
25                  subsection (a).

1       (f) *REQUIREMENTS.*—*The comprehensive study con-*  
 2 *ducted under subsection (a) shall be carried out in accord-*  
 3 *ance with the authorities for the Mississippi River and*  
 4 *Tributaries project.*

5       (g) *DEFINITIONS.*—*In this section:*

6           (1) *MISSISSIPPI RIVER AND TRIBUTARIES*  
 7 *PROJECT.*—*The term “Mississippi River and Tribu-*  
 8 *taries project” means the Mississippi River and Trib-*  
 9 *utaries project authorized by the first section of the*  
 10 *Act of May 15, 1928 (33 U.S.C. 702a).*

11          (2) *NATURAL FEATURE; NATURE-BASED FEA-*  
 12 *TURE.*—*The terms “natural feature” and “nature-*  
 13 *based feature” have the meanings given those terms in*  
 14 *section 1184 of the Water Resources Development Act*  
 15 *of 2016 (33 U.S.C. 2289a).*

16       (h) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*  
 17 *authorized to be appropriated to carry out this section*  
 18 *\$25,000,000, to remain available until expended.*

19       (i) *SAVINGS PROVISION.*—*Nothing in this section shall*  
 20 *delay or interfere with, or be construed as grounds for en-*  
 21 *joining construction of, authorized projects within the study*  
 22 *area.*

1 **SEC. 214. UPPER MISSISSIPPI RIVER COMPREHENSIVE**  
 2 **PLAN.**

3 (a) *ASSESSMENT.*—*The Secretary shall conduct an as-*  
 4 *essment of the water resources needs of the Upper Mis-*  
 5 *issippi River under section 729 of the Water Resources De-*  
 6 *velopment Act of 1986 (33 U.S.C. 2267a).*

7 (b) *REQUIREMENTS.*—*The Secretary shall carry out*  
 8 *the assessment under subsection (a) in accordance with the*  
 9 *requirements in section 1206(b) of Water Resources Devel-*  
 10 *opment Act of 2016 (130 Stat. 1686).*

11 **SEC. 215. UPPER MISSOURI RIVER BASIN MAINSTEM DAM**  
 12 **FISH LOSS RESEARCH.**

13 (a) *IN GENERAL.*—*Pursuant to section 22 of the Water*  
 14 *Resources Development Act of 1974 (42 U.S.C. 1962d–16),*  
 15 *the Secretary shall conduct research on the management of*  
 16 *fish losses through the mainstem dams of the Missouri River*  
 17 *Basin during periods of high flow.*

18 (b) *CONTENTS.*—*The research conducted under sub-*  
 19 *section (a) shall include an examination of—*

20 (1) *the effects of high flow rates through Upper*  
 21 *Missouri River Basin mainstem dam outlet works on*  
 22 *fish passage;*

23 (2) *options used by other Corps of Engineers dis-*  
 24 *trict offices to mitigate fish losses through dams; and*

1           (3) *the feasibility of implementing fish loss miti-*  
 2           *gation options in the Upper Missouri River Basin*  
 3           *mainstem dams, based on similar ongoing studies.*

4           (c) *REPORT.*—*Not later than 18 months after the date*  
 5           *of enactment of this Act, the Secretary shall submit to the*  
 6           *Committee on Transportation and Infrastructure of the*  
 7           *House of Representatives and the Committee on Environ-*  
 8           *ment and Public Works of the Senate a report recom-*  
 9           *mending a plan to address fish losses through mainstem*  
 10          *dams in the Upper Missouri River Basin.*

11   **SEC. 216. LOWER AND UPPER MISSOURI RIVER COM-**  
 12                           **PREHENSIVE FLOOD PROTECTION.**

13          (a) *ADDITIONAL STUDIES FOR LOWER MISSOURI*  
 14          *RIVER BASIN.*—

15               (1) *IN GENERAL.*—*Except as provided in para-*  
 16               *graph (2), upon the request of the non-Federal inter-*  
 17               *est for the Lower Missouri Basin study, the Secretary*  
 18               *shall expand the scope of such study to investigate*  
 19               *and provide recommendations relating to—*

20                       (A) *modifications to projects in Iowa, Kan-*  
 21                       *sas, Nebraska, and Missouri authorized under*  
 22                       *the Pick-Sloan Missouri River Basin Program*  
 23                       *(authorized by section 9(b) of the Act of Decem-*  
 24                       *ber 22, 1944 (chapter 665, 58 Stat. 891)) and*  
 25                       *the Missouri River Bank Stabilization and Navi-*

gation project (authorized by section 2 of the Act of March 2, 1945 (chapter 19, 59 Stat. 19)), including modifications to the authorized purposes of such projects to further flood risk management and resiliency; and

(B) modifications to non-Federal, publicly owned levees in the Lower Missouri River Basin.

(2) *EXCEPTION.*—If the Secretary determines that expanding the scope of the Lower Missouri Basin study as provided in paragraph (1) is not practicable, and the non-Federal interest for such study concurs in such determination, the Secretary shall carry out such additional studies as are necessary to investigate the modifications described in paragraph (1).

(3) *CONTINUATION OF LOWER MISSOURI BASIN STUDY.*—The following studies shall be considered a continuation of the Lower Missouri Basin study:

(A) Any additional study carried out under paragraph (2).

(B) Any study recommended to be carried out in a report that the Chief of Engineers prepares for the Lower Missouri Basin study.

(C) Any study recommended to be carried out in a report that the Chief of Engineers pre-

1        *pares for an additional study carried out under*  
 2        *paragraph (2).*

3                *(D) Any study spun off from the Lower*  
 4        *Missouri Basin study before the completion of*  
 5        *such study.*

6                *(E) Any study spun off from an additional*  
 7        *study carried out under paragraph (2) before the*  
 8        *completion of such additional study.*

9                *(4) RELIANCE ON EXISTING INFORMATION.—In*  
 10        *carrying out any study described in or authorized by*  
 11        *this subsection, the Secretary, to the extent prac-*  
 12        *ticable, shall rely on existing data and analysis, in-*  
 13        *cluding data and analysis prepared under section 22*  
 14        *of the Water Resources Development Act of 1974 (42*  
 15        *U.S.C. 1962d–16).*

16                *(5) CONSIDERATION; CONSULTATION.—In devel-*  
 17        *oping recommendations under paragraph (1), the Sec-*  
 18        *retary shall—*

19                *(A) consider the use of—*

20                        *(i) structural and nonstructural meas-*  
 21        *ures, including the setting back of levees and*  
 22        *removing structures from areas of recurring*  
 23        *flood vulnerability, where advantageous, to*  
 24        *reduce flood risk and damages in the Lower*  
 25        *Missouri River Basin; and*

1                   (ii) where such features are locally ac-  
 2                   ceptable, natural features or nature-based  
 3                   features (as such terms are defined in sec-  
 4                   tion 1184 of the Water Resources Develop-  
 5                   ment Act of 2016 (33 U.S.C. 2289a); and

6                   (B) consult with applicable Federal and  
 7                   State agencies, Indian Tribes, and other stake-  
 8                   holders within the Lower Missouri River Basin  
 9                   and solicit public comment on such recommenda-  
 10                  tions.

11               (6) *EXEMPTION FROM MAXIMUM STUDY COST*  
 12               *AND DURATION LIMITATIONS.*—Section 1001 of the  
 13               *Water Resources Reform and Development Act of*  
 14               *2014 (33 U.S.C. 2282c) shall not apply to the Lower*  
 15               *Missouri Basin study or any study described in para-*  
 16               *graph (3).*

17               (7) *PRECONSTRUCTION, ENGINEERING, AND DE-*  
 18               *SIGN.*—Upon completion of a study authorized by this  
 19               subsection, if the Secretary determines that a rec-  
 20               ommended project, or modification to a project de-  
 21               scribed in paragraph (1), is justified, the Secretary  
 22               may proceed directly to preconstruction planning, en-  
 23               gineering, and design of the project or modification.

24               (8) *TECHNICAL ASSISTANCE.*—



1           (A) *IN GENERAL.*—*For the provision of*  
 2           *technical assistance to support small commu-*  
 3           *nities and economically disadvantaged commu-*  
 4           *nities in the planning and design of flood risk*  
 5           *management and flood risk resiliency projects in*  
 6           *the Lower Missouri River Basin, for each of fis-*  
 7           *cal years 2021 through 2026, there are author-*  
 8           *ized to be appropriated—*

9                   (i) *\$2,000,000 to carry out section 206*  
 10                  *of the Flood Control Act of 1960 (33 U.S.C.*  
 11                  *709a), in addition to amounts otherwise au-*  
 12                  *thorized to carry out such section; and*

13                  (ii) *\$2,000,000 to carry out section*  
 14                  *22(a)(2) of the Water Resources Develop-*  
 15                  *ment Act of 1974 (42 U.S.C. 1962d–16), in*  
 16                  *addition to amounts otherwise authorized to*  
 17                  *carry out such section.*

18           (B) *CONDITIONS.*—

19                   (i) *LIMITATIONS NOT APPLICABLE.*—  
 20                  *The limitations on the use of funds in sec-*  
 21                  *tion 206(d) of the Flood Control Act of 1960*  
 22                  *and section 22(c)(2) of the Water Resources*  
 23                  *Development Act of 1974 shall not apply to*  
 24                  *the amounts authorized to be appropriated*  
 25                  *by subparagraph (A).*

1                   (ii) *RULE OF CONSTRUCTION.*—*Noth-*  
 2                   *ing in this paragraph restricts the author-*  
 3                   *ity of the Secretary to use any funds other-*  
 4                   *wise appropriated to carry out section 206*  
 5                   *of the Flood Control Act of 1960 or section*  
 6                   *22(a)(2) of the Water Resources Develop-*  
 7                   *ment Act of 1974 to provide technical as-*  
 8                   *sistance described in subparagraph (A).*

9                   (9) *COMPLETION OF STUDY; REPORT TO CON-*  
 10                  *GRESS.*—*Not later than 3 years after the date of en-*  
 11                  *actment of this Act, the Secretary shall submit to the*  
 12                  *Committee on Transportation and Infrastructure of*  
 13                  *the House of Representatives and the Committee on*  
 14                  *Environment and Public Works of the Senate a report*  
 15                  *detailing—*

16                       (A) *the results of the study authorized by*  
 17                       *this subsection;*

18                       (B) *any additional, site-specific areas with-*  
 19                       *in the Lower Missouri River Basin for which ad-*  
 20                       *ditional study for flood risk management projects*  
 21                       *is recommended by the Secretary; and*

22                       (C) *any interim actions relating to existing*  
 23                       *water resources development projects in the*  
 24                       *Lower Missouri River Basin undertaken by the*  
 25                       *Secretary during the study period.*

1           (10) *DEFINITIONS.—In this subsection:*

2                   (A) *LOWER MISSOURI BASIN STUDY.—The*  
 3                   *term “Lower Missouri Basin study” means the*  
 4                   *Lower Missouri Basin Flood Risk and Resiliency*  
 5                   *Study, Iowa, Kansas, Nebraska, and Missouri,*  
 6                   *authorized pursuant to section 216 of the Flood*  
 7                   *Control Act of 1970 (33 U.S.C. 549a).*

8                   (B) *SMALL COMMUNITY.—The term “small*  
 9                   *community” means a local government that*  
 10                   *serves a population of less than 15,000.*

11           (b) *UPPER MISSOURI RIVER BASIN COMPREHENSIVE*  
 12           *STUDY.—*

13                   (1) *IN GENERAL.—The Secretary, in collabora-*  
 14                   *tion with the heads of other relevant Federal agencies,*  
 15                   *shall conduct a comprehensive study to address flood*  
 16                   *risk in areas affected by severe flooding in 2019 along*  
 17                   *the Upper Missouri River, including an examination*  
 18                   *of—*

19                           (A) *the use of structural and nonstructural*  
 20                           *flood control and floodplain management strate-*  
 21                           *gies, including the consideration of natural fea-*  
 22                           *tures or nature-based features (as such terms are*  
 23                           *defined in section 1184 of the Water Resources*  
 24                           *Development Act of 2016 (33 U.S.C. 2289a);*

1           (B) continued operation and maintenance  
2 of the navigation project;

3           (C) management of bank caving and ero-  
4 sion;

5           (D) maintenance of water supply;

6           (E) fish and wildlife habitat management;

7           (F) recreation needs;

8           (G) environmental restoration needs;

9           (H) the division of responsibilities of the  
10 Federal Government and non-Federal interests  
11 with respect to Missouri River flooding;

12           (I) the roles and responsibilities of Federal  
13 agencies with respect to Missouri River flooding;  
14 and

15           (J) any other related matters, as determined  
16 by the Secretary.

17       (2) RECOMMENDATIONS.—In conducting the  
18 study under this subsection, the Secretary may de-  
19 velop recommendations to Congress for—

20           (A) the construction of a water resources de-  
21 velopment project;

22           (B) the structural or operational modifica-  
23 tion of an existing water resources development  
24 project;

1           (C) such additional monitoring of, or  
 2           adaptive management measures to carry out  
 3           with respect to, existing water resources develop-  
 4           ment projects, to respond to changing conditions;

5           (D) geographic areas within the Upper Mis-  
 6           souri River basin for additional study by the  
 7           Secretary;

8           (E) management plans and actions to be  
 9           carried out by the responsible Federal agencies to  
 10          reduce flood risk and improve resiliency;

11          (F) any necessary changes to the general  
 12          comprehensive plan for flood control and other  
 13          purposes in the Missouri River Basin under sec-  
 14          tion 4 of the Act of June 28, 1938 (chapter 795,  
 15          52 Stat. 1218; 58 Stat. 891); and

16          (G) follow-up studies for problem areas for  
 17          which data or current technology does not allow  
 18          immediate solutions.

19          (3) COMPLETION OF STUDY; REPORT TO CON-  
 20          GRESS.—Not later than 3 years after the date of en-  
 21          actment of this subsection, the Secretary shall submit  
 22          to the Committee on Transportation and Infrastruc-  
 23          ture of the House of Representatives and the Com-  
 24          mittee on Environment and Public Works of the Sen-  
 25          ate a report that—

1           (A) contains the results of the comprehen-  
2           sive study required by this subsection, including  
3           any recommendations developed under para-  
4           graph (2);

5           (B) addresses—

6               (i) the potential for the transfer of  
7               flood risk between and within the Upper  
8               and Lower Missouri River basins with re-  
9               spect to any changes recommended pursuant  
10              to paragraph (2)(F);

11              (ii) adverse impacts to navigation and  
12              other authorized purposes of the applicable  
13              Missouri River project with respect to any  
14              changes recommended under paragraph  
15              (2)(F); and

16              (iii) whether there are opportunities  
17              for increased non-Federal management in  
18              the Upper Missouri River Basin;

19           (C) recognizes—

20               (i) the interest and rights of States  
21               in—

22                      (I) determining the development  
23                      of watersheds within the borders of the  
24                      State; and

1 (II) *water utilization and control;*

2 *and*

3 (ii) *the primary responsibilities of*

4 *States and local interests in developing*

5 *water supplies for domestic, municipal, in-*

6 *dustrial, and other purposes; and*

7 (D) *describes any interim actions relating*

8 *to existing water resources development projects*

9 *in the Upper Missouri River Basin undertaken*

10 *by the Secretary during the study period.*

11 (4) *CONSULTATION.—In carrying out this sub-*

12 *section, the Secretary shall consult with applicable*

13 *Federal and State agencies, Indian Tribes, and other*

14 *stakeholders within the Upper Missouri River Basin*

15 *and solicit public comment.*

16 (5) *RELIANCE ON EXISTING INFORMATION.—In*

17 *carrying out any study described in or authorized by*

18 *this subsection, the Secretary, to the extent prac-*

19 *ticable, shall rely on existing data and analysis, in-*

20 *cluding data and analysis prepared under section 22*

21 *of the Water Resources Development Act of 1974 (42*

22 *U.S.C. 1962d–16).*

23 (6) *EXEMPTION FROM MAXIMUM STUDY COST*

24 *AND DURATION LIMITATIONS.—Section 1001 of the*

25 *Water Resources Reform and Development Act of*

1       2014 (33 U.S.C. 2282c) shall not apply to the com-  
 2       prehensive study carried out under this section or any  
 3       feasibility study described in paragraph (7).

4               (7) *ADDITIONAL CONSIDERATIONS.*—Any feasi-  
 5       bility study carried out pursuant to a recommenda-  
 6       tion included in the report submitted under this sub-  
 7       section shall be considered to be a continuation of the  
 8       comprehensive study required under paragraph (1).

9               (8) *DEFINITION.*—In this subsection, the term  
 10      “Missouri River project” means a project constructed  
 11      as part of—

12              (A) *the Pick-Sloan Missouri River Basin*  
 13      *Program (authorized by section 9(b) of the Act*  
 14      *of December 22, 1944 (chapter 665, 58 Stat.*  
 15      *891)), located in the States of Wyoming, Mon-*  
 16      *tana, North Dakota, or South Dakota;*

17              (B) *the Missouri River Bank Stabilization*  
 18      *and Navigation project (authorized by section 2*  
 19      *of the Act of March 2, 1945 (chapter 19, 59 Stat.*  
 20      *19)); or*

21              (C) *a non-Federal, publicly owned levee sys-*  
 22      *tem located within the Upper Missouri River*  
 23      *Basin.*

24              (c) *COORDINATION.*—Upon completion of the studies  
 25      under subsections (a) and (b), the Secretary shall develop



1 *a strategy that, to the maximum extent practicable, coordi-*  
 2 *nates and aligns the results of such studies.*

3 **SEC. 217. PORTSMOUTH HARBOR AND PISCATAQUA RIVER**  
 4 **AND RYE HARBOR, NEW HAMPSHIRE.**

5 (a) *REQUIREMENT TO EXPEDITE.*—*The Secretary*  
 6 *shall expedite authorized activities to address the impacts*  
 7 *of shoaling affecting the project for navigation, Rye Harbor,*  
 8 *New Hampshire, authorized by section 101 of the River and*  
 9 *Harbor Act of 1960 (74 Stat. 480).*

10 (b) *STATUS UPDATE.*—*Not later than 180 days after*  
 11 *the date of enactment of this Act, the Secretary shall submit*  
 12 *to Congress a written status update regarding—*

13 (1) *the activities required to be expedited under*  
 14 *subsection (a); and*

15 (2) *the project for navigation, Portsmouth Har-*  
 16 *bor and Piscataqua River, authorized by section 101*  
 17 *of the River and Harbor Act of 1962 (76 Stat. 1173),*  
 18 *as required to be expedited under section 1317 of the*  
 19 *Water Resources Development Act of 2018 (132 Stat.*  
 20 *3823).*

21 **SEC. 218. COUGAR AND DETROIT DAMS, WILLAMETTE RIVER**  
 22 **BASIN, OREGON.**

23 (a) *REPORT.*—*Not later than 2 years after the date*  
 24 *of enactment of this Act, the Secretary shall submit to the*  
 25 *Committee on Transportation and Infrastructure of the*

1 *House of Representatives and the Committee on Environ-*  
 2 *ment and Public Works of the Senate, and make publicly*  
 3 *available, a report providing an initial analysis of*  
 4 *deauthorizing hydropower as a project purpose at the Cou-*  
 5 *gar and Detroit Dams project.*

6 (b) *CONTENTS.*—*The Secretary shall include in the re-*  
 7 *port submitted under subsection (a)—*

8 (1) *a description of the potential effects of*  
 9 *deauthorizing hydropower as a project purpose at the*  
 10 *Cougar and Detroit Dams project on—*

11 (A) *the operation of the project, including*  
 12 *with respect to the other authorized purposes of*  
 13 *the project;*

14 (B) *compliance of the project with the En-*  
 15 *dangered Species Act;*

16 (C) *costs that would be attributed to other*  
 17 *authorized purposes of the project, including*  
 18 *costs relating to compliance with such Act; and*

19 (D) *other ongoing studies in the Willamette*  
 20 *River Basin; and*

21 (2) *identification of any further research needed.*

22 (c) *PROJECT DEFINED.*—*In this section, the terms*  
 23 *“Cougar and Detroit Dams project” and “project” mean*  
 24 *the Cougar Dam and Reservoir project and Detroit Dam*  
 25 *and Reservoir project, Willamette River Basin, Oregon, au-*

1 *thorized by section 204 of the Flood Control Act of 1950*  
 2 *(64 Stat. 179), and facilities that operate in conjunction*  
 3 *with the main Detroit Dam facility, including the Big Cliff*  
 4 *re-regulating dam.*

5 **SEC. 219. PORT ORFORD, OREGON.**

6 *Not later than 180 days after the date of enactment*  
 7 *of this Act, the Secretary shall, at Federal expense, submit*  
 8 *to the Committee on Transportation and Infrastructure of*  
 9 *the House of Representatives and the Committee on Envi-*  
 10 *ronment and Public Works of the Senate a summary report*  
 11 *on the research completed and data gathered by the date*  
 12 *of enactment of this Act with regards to the configuration*  
 13 *of a breakwater for the project for navigation, Port Orford,*  
 14 *Oregon, authorized by section 117 of the River and Harbor*  
 15 *Act of 1970 (84 Stat. 1822; 106 Stat. 4809), for the pur-*  
 16 *poses of addressing shoaling issues to minimize long-term*  
 17 *maintenance costs.*

18 **SEC. 220. WILSON CREEK AND SLOAN CREEK, FAIRVIEW,**  
 19 **TEXAS.**

20 *Not later than 180 days after the date of enactment*  
 21 *of this section, the Secretary shall submit to Congress a*  
 22 *written status update regarding efforts to address flooding*  
 23 *along Wilson Creek and Sloan Creek in the City of Fair-*  
 24 *view, Texas.*

1 **SEC. 221. STUDY ON WATER SUPPLY AND WATER CON-**  
 2 **SERVATION AT WATER RESOURCES DEVELOP-**  
 3 **MENT PROJECTS.**

4 (a) *IN GENERAL.*—Not later than 18 months after the  
 5 date of enactment of this Act, the Secretary shall submit  
 6 to the Committee on Transportation and Infrastructure of  
 7 the House of the Representatives and the Committee on En-  
 8 vironment and Public Works of the Senate a report that  
 9 analyzes the benefits and consequences of including water  
 10 supply and water conservation as a primary mission of the  
 11 Corps of Engineers in carrying out water resources develop-  
 12 ment projects.

13 (b) *INCLUSION.*—The Secretary shall include in the re-  
 14 port submitted under subsection (a)—

15 (1) a description of existing water resources de-  
 16 velopment projects with water supply or water con-  
 17 servation as authorized purposes, and the extent to  
 18 which such projects are utilized for such purposes;

19 (2) a description of existing water resources de-  
 20 velopment projects with respect to which—

21 (A) water supply or water conservation  
 22 could be added as a project purpose, including  
 23 those with respect to which a non-Federal inter-  
 24 est has expressed an interest in adding water  
 25 supply or water conservation as a project pur-  
 26 pose; and

1                   (B) such a purpose could be accommodated  
2                   while maintaining existing authorized purposes;

3                   (3) a description of ongoing water resources de-  
4                   velopment project studies the authorizations for which  
5                   include authorization for the Secretary to study the  
6                   feasibility of carrying out the project with a purpose  
7                   of water supply or water conservation;

8                   (4) an analysis of how adding water supply and  
9                   water conservation as a primary mission of the Corps  
10                  of Engineers would affect the ability of the Secretary  
11                  to carry out future water resources development  
12                  projects; and

13                  (5) any recommendations of the Secretary relat-  
14                  ing to including water supply and water conservation  
15                  as a primary mission of the Corps of Engineers.

16 **SEC. 222. REPORT TO CONGRESS ON AUTHORIZED STUDIES**  
17 **AND PROJECTS.**

18                  (a) *IN GENERAL.*—Not later than February 1 of each  
19                  year, the Secretary shall develop and submit to Congress  
20                  an annual report, to be entitled “Report to Congress on Au-  
21                  thorized Water Resources Development Projects and Stud-  
22                  ies”, that identifies—

23                       (1) ongoing or new feasibility studies, authorized  
24                       within the previous 20 years, for which a Report of  
25                       the Chief of Engineers has not been issued;

1           (2) *authorized feasibility studies for projects in*  
 2           *the preconstruction, engineering and design phase;*

3           (3) *ongoing or new water resources development*  
 4           *projects authorized for construction within the pre-*  
 5           *vious 20 years; and*

6           (4) *authorized and constructed water resources*  
 7           *development projects the Secretary has the responsi-*  
 8           *bility to operate or maintain.*

9           (b) *CONTENTS.—*

10           (1) *INCLUSIONS.—*

11           (A) *CRITERIA.—The Secretary shall include*  
 12           *in each report submitted under this section only*  
 13           *a feasibility study or water resources develop-*  
 14           *ment project—*

15                   (i) *that has been authorized by Con-*  
 16                   *gress to be carried out by the Secretary and*  
 17                   *does not require any additional congres-*  
 18                   *sional authorization to be carried out;*

19                   (ii) *that the Secretary has the capa-*  
 20                   *bility to carry out if funds are appropriated*  
 21                   *for such study or project under any of the*  
 22                   *“Investigations”, “Construction”, “Oper-*  
 23                   *ation and Maintenance”, or “Mississippi*  
 24                   *River and Tributaries” appropriations ac-*  
 25                   *counts for the Corps of Engineers; and*

(iii) *for which a non-Federal interest—*

(I) *in the case of a study or a project other than a project for which funds may be appropriated for operation and maintenance, has entered into a feasibility cost-sharing agreement, design agreement, or project partnership agreement with the Corps of Engineers, or has informed the Secretary that the non-Federal interest has the financial capability to enter into such an agreement within 1 year; and*

(II) *demonstrates the legal and financial capability to satisfy the requirements for local cooperation with respect to the study or project.*

(B) *DESCRIPTION OF BENEFITS.—*

(i) *DESCRIPTION.—The Secretary shall, to the maximum extent practicable, describe in each report submitted under this section the benefits, as described in clause (ii), of each feasibility study and water re-*

1                   *sources development project included in the*  
 2                   *report.*

3                   (ii) *BENEFITS.—The benefits referred*  
 4                   *to in clause (i) are benefits to—*

5                             (I) *the protection of human life*  
 6                             *and property;*

7                             (II) *improvement to transpor-*  
 8                             *tation;*

9                             (III) *the national, regional, or*  
 10                            *local economy;*

11                            (IV) *the environment; or*

12                            (V) *the national security interests*  
 13                            *of the United States.*

14                   (2) *TRANSPARENCY.—The Secretary shall in-*  
 15                   *clude in each report submitted under this section, for*  
 16                   *each feasibility study and water resources develop-*  
 17                   *ment project included in the report—*

18                            (A) *the name of the associated non-Federal*  
 19                            *interest, including the name of any non-Federal*  
 20                            *interest that has contributed, or is expected to*  
 21                            *contribute, a non-Federal share of the cost of the*  
 22                            *study or project;*

23                            (B) *the purpose of the study or project;*

24                            (C) *an estimate, to the extent practicable, of*  
 25                            *the Federal, non-Federal, and total costs of the*



1 study or project, including, to the extent prac-  
 2 ticable, the fully funded capability of the Corps  
 3 of Engineers for—

4 (i) the 3 fiscal years following the fis-  
 5 cal year in which the report is submitted,  
 6 in the case of a feasibility study; and

7 (ii) the 5 fiscal years following the fis-  
 8 cal year in which the report is submitted,  
 9 in the case of a water resources development  
 10 project; and

11 (D) an estimate, to the extent practicable, of  
 12 the monetary and nonmonetary benefits of the  
 13 study or project.

14 (3) CERTIFICATION.—The Secretary shall include  
 15 in each report submitted under this section a certifi-  
 16 cation stating that each feasibility study or water re-  
 17 sources development project included in the report  
 18 meets the criteria described in paragraph (1)(A).

19 (4) OMISSIONS.—

20 (A) LIMITATION.—The Secretary shall not  
 21 omit from a report submitted under this section  
 22 a study or project that otherwise meets the cri-  
 23 teria for inclusion in the report solely on the  
 24 basis of a policy of the Secretary.

1                   (B) *APPENDIX.—If the Secretary omits*  
 2                   *from a report submitted under this section a*  
 3                   *study or project that otherwise meets the criteria*  
 4                   *for inclusion in the report, the Secretary shall*  
 5                   *include with the report an appendix that lists*  
 6                   *the name of the study or project and reason for*  
 7                   *its omission.*

8                   (c) *SUBMISSION TO CONGRESS; PUBLICATION.—*

9                   (1) *SUBMISSION TO CONGRESS.—The Secretary*  
 10                  *may submit a report under this section in conjunc-*  
 11                  *tion with the submission of the annual report under*  
 12                  *section 7001 of the Water Resources Reform and De-*  
 13                  *velopment Act of 2014 (33 U.S.C. 2282d).*

14                  (2) *PUBLICATION.—On submission of each report*  
 15                  *under this section, the Secretary shall make the report*  
 16                  *publicly available, including through publication on*  
 17                  *the internet.*

18                  (d) *DEFINITIONS.—In this section:*

19                  (1) *NON-FEDERAL INTEREST.—The term “non-*  
 20                  *Federal interest” has the meaning given that term in*  
 21                  *section 221 of the Flood Control Act of 1970 (42*  
 22                  *U.S.C. 1962d–5b).*

23                  (2)    *WATER       RESOURCES       DEVELOPMENT*  
 24                  *PROJECT.—The term “water resources development*  
 25                  *project” includes a separable element of a project, a*

1        *project under an environmental infrastructure assist-*  
 2        *ance program, and a project the authorized purposes*  
 3        *of which include water supply.*

4    **SEC. 223. COMPLETION OF REPORTS AND MATERIALS.**

5        *(a) IN GENERAL.—Using available appropriations,*  
 6        *not later than 180 days after the date of enactment of this*  
 7        *section, the Secretary shall complete and submit to Congress*  
 8        *the following materials:*

9                *(1) The report required by section 1211 of the*  
 10        *Water Resources Development Act of 2018 (132 Stat.*  
 11        *3808).*

12                *(2) Implementation guidance for the amend-*  
 13        *ments made by section 1176 of the Water Resources*  
 14        *Development Act of 2016 (130 Stat. 1673).*

15                *(3) Implementation guidance for the amend-*  
 16        *ments made by section 3029(a) of the Water Resources*  
 17        *Reform and Development Act of 2014 (128 Stat.*  
 18        *1305).*

19                *(4) Any other report or other material required*  
 20        *to be submitted to Congress by any of the following*  
 21        *Acts (including by amendments made by such Acts)*  
 22        *that has not been so submitted by the date of enact-*  
 23        *ment of this section:*

24                        *(A) The Water Resources Reform and Devel-*  
 25        *opment Act of 2014 (Public Law 113–121).*

1                   (B) *The Water Resources Development Act*  
 2                   *of 2016 (Public Law 114–322).*

3                   (C) *The Water Resources Development Act*  
 4                   *of 2018 (Public Law 115–270).*

5           (b) *USE OF EXISTING DATA.*—*To the extent prac-*  
 6           *ticable and appropriate, the Secretary shall use existing*  
 7           *data in completing any materials described in subsection*  
 8           *(a).*

9           (c) *FAILURE TO SUBMIT.*—*If the Secretary fails to*  
 10           *submit materials as required by this section, the Secretary*  
 11           *shall immediately inform the Committee on Environment*  
 12           *and Public Works of the Senate and the Committee on*  
 13           *Transportation and Infrastructure of the House of Rep-*  
 14           *resentatives, in writing, of the specific reasons for such fail-*  
 15           *ure and a timeline for submission of the delinquent mate-*  
 16           *rials.*

17           (d) *IMPLEMENTATION GUIDANCE.*—*The Secretary*  
 18           *shall expeditiously issue any guidance necessary to imple-*  
 19           *ment any provision of this Act, including any amendments*  
 20           *made by this Act, in accordance with section 1105 of the*  
 21           *Water Resources Development Act of 2018 (33 U.S.C. 2202).*

22   **SEC. 224. EMERGENCY FLOODING PROTECTION FOR LAKES.**

23           *The Secretary shall submit to Congress a report on the*  
 24           *extent to which section 5 of the Act of August 18, 1941 (33*  
 25           *U.S.C. 701n), applies to lakes, including lakes with the flow*

1 of a slow-moving river, including, if applicable, rec-  
 2 ommendations for legislative changes to ensure that such  
 3 lakes are eligible for the program carried out pursuant to  
 4 such section.

5 **SEC. 225. REPORT ON DEBRIS REMOVAL.**

6 Section 1210 of the Water Resources Development Act  
 7 of 2018 (132 Stat. 3808) is amended to read as follows:

8 **“SEC. 1210. REPORT ON DEBRIS REMOVAL.**

9 “(a) *IN GENERAL.*—Not later than 180 days after the  
 10 date of enactment of the Water Resources Development Act  
 11 of 2020, the Secretary shall submit to Congress and make  
 12 publicly available a report that describes—

13 “(1) the extent to which, during the 10 fiscal  
 14 years prior to such date of enactment, the Secretary  
 15 has carried out section 3 of the Act of March 2, 1945  
 16 (33 U.S.C. 603a);

17 “(2) how the Secretary has evaluated potential  
 18 work to be carried out under that section; and

19 “(3) the extent to which the Secretary plans to  
 20 start, continue, or complete debris removal activities  
 21 in the 3 years following submission of the report.

22 “(b) *FOCUS AREAS.*—The Secretary shall include in  
 23 the report submitted under subsection (a)—

24 “(1) identification of the debris removal activi-  
 25 ties to be started, continued, or completed during the

1 *first fiscal year following the date of enactment of this*  
 2 *subsection within the boundaries of the North Atlantic*  
 3 *Division of the Corps of Engineers;*

4 “(2) *the estimated total costs and completion*  
 5 *dates for such activities; and*

6 “(3) *identification of the non-Federal interest as-*  
 7 *sociated with such activities.”.*

8 **SEC. 226. REPORT ON ANTECEDENT HYDROLOGIC CONDI-**  
 9 **TIONS.**

10 *(a) REPORT.—*

11 *(1) IN GENERAL.—Not later than 18 months*  
 12 *after the date of enactment of this Act, the Secretary*  
 13 *shall submit to the Committee on Environment and*  
 14 *Public Works of the Senate and the Committee on*  
 15 *Transportation and Infrastructure of the House of*  
 16 *Representatives a report on the use by the Corps of*  
 17 *Engineers since 2010 of data relating to antecedent*  
 18 *hydrologic conditions in the Missouri River Basin*  
 19 *(including soil moisture conditions, frost depths,*  
 20 *snowpack, and streamflow conditions) in—*

21 *(A) conducting Missouri River mainstem*  
 22 *reservoir operations under the Missouri River*  
 23 *Master Manual;*

24 *(B) developing related annual operating*  
 25 *plans; and*

1           (C) performing seasonal, monthly, and  
2           daily operations.

3           (2) *INCLUSIONS.*—The report submitted under  
4           paragraph (1) shall include—

5           (A) a review of—

6           (i) the approach of the Corps of Engi-  
7           neers to forecasting basin runoff in devel-  
8           oping annual operating plans of the Corps  
9           of Engineers;

10          (ii) the assessment of existing and al-  
11          ternative algorithms that could improve  
12          basin runoff forecasting;

13          (iii) the approach of the Corps of En-  
14          gineers for reservoir releases in the winter,  
15          spring, summer, and fall, based on basin  
16          runoff forecasts;

17          (iv) the technical report of the Corps of  
18          Engineers entitled “Long-Term Runoff  
19          Forecasting”, dated February, 2017;

20          (v) the use by the Corps of Engineers  
21          of data from Federal and State entities in  
22          basin runoff forecasts; and

23          (vi) the use by the Corps of Engineers  
24          of advanced data collection, including

1                    *through the use of unmanned aerial sys-*  
 2                    *tems, forecasting, and modeling;*

3                    *(B) findings and recommendations on how*  
 4                    *to best incorporate antecedent basin conditions*  
 5                    *in annual operating plans and Missouri River*  
 6                    *mainstem reservoir operations; and*

7                    *(C) the results of the peer review conducted*  
 8                    *under subsection (b).*

9            *(b) PEER REVIEW.—The Secretary shall seek to enter*  
 10   *into an agreement with the National Academy of Sciences*  
 11   *or a similar independent scientific and technical advisory*  
 12   *organization to establish a panel of experts to conduct a*  
 13   *peer review of the report to be submitted under subsection*  
 14   *(a).*

15            *(c) AUTHORIZATION OF APPROPRIATIONS.—There are*  
 16   *authorized to be appropriated to the Secretary—*

17                    *(1) \$5,000,000 to carry out subsection (a); and*

18                    *(2) \$5,000,000 to carry out subsection (b).*

19   **SEC. 227. SUBSURFACE DRAIN SYSTEMS RESEARCH AND**  
 20   **DEVELOPMENT.**

21            *Subject to the availability of appropriations, the Sec-*  
 22   *retary, acting through the Director of the Engineer Research*  
 23   *and Development Center and, where appropriate, in con-*  
 24   *sultation with other Federal agencies, shall carry out re-*



1 *search and development activities relating to the use of sub-*  
 2 *surface drain systems as—*

3 *(1) a flood risk-reduction measure; or*

4 *(2) a coastal storm risk-reduction measure.*

5 **SEC. 228. REPORT ON CORROSION PREVENTION ACTIVI-**  
 6 **TIES.**

7 *Not later than 180 days after the date of enactment*  
 8 *of this Act, the Secretary shall submit to the Committee on*  
 9 *Transportation and Infrastructure of the House of Rep-*  
 10 *resentatives and the Committee on Environment and Public*  
 11 *Works of the Senate, and make publicly available, a report*  
 12 *that describes—*

13 *(1) the extent to which the Secretary has carried*  
 14 *out section 1033 of the Water Resources Reform and*  
 15 *Development Act of 2014 (33 U.S.C. 2350);*

16 *(2) the extent to which the Secretary has incor-*  
 17 *porated corrosion prevention activities (as defined in*  
 18 *such section) at water resources development projects*  
 19 *constructed or maintained by the Secretary since the*  
 20 *date of enactment of such section; and*

21 *(3) in instances where the Secretary has not in-*  
 22 *corporated corrosion prevention activities at such*  
 23 *water resources development projects since such date,*  
 24 *an explanation as to why such corrosion prevention*  
 25 *activities have not been incorporated.*

1 **SEC. 229. ANNUAL REPORTING ON DISSEMINATION OF IN-**  
 2 **FORMATION.**

3 *Section 1104(b) of the Water Resources Development*  
 4 *Act of 2018 (33 U.S.C. 2282d note) is amended—*

5 *(1) by redesignating paragraphs (1) through (4)*  
 6 *as subparagraphs (A) through (D), respectively, and*  
 7 *indenting appropriately;*

8 *(2) in the matter preceding subparagraph (A)*  
 9 *(as so redesignated), by striking “The Secretary” and*  
 10 *inserting the following:*

11 *“(1) IN GENERAL.—The Secretary”; and*

12 *(3) by adding at the end the following:*

13 *“(2) ANNUAL REPORTING.—Not less frequently*  
 14 *than annually, the Secretary shall provide to the*  
 15 *Committee on Environment and Public Works of the*  
 16 *Senate and the Committee on Transportation and In-*  
 17 *frastructure of the House of Representatives a written*  
 18 *update on the progress of the implementation of para-*  
 19 *graph (1), including a description of each education*  
 20 *and outreach action the Secretary is taking to imple-*  
 21 *ment that paragraph.*

22 *“(3) GUIDANCE; COMPLIANCE.—The Secretary*  
 23 *shall—*

24 *“(A) issue guidance on the uniform imple-*  
 25 *mentation by each district of the Corps of Engi-*  
 26 *neers of the process for submitting proposals*

1           *under section 7001 of the Water Resources Re-*  
 2           *form and Development Act of 2014 (33 U.S.C.*  
 3           *2282d); and*

4                     *“(B) each year, ensure compliance with the*  
 5           *guidance issued under subparagraph (A).”.*

6   **SEC. 230. REPORT ON BENEFITS CALCULATION FOR FLOOD**  
 7                     **CONTROL STRUCTURES.**

8           *Not later than 180 days after the date of enactment*  
 9           *of this Act, the Secretary shall submit to the Committee on*  
 10          *Environment and Public Works of the Senate and the Com-*  
 11          *mittee on Transportation and Infrastructure of the House*  
 12          *of Representatives a report on the extent to which flood in-*  
 13          *surance premium reductions that result from implementa-*  
 14          *tion of a flood risk management project, including struc-*  
 15          *tural elements, nonstructural elements, or natural features*  
 16          *or nature-based features, are included in the calculation of*  
 17          *the benefits of the project by the Corps of Engineers.*

18   **TITLE III—DEAUTHORIZATIONS**  
 19                     **AND MODIFICATIONS**

20   **SEC. 301. DEAUTHORIZATION OF INACTIVE PROJECTS.**

21           *(a) PURPOSES.—The purposes of this section are—*

22                     *(1) to identify water resources development*  
 23           *projects authorized by Congress that are no longer*  
 24           *viable for construction due to—*

25                     *(A) a lack of local support;*

1           (B) a lack of available Federal or non-Fed-  
2           eral resources; or

3           (C) an authorizing purpose that is no  
4           longer relevant or feasible;

5           (2) to create an expedited and definitive process  
6           for Congress to deauthorize water resources develop-  
7           ment projects that are no longer viable for construc-  
8           tion; and

9           (3) to allow the continued authorization of water  
10          resources development projects that are viable for con-  
11          struction.

12       (b) *PROPOSED DEAUTHORIZATION LIST.*—

13           (1) *PRELIMINARY LIST OF PROJECTS.*—

14           (A) *IN GENERAL.*—*The Secretary shall de-*  
15           *velop a preliminary list of each water resources*  
16           *development project, or separable element of a*  
17           *project, authorized for construction before No-*  
18           *vember 8, 2007, for which—*

19                   (i) *planning, design, or construction*  
20                   *was not initiated before the date of enact-*  
21                   *ment of this Act; or*

22                   (ii) *planning, design, or construction*  
23                   *was initiated before the date of enactment of*  
24                   *this Act, but for which no funds, Federal or*  
25                   *non-Federal, were obligated for planning,*

1           *design, or construction of the project or sep-*  
2           *arable element of the project during the cur-*  
3           *rent fiscal year or any of the 10 preceding*  
4           *fiscal years.*

5           *(B) USE OF COMPREHENSIVE CONSTRU-*  
6           *CTION BACKLOG AND OPERATION AND MAINTEN-*  
7           *NANCE REPORT.—The Secretary may develop the*  
8           *preliminary list from the comprehensive con-*  
9           *struction backlog and operation and mainte-*  
10          *nance reports developed pursuant to section*  
11          *1001(b)(2) of the Water Resources Development*  
12          *Act of 1986 (33 U.S.C. 579a).*

13          *(C) EXCLUSIONS.—The Secretary shall not*  
14          *include on the preliminary list—*

15               *(i) an environmental infrastructure as-*  
16               *istance project authorized to be carried out*  
17               *by the Secretary (including a project au-*  
18               *thorized pursuant to an environmental as-*  
19               *istance program); or*

20               *(ii) a project or separable element of a*  
21               *project authorized as part of the Com-*  
22               *prehensive Everglades Restoration Plan de-*  
23               *scribed in section 601 of the Water Re-*  
24               *sources Development Act of 2000 (114 Stat.*  
25               *2680).*

1           (2) *PREPARATION OF PROPOSED DEAUTHORIZA-*  
2           *TION LIST.*—

3                   (A) *DEAUTHORIZATION AMOUNT.*—*The Sec-*  
4                   *retary shall prepare a proposed list of projects*  
5                   *for deauthorization comprised of a subset of*  
6                   *projects and separable elements identified on the*  
7                   *preliminary list developed under paragraph (1)*  
8                   *that have, in the aggregate, an estimated Federal*  
9                   *cost to complete that is at least \$10,000,000,000.*

10                   (B) *DETERMINATION OF FEDERAL COST TO*  
11                   *COMPLETE.*—*For purposes of subparagraph (A),*  
12                   *the Federal cost to complete shall take into ac-*  
13                   *count any allowances authorized by section 902*  
14                   *of the Water Resources Development Act of 1986*  
15                   *(33 U.S.C. 2280), as applied to the most recent*  
16                   *project schedule and cost estimate.*

17                   (C) *INCLUSION OF DEAUTHORIZATION OF*  
18                   *ANTIQUATED PROJECTS.*—*The Secretary shall re-*  
19                   *duce the amount identified for deauthorization*  
20                   *under paragraph (2)(A) by an amount equiva-*  
21                   *lent to the estimated current value of each*  
22                   *project, or separable element of a project, that is*  
23                   *deauthorized by subsection (f).*

24           (3) *SEQUENCING OF PROJECTS.*—

1           (A) *IN GENERAL.*—*The Secretary shall*  
 2           *identify projects and separable elements for in-*  
 3           *clusion on the proposed list of projects for de-*  
 4           *authorization under paragraph (2) according to*  
 5           *the order in which the projects and separable ele-*  
 6           *ments were authorized, beginning with the ear-*  
 7           *liest authorized projects and separable elements*  
 8           *and ending with the latest project or separable*  
 9           *element necessary to meet the aggregate amount*  
 10          *under paragraph (2)(A).*

11           (B) *FACTORS TO CONSIDER.*—*The Secretary*  
 12          *may identify projects and separable elements in*  
 13          *an order other than that established by subpara-*  
 14          *graph (A) if the Secretary determines, on a case-*  
 15          *by-case basis, that a project or separable element*  
 16          *is critical for interests of the United States,*  
 17          *based on the possible impact of the project or*  
 18          *separable element on public health and safety,*  
 19          *the national economy, or the environment.*

20          (4) *PUBLIC COMMENT AND CONSULTATION.*—

21           (A) *IN GENERAL.*—*The Secretary shall so-*  
 22          *licit comments from the public and the Gov-*  
 23          *ernors of each applicable State on the proposed*  
 24          *deauthorization list prepared under paragraph*  
 25          *(2)(A).*

1                   (B) *COMMENT PERIOD.*—*The public com-*  
 2                   *ment period shall be 90 days.*

3                   (5) *PREPARATION OF FINAL DEAUTHORIZATION*  
 4                   *LIST.*—

5                   (A) *IN GENERAL.*—*The Secretary shall pre-*  
 6                   *pare a final deauthorization list by—*

7                               (i) *considering any comments received*  
 8                               *under paragraph (4); and*

9                               (ii) *revising the proposed deauthoriza-*  
 10                              *tion list prepared under paragraph (2)(A)*  
 11                              *as the Secretary determines necessary to re-*  
 12                              *spond to such comments.*

13                   (B) *APPENDIX.*—*The Secretary shall in-*  
 14                   *clude as part of the final deauthorization list an*  
 15                   *appendix that—*

16                              (i) *identifies each project or separable*  
 17                              *element on the proposed deauthorization list*  
 18                              *that is not included on the final deauthor-*  
 19                              *ization list; and*

20                              (ii) *describes the reasons why the*  
 21                              *project or separable element is not included*  
 22                              *on the final deauthorization list.*

23                   (c) *SUBMISSION OF FINAL DEAUTHORIZATION LIST TO*  
 24                   *CONGRESS FOR CONGRESSIONAL REVIEW; PUBLICATION.*—



1           (1) *IN GENERAL.*—Not later than 90 days after  
 2           the date of the close of the comment period under sub-  
 3           section (b)(4), the Secretary shall—

4                   (A) submit the final deauthorization list  
 5                   and appendix prepared under subsection (b)(5)  
 6                   to the Committee on Transportation and Infra-  
 7                   structure of the House of Representatives and the  
 8                   Committee on Environment and Public Works of  
 9                   the Senate; and

10                   (B) publish the final deauthorization list  
 11                   and appendix in the Federal Register.

12           (2) *EXCLUSIONS.*—The Secretary shall not in-  
 13           clude in the final deauthorization list submitted  
 14           under paragraph (1) any project or separable element  
 15           with respect to which Federal funds for planning, de-  
 16           sign, or construction are obligated after the develop-  
 17           ment of the preliminary list under subsection  
 18           (b)(1)(A) but prior to the submission of the final de-  
 19           authorization list under paragraph (1)(A) of this sub-  
 20           section.

21           (d) *DEAUTHORIZATION; CONGRESSIONAL REVIEW.*—

22                   (1) *IN GENERAL.*—After the expiration of the 2-  
 23                   year period beginning on the date of publication of  
 24                   the final deauthorization list and appendix under  
 25                   subsection (c)(1)(B), a project or separable element of

1        *a project identified in the final deauthorization list is*  
2        *hereby deauthorized, unless Congress passes a joint*  
3        *resolution disapproving the final deauthorization list*  
4        *prior to the end of such period.*

5            (2) *NON-FEDERAL CONTRIBUTIONS.—*

6            (A) *IN GENERAL.—A project or separable*  
7        *element of a project identified in the final de-*  
8        *authorization list under subsection (c) shall not*  
9        *be deauthorized under this subsection if, before*  
10       *the expiration of the 2-year period referred to in*  
11       *paragraph (1), the non-Federal interest for the*  
12       *project or separable element of the project pro-*  
13       *vides sufficient funds to complete the project or*  
14       *separable element of the project.*

15          (B) *TREATMENT OF PROJECTS.—Notwith-*  
16        *standing subparagraph (A), each project and*  
17        *separable element of a project identified in the*  
18        *final deauthorization list shall be treated as de-*  
19        *authorized for purposes of the aggregate de-*  
20        *authorization amount specified in subsection*  
21        *(b)(2)(A).*

22          (3) *PROJECTS IDENTIFIED IN APPENDIX.—A*  
23        *project or separable element of a project identified in*  
24        *the appendix to the final deauthorization list shall re-*  
25        *main subject to future deauthorization by Congress.*

1       (e) *SPECIAL RULES.*—

2               (1) *POST-AUTHORIZATION STUDIES.*—A project  
3       or separable element of a project may not be identi-  
4       fied on the proposed deauthorization list developed  
5       under subsection (b), or the final deauthorization list  
6       developed under subsection (c), if the project or sepa-  
7       rable element received funding for a post-authoriza-  
8       tion study during the current fiscal year or any of the  
9       10 preceding fiscal years.

10           (2) *TREATMENT OF PROJECT MODIFICATIONS.*—

11       For purposes of this section, if an authorized water  
12       resources development project or separable element of  
13       the project has been modified by an Act of Congress,  
14       the date of the authorization of the project or sepa-  
15       rable element shall be deemed to be the date of the  
16       most recent such modification.

17       (f) *DEAUTHORIZATION OF ANTIQUATED PROJECTS.*—

18           (1) *IN GENERAL.*—Any water resources develop-  
19       ment project, or separable element of a project, au-  
20       thorized for construction prior to November 17, 1986,  
21       for which construction has not been initiated prior to  
22       the date of enactment of this Act, or for which funds  
23       have not been obligated for construction in the 10-  
24       year period prior to the date of enactment of this Act,  
25       is hereby deauthorized.

1           (2) *IDENTIFICATION.*—*Not later than 60 days*  
 2           *after the date of enactment of this Act, the Secretary*  
 3           *shall issue to the Committee on Transportation and*  
 4           *Infrastructure of the House of Representatives and the*  
 5           *Committee on Environment and Public Works of the*  
 6           *Senate a report that identifies—*

7                   (A) *the name of each project, or separable*  
 8                   *element of a project, deauthorized by paragraph*  
 9                   *(1); and*

10                   (B) *the estimated current value of each such*  
 11                   *project or separable element of a project.*

12           (g) *ECONOMIC AND ENVIRONMENTAL REVIEW OF INAC-*  
 13           *TIVE WATER RESOURCES DEVELOPMENT PROJECTS.*—*The*  
 14           *Secretary or the non-Federal interest may not carry out*  
 15           *any authorized water resources development project, or sep-*  
 16           *arable element of such project, for which construction has*  
 17           *not been initiated in the 20-year period following the date*  
 18           *of the authorization of such project or separable element,*  
 19           *until—*

20                   (1) *the Secretary provides to the Committee on*  
 21                   *Transportation and Infrastructure of the House of*  
 22                   *Representatives and the Committee on Environment*  
 23                   *and Public Works of the Senate a post-authorization*  
 24                   *change report that updates the economic and environ-*

1        *mental analysis of the project or separable element;*  
 2        *and*

3                *(2) the Committee on Transportation and Infra-*  
 4        *structure of the House of Representatives and the*  
 5        *Committee on Environment and Public Works of the*  
 6        *Senate take appropriate action to address any modi-*  
 7        *fications to the economic and environmental analysis*  
 8        *for the project or separable element of the project con-*  
 9        *tained in the post-authorization change report.*

10        *(h) DEFINITIONS.—In this section:*

11                *(1) POST-AUTHORIZATION CHANGE REPORT.—*  
 12        *The term “post-authorization change report” has the*  
 13        *meaning given such term in section 1132(d) of the*  
 14        *Water Resources Development Act of 2016 (33 U.S.C.*  
 15        *2282e).*

16                *(2) POST-AUTHORIZATION STUDY.—The term*  
 17        *“post-authorization study” means—*

18                        *(A) a feasibility report developed under sec-*  
 19        *tion 905 of the Water Resources Development Act*  
 20        *of 1986 (33 U.S.C. 2282);*

21                        *(B) a feasibility study, as defined in section*  
 22        *105(d) of the Water Resources Development Act*  
 23        *of 1986 (33 U.S.C. 2215(d)); or*

1                   (C) a review conducted under section 216 of  
 2                   the Flood Control Act of 1970 (33 U.S.C. 549a),  
 3                   including an initial appraisal that—

4                               (i) demonstrates a Federal interest;  
 5                               and

6                               (ii) requires additional analysis for the  
 7                               project or separable element.

8   **SEC. 302. ABANDONED AND INACTIVE NONCOAL MINE RES-**  
 9                   **TORATION.**

10           Section 560(f) of the Water Resources Development Act  
 11 of 1999 (33 U.S.C. 2336(f)) is amended by striking  
 12 “\$20,000,000” and inserting “\$30,000,000”.

13   **SEC. 303. TRIBAL PARTNERSHIP PROGRAM.**

14           Section 203(b)(4) of the Water Resources Development  
 15 Act of 2000 (33 U.S.C. 2269) is amended by striking  
 16 “\$12,500,000” each place it appears and inserting  
 17 “\$18,500,000”.

18   **SEC. 304. LAKES PROGRAM.**

19           Section 602(a) of the Water Resources Development  
 20 Act of 1986 (Public Law 99–662, 100 Stat. 4148; 110 Stat.  
 21 3758; 113 Stat. 295; 121 Stat. 1076) is amended—

22                   (1) in paragraph (27), by striking “and” at the  
 23                   end;

24                   (2) in paragraph (28), by striking the period at  
 25                   the end and inserting a semicolon; and

1           (3) *by adding at the end the following:*

2           “(29) *Ellis Pond and Guild Pond, Norwood,*  
3           *Massachusetts; and*

4           “(30) *Memorial Pond, Walpole, Massachusetts.*”.

5   **SEC. 305. REHABILITATION OF CORPS OF ENGINEERS CON-**  
6           **STRUCTED DAMS.**

7           *Section 1177 of the Water Resources Development Act*  
8           *of 2016 (33 U.S.C. 467f–2 note) is amended—*

9           (1) *in subsection (e), by striking “\$40,000,000”*  
10           *and inserting “\$60,000,000”; and*

11           (2) *in subsection (f), by striking “\$40,000,000”*  
12           *and inserting “\$60,000,000”.*

13   **SEC. 306. CHESAPEAKE BAY ENVIRONMENTAL RESTORA-**  
14           **TION AND PROTECTION PROGRAM.**

15           (a) *IN GENERAL.*—*Section 510 of the Water Resources*  
16           *Development Act of 1996 (Public Law 104–303, 110 Stat.*  
17           *3759; 121 Stat. 1202; 128 Stat. 1317) is amended—*

18           (1) *by redesignating subsection (h) as subsection*  
19           *(i) and inserting after subsection (g) the following:*

20           “(h) *PROJECT CAP.*—*The total cost of a project carried*  
21           *out under this section may not exceed \$15,000,000.”; and*

22           (2) *in subsection (i) (as so redesignated), by*  
23           *striking “\$40,000,000” and inserting “\$90,000,000”.*

24           (b) *OUTREACH AND TRAINING.*—*The Secretary shall*  
25           *conduct public outreach and workshops for non-Federal in-*

1 *terests to provide information on the Chesapeake Bay envi-*  
 2 *ronmental restoration and protection program established*  
 3 *under section 510 of the Water Resources Development Act*  
 4 *of 1996, including how to participate in the program.*

5 **SEC. 307. UPPER MISSISSIPPI RIVER SYSTEM ENVIRON-**  
 6 **MENTAL MANAGEMENT PROGRAM.**

7 *Section 1103(e) of the Water Resources Development*  
 8 *Act of 1986 (33 U.S.C. 652(e)) is amended—*

9 *(1) in paragraph (3), by striking “\$22,750,000”*  
 10 *and inserting “\$40,000,000”; and*

11 *(2) in paragraph (4), by striking “\$10,420,000”*  
 12 *and inserting “\$15,000,000”.*

13 **SEC. 308. UPPER MISSISSIPPI RIVER PROTECTION.**

14 *Section 2010(e) of the Water Resources Reform and*  
 15 *Development Act of 2014 (128 Stat. 1270; 132 Stat. 3812)*  
 16 *is amended by striking “the Act of October 15, 1940 (33*  
 17 *U.S.C. 701h–1)” and inserting “section 5 of the Act of June*  
 18 *22, 1936 (33 U.S.C. 701h)”.*

19 **SEC. 309. THEODORE SHIP CHANNEL, MOBILE, ALABAMA.**

20 *(a) IN GENERAL.—The project for navigation, Theo-*  
 21 *dore Ship Channel, Mobile Harbor, Alabama, authorized by*  
 22 *section 201 of the Flood Control Act of 1965 (42 U.S.C.*  
 23 *1962d–5), is revised to incorporate into the project the 40-*  
 24 *foot-deep, 1,320-foot-wide, and approximately 1,468.5-foot-*  
 25 *long access channel, extending north from stations 257+25*



1 and 273+25 from the Theodore Channel, that was con-  
 2 structed for the former Naval Station Mobile, as a substitute  
 3 for the authorized but unconstructed 40-foot-deep, 300-foot-  
 4 wide, and 1,200-foot-long anchorage basin in the same loca-  
 5 tion, to serve the public terminal that replaced the former  
 6 Naval Station Mobile as obligated under the authorizations  
 7 for the project.

8 (b) *TREATMENT.*—The Secretary shall—

9 (1) consider construction of the access channel  
 10 described in subsection (a) to be complete; and

11 (2) assume maintenance of the access channel de-  
 12 scribed in subsection (a) for so long as the terminal  
 13 described in subsection (a) remains publicly owned.

14 **SEC. 310. MCCLELLAN-KERR ARKANSAS RIVER NAVIGATION**  
 15 **SYSTEM.**

16 Any Federal funds, regardless of the account from  
 17 which the funds were provided, used to carry out construc-  
 18 tion of the modification to the McClellan-Kerr Arkansas  
 19 River Navigation System, authorized in section 136 of the  
 20 Energy and Water Development Appropriations Act, 2004  
 21 (117 Stat. 1842), shall be considered by the Secretary as  
 22 initiating construction of the project such that future funds  
 23 will not require a new investment decision.

1 **SEC. 311. OUACHITA AND BLACK RIVERS, ARKANSAS AND**  
 2 **LOUISIANA.**

3 *The project for navigation, Ouachita and Black Riv-*  
 4 *ers, Arkansas and Louisiana, authorized by section 101 of*  
 5 *the River and Harbor Act of 1960 (74 Stat. 481), is modi-*  
 6 *fied to include water supply as an authorized purpose.*

7 **SEC. 312. LAKE ISABELLA, CALIFORNIA.**

8 *(a) SENSE OF CONGRESS.—It is the sense of Congress*  
 9 *that the Secretary, when evaluating alternative locations for*  
 10 *construction of a permanent Isabella Lake Visitor Center*  
 11 *by the Corps of Engineers to replace the facility impacted*  
 12 *by the Isabella Dam safety modification project, should af-*  
 13 *ford substantial weight to the site preference of the local*  
 14 *community.*

15 *(b) AUTHORITY.—The Secretary may acquire such in-*  
 16 *terests in real property as the Secretary determines nec-*  
 17 *essary or advisable to support construction of the Isabella*  
 18 *Dam safety modification project.*

19 *(c) TRANSFER.—The Secretary may transfer any real*  
 20 *property interests acquired under subsection (b) to any*  
 21 *other Federal agency or department without reimburse-*  
 22 *ment.*

23 *(d) ISABELLA DAM SAFETY MODIFICATION PROJECT*  
 24 *DEFINED.—In this section, the term “Isabella Dam safety*  
 25 *modification project” means the dam safety modification*  
 26 *project at the Isabella Reservoir in the San Joaquin Valley,*

1 *California (authorized by Act of December 22, 1944 (chap-*  
 2 *ter 665, 58 Stat. 901)), including the component of the*  
 3 *project relating to construction a visitor center facility.*

4 **SEC. 313. LOWER SAN JOAQUIN RIVER FLOOD CONTROL**  
 5 **PROJECT.**

6 *The Secretary shall align the schedules of, and maxi-*  
 7 *mize complimentary efforts, minimize duplicative practices,*  
 8 *and ensure coordination and information sharing with re-*  
 9 *spect to—*

10 *(1) the project for flood risk management, Lower*  
 11 *San Joaquin River, authorized by section 1401(2) of*  
 12 *the Water Resources Development Act of 2018 (132*  
 13 *Stat. 3836); and*

14 *(2) the second phase of the feasibility study for*  
 15 *the Lower San Joaquin River project for flood risk*  
 16 *management, authorized for expedited completion by*  
 17 *section 1203(a)(7) of the Water Resources Develop-*  
 18 *ment Act 2018 (132 Stat. 3803).*

19 **SEC. 314. SACRAMENTO RIVER, GLENN-COLUSA, CALI-**  
 20 **FORNIA.**

21 *The portion of project for flood control, Sacramento*  
 22 *River, California, authorized by section 2 of the Act of*  
 23 *March 1, 1917 (chapter 144, 39 Stat. 949; 103 Stat. 649;*  
 24 *110 Stat. 3709; 112 Stat. 1841; 113 Stat. 299), consisting*  
 25 *of a riverbed gradient restoration facility at the Glenn-*

1 *Colusa Irrigation District Intake, is no longer authorized*  
 2 *beginning on the date of enactment of this Act.*

3 **SEC. 315. SAN DIEGO RIVER AND MISSION BAY, SAN DIEGO**  
 4 **COUNTY, CALIFORNIA.**

5 *The portion of the project for flood control and naviga-*  
 6 *tion, San Diego River and Mission Bay, San Diego County,*  
 7 *California, authorized by the Act of July 24, 1946 (chapter*  
 8 *595, 60 Stat. 636), identified in the National Levee Data-*  
 9 *base established under section 9004 of the Water Resources*  
 10 *Development Act of 2007 (33 U.S.C. 3303) as the San Diego*  
 11 *River 3 segment and consisting of a 785-foot-long segment*  
 12 *of the right bank levee from Station 209+41.75 to its end*  
 13 *at Station 217+26.75, as described in construction plans*  
 14 *dated August 30, 1951, is no longer authorized beginning*  
 15 *on the date of enactment of this Act.*

16 **SEC. 316. SAN FRANCISCO, CALIFORNIA, WATERFRONT**  
 17 **AREA.**

18 *(a) IN GENERAL.—Section 114 of the River and Har-*  
 19 *bor Act of 1968 (33 U.S.C. 59h) is amended to read as fol-*  
 20 *lows:*

21 **“SEC. 114. SAN FRANCISCO, CALIFORNIA, WATERFRONT**  
 22 **AREA.**

23 *“(a) AREA TO BE DECLARED NONNAVIGABLE.—The*  
 24 *following area is declared to be nonnavigable waters of the*  
 25 *United States: All of that portion of the City and County*

1 of San Francisco, California, lying shoreward of a line be-  
 2 ginning at the intersection of the southerly right of way  
 3 line of Earl Street prolongation with the Pierhead United  
 4 States Government Pierhead line, the Pierhead line as de-  
 5 fined in the State of California Harbor and Navigation  
 6 Code Section 1770, as amended in 1961; thence northerly  
 7 along said Pierhead line to its intersection with a line par-  
 8 allel with and distant 10 feet easterly from, the existing  
 9 easterly boundary line of Pier 30–32; thence northerly along  
 10 said parallel line and its northerly prolongation, to a point  
 11 of intersection with a line parallel with, and distant 10  
 12 feet northerly from, the existing northerly boundary of Pier  
 13 30–32; thence westerly along last said parallel line to its  
 14 intersection with said Pierhead line; thence northerly along  
 15 said Pierhead line, to the intersection of the easterly right  
 16 of way line of Van Ness Avenue, formerly Marlette Street,  
 17 prolongation to the Pierhead line.

18       “(b) *REQUIREMENT THAT AREA BE IMPROVED.*—The  
 19 declaration of nonnavigability under subsection (a) applies  
 20 only to those parts of the area described in subsection (a)  
 21 that are or will be bulkheaded, filled, or otherwise occupied  
 22 or covered by permanent structures and does not affect the  
 23 applicability of any Federal statute or regulation that re-  
 24 lates to filling of navigable waters or to other regulated ac-  
 25 tivities within the area described in subsection (a), includ-

1 *ing sections 9 and 10 of the Act of March 3, 1899 (33 U.S.C.*  
 2 *401, 403), section 404 of the Federal Water Pollution Con-*  
 3 *trol Act, and the National Environmental Policy Act of*  
 4 *1969.*

5       “(c) *INCLUSION OF EMBARCADERO HISTORIC DIS-*  
 6 *TRICT.—Congress finds and declares that the area described*  
 7 *in subsection (a) contains the seawall, piers, and wharves*  
 8 *that comprise the Embarcadero Historic District listed on*  
 9 *the National Register of Historic Places on May 12, 2006.”.*

10       “(b) *CONFORMING AMENDMENT.—Section 5052 of the*  
 11 *Water Resources Development Act of 2007 (33 U.S.C. 59h–*  
 12 *1) is repealed.*

13 **SEC. 317. WESTERN PACIFIC INTERCEPTOR CANAL, SAC-**  
 14 **RAMENTO RIVER, CALIFORNIA.**

15       *The portion of the project for flood protection on the*  
 16 *Sacramento River, authorized by section 2 of the of March*  
 17 *1, 1917 (chapter 144, 39 Stat. 949; 45 Stat. 539; 50 Stat.*  
 18 *877; 55 Stat. 647; 80 Stat. 1422), consisting of the portion*  
 19 *of the levee from G.P.S. coordinate N2147673.584*  
 20 *E6690904.187 to N2147908.413 E6689057.060 associated*  
 21 *with the Western Pacific Interceptor Canal, is no longer*  
 22 *authorized beginning on the date of the enactment of this*  
 23 *Act.*

1 **SEC. 318. RIO GRANDE ENVIRONMENTAL MANAGEMENT**  
 2 **PROGRAM, COLORADO, NEW MEXICO, AND**  
 3 **TEXAS.**

4 *Section 5056(f) of the Water Resources Development*  
 5 *Act of 2007 (Public Law 110–114, 121 Stat. 1213; 128 Stat.*  
 6 *1314) is amended by striking “2019” and inserting “2029”.*

7 **SEC. 319. NEW LONDON HARBOR WATERFRONT CHANNEL,**  
 8 **CONNECTICUT.**

9 *(a) IN GENERAL.—The portion of the project for navi-*  
 10 *gation, New London Harbor, Connecticut, authorized by the*  
 11 *first section of the Act of June 13, 1902 (chapter 1079, 32*  
 12 *Stat. 333), described in subsection (b) is no longer author-*  
 13 *ized beginning on the date of enactment of this Act.*

14 *(b) AREA DESCRIBED.—The area referred to in sub-*  
 15 *section (a) is generally the portion between and around the*  
 16 *2 piers at the State Pier in New London, specifically the*  
 17 *area—*

18 *(1) beginning at a point N691263.78,*  
 19 *E1181259.26;*

20 *(2) running N 35°01′50.75″ W about 955.59 feet*  
 21 *to a point N692046.26, E1180710.74;*

22 *(3) running N 54°58′06.78″ E about 100.00 feet*  
 23 *to a point N692103.66, E1180792.62;*

24 *(4) running S 35°01′50.75″ E about 989.8 feet*  
 25 *to a point N691293.17, E1181360.78; and*

1           (5) *running S 73°51'15.45" W about 105.69 feet*  
 2           *to the point described in paragraph (1).*

3   **SEC. 320. WILMINGTON HARBOR, DELAWARE.**

4           *It is the sense of Congress that the Corps of Engineers*  
 5           *should maintain the annual maintenance dredging for Wil-*  
 6           *mington Harbor, Delaware, authorized by the Act of June*  
 7           *3, 1896 (chapter 314, 29 Stat. 207).*

8   **SEC. 321. WILMINGTON HARBOR SOUTH DISPOSAL AREA,**  
 9           **DELAWARE.**

10          (a) *FINDING.—For the purposes of applying section*  
 11          *217(b) of the Water Resources Development Act of 1996 (33*  
 12          *U.S.C. 2326a(b)) to the Wilmington Harbor South Disposal*  
 13          *Area, Delaware, the Secretary shall find that the standard*  
 14          *has been met for the Edgemoor expansion of the Port of*  
 15          *Wilmington, Delaware.*

16          (b) *USE.—Any use of the Wilmington Harbor South*  
 17          *Disposal Area permitted by the Secretary under section*  
 18          *217(b) for the Edgemoor Expansion of the Port of Wil-*  
 19          *mington shall not otherwise reduce the availability of ca-*  
 20          *capacity, in dredged material disposal facilities under the ju-*  
 21          *risdiction of the Secretary that were constructed before the*  
 22          *date of enactment of this Act, for operation and mainte-*  
 23          *nance of—*

24                 (1) *the Delaware River Mainstem and Channel*  
 25                 *Deepening project, Delaware, New Jersey, and Penn-*



1        *sylvania, authorized by section 101(6) of the Water*  
 2        *Resources Development Act of 1992 (106 Stat. 4802);*  
 3        *or*

4            *(2) the Delaware River, Philadelphia to the Sea,*  
 5        *project, Delaware, New Jersey, Pennsylvania, author-*  
 6        *ized by the Act of June 25, 1910 (chapter 382, 36*  
 7        *Stat. 637; 46 Stat. 921; 52 Stat. 803; 59 Stat. 14; 68*  
 8        *Stat. 1249; 72 Stat. 297).*

9        *(c) FEE.—The Secretary shall impose on the non-Fed-*  
 10       *eral interest for the Edgemoor Expansion of the Port of Wil-*  
 11       *mington a fee, under section 217(b)(1)(B) of the Water Re-*  
 12       *sources Development Act of 1996 (33 U.S.C.*  
 13       *2326a(b)(1)(B)), to recover capital, operation, and mainte-*  
 14       *nance costs associated with any use by the non-Federal in-*  
 15       *terest of capacity in the Wilmington Harbor South Disposal*  
 16       *Area permitted by the Secretary under section 217(b) of the*  
 17       *Water Resources Development Act of 1996 pursuant to sub-*  
 18       *section (a) of this section.*

19       *(d) AGREEMENT TO PAY.—In accordance with section*  
 20       *217(a) of the Water Resources Development Act of 1996 (33*  
 21       *U.S.C. 2326a(a)), if, to accommodate the dredged materials*  
 22       *from operation and maintenance of the Edgemoor Expan-*  
 23       *sion of the Port of Wilmington, the Secretary provides addi-*  
 24       *tional capacity at the Wilmington Harbor South Disposal*  
 25       *Area, the non-Federal interest for the Edgemoor Expansion*

1 *of the Port of Wilmington shall agree to pay, during the*  
 2 *period of construction, all costs associated with the con-*  
 3 *struction of the additional capacity.*

4 **SEC. 322. WASHINGTON HARBOR, DISTRICT OF COLUMBIA.**

5 *Beginning on the date of enactment of this Act, the*  
 6 *project for navigation, Washington Harbor, District of Co-*  
 7 *lumbia, authorized by the Act of August 30, 1935 (chapter*  
 8 *831, 49 Stat. 1031), is modified to reduce, in part, the au-*  
 9 *thorized dimensions of the project, such that the remaining*  
 10 *authorized dimensions are as follows:*

11 *(1) A 200-foot-wide, 12-foot-deep channel with a*  
 12 *center line beginning at a point East 1,317,064.30*  
 13 *and North 440,373.32, thence to a point East*  
 14 *1,316,474.30 and North 440,028.31, thence to a point*  
 15 *East 1,315,584.30 and North 439,388.30, thence to a*  
 16 *point East 1,315,259.31 and North 438,908.30.*

17 *(2) A 200- to 300-foot-wide, 12-foot-deep transi-*  
 18 *tion area, with a center line beginning at a point*  
 19 *East 1,315,259.31 and North 438,908.30 to a point*  
 20 *East 1,315,044.31 and North 438,748.30.*

21 *(3) A 300-foot-wide, 15-foot-deep channel with a*  
 22 *centerline beginning a point East 1,315,044.31 and*  
 23 *North 438,748.30, thence to a point East 1,314,105.31*  
 24 *and North 438,124.79, thence to a point East*  
 25 *1,311,973.30 and North 438,807.78, thence to a point*

1       *East 1,311,369.73 and North 438,577.42, thence to a*  
 2       *point East 1,311,015.73 and North 438,197.57, thence*  
 3       *to a point East 1,309,713.47 and North 435,678.91.*

4           (4) *A 300- to 400-foot-wide, 15- to 24-foot-deep*  
 5       *transition area, with a center line beginning at a*  
 6       *point East 1,309,713.47 and North 435,678.91 to a*  
 7       *point East 1,307,709.33 and North 434,488.25.*

8           (5) *A 400-foot-wide, 24-foot-deep channel with a*  
 9       *centerline beginning at a point East 1,307,709.33 and*  
 10       *North 434,488.25, thence to a point East 1,307,459.33*  
 11       *and North 434,173.25, thence to a point East*  
 12       *1,306,476.82 and North 432,351.28, thence to a point*  
 13       *East 1,306,209.79 and North 431,460.21, thence to a*  
 14       *point at the end of the channel near Hains Point*  
 15       *East 1,305,997.63 and North 429,978.31.*

16   **SEC. 323. BIG CYPRESS SEMINOLE INDIAN RESERVATION**  
 17       **WATER CONSERVATION PLAN, FLORIDA.**

18       (a) *IN GENERAL.*—*The project for ecosystem restora-*  
 19       *tion, Big Cypress Seminole Indian Reservation Water Con-*  
 20       *servaion Plan, Florida, authorized pursuant to section 528*  
 21       *of the Water Resources Development Act of 1996 (110 Stat.*  
 22       *3767), is no longer authorized beginning on the date of en-*  
 23       *actment of this Act.*

24       (b) *SAVINGS PROVISION.*—*Nothing in this section af-*  
 25       *fects the responsibility of the Secretary to pay any damages*

1 *awarded by the Armed Services Board of Contract Appeals,*  
 2 *or by a court of competent jurisdiction, to a contractor re-*  
 3 *lating to the adjudication of claims arising from construc-*  
 4 *tion of the project described in subsection (a).*

5 **SEC. 324. CENTRAL EVERGLADES, FLORIDA.**

6 *The project for ecosystem restoration, Central Ever-*  
 7 *glades, authorized by section 1401(4) of the Water Resources*  
 8 *Development Act of 2016 (130 Stat. 1713), is modified to*  
 9 *include the project for ecosystem restoration, Central and*  
 10 *Southern Florida, Everglades Agricultural Area, authorized*  
 11 *by section 1308 of the Water Resources Development Act*  
 12 *of 2018 (132 Stat. 3819), and to authorize the Secretary*  
 13 *to carry out the project, as so combined, at a total combined*  
 14 *cost of \$4,362,091,000.*

15 **SEC. 325. MIAMI RIVER, FLORIDA.**

16 *The portion of the project for navigation, Miami River,*  
 17 *Florida, authorized by the Act of July 3, 1930 (46 Stat.*  
 18 *925; 59 Stat. 16; 74 Stat. 481; 100 Stat. 4257), beginning*  
 19 *at the existing railroad bascule bridge and extending ap-*  
 20 *proximately 1,000 linear feet upstream to an existing salin-*  
 21 *ity barrier and flood control structure, is no longer author-*  
 22 *ized beginning on the date of enactment of this Act.*

1 **SEC. 326. JULIAN KEEN, JR. LOCK AND DAM, MOORE HAVEN,**  
 2 **FLORIDA.**

3 (a) *DESIGNATION.*—*The Moore Haven Lock and Dam,*  
 4 *Moore Haven, Florida, authorized pursuant to the Act of*  
 5 *July 3, 1930 (chapter 847, 46 Stat. 925; 49 Stat. 1032),*  
 6 *shall be known and designated as the “Julian Keen, Jr.*  
 7 *Lock and Dam”.*

8 (b) *REFERENCES.*—*Any reference in a law, map, regu-*  
 9 *lation, document, paper, or other record of the United*  
 10 *States to the Lock and Dam referred to in subsection (a)*  
 11 *shall be deemed to be a reference to the “Julian Keen, Jr.*  
 12 *Lock and Dam”.*

13 **SEC. 327. TAYLOR CREEK RESERVOIR AND LEVEE L-73 (SEC-**  
 14 **TION 1), UPPER ST. JOHNS RIVER BASIN,**  
 15 **FLORIDA.**

16 *The portions of the project for flood control and other*  
 17 *purposes, Central and Southern Florida, authorized by sec-*  
 18 *tion 203 of the Flood Control Act of 1948 (62 Stat. 1176),*  
 19 *consisting of the Taylor Creek Reservoir and Levee L-73,*  
 20 *Section 1, within the Upper St. Johns River Basin, Flor-*  
 21 *ida, are no longer authorized beginning on the date of en-*  
 22 *actment of this Act.*

23 **SEC. 328. EXTINGUISHMENT OF FLOWAGE EASEMENTS,**  
 24 **ROUGH RIVER LAKE, KENTUCKY.**

25 (a) *IN GENERAL.*—*Subject to the availability of appro-*  
 26 *priations and on request of the landowner, the Secretary*

1 *shall extinguish any flowage easement or portion of a flow-*  
 2 *age easement held by the United States on developed land*  
 3 *of the landowner at Rough River Lake, Kentucky—*

4 *(1) that is above 534 feet mean sea level; and*

5 *(2) for which the Secretary determines the flow-*  
 6 *age easement or portion of the flowage easement is not*  
 7 *required to address backwater effects.*

8 *(b) NO LIABILITY.—The United States shall not be lia-*  
 9 *ble for any damages to property or injuries to persons from*  
 10 *flooding that may be attributable to the operation and*  
 11 *maintenance of Rough River Dam, Kentucky, on land that*  
 12 *was encumbered by a flowage easement extinguished under*  
 13 *subsection (a).*

14 *(c) AUTHORIZATION OF APPROPRIATIONS.—There is*  
 15 *authorized to be appropriated to carry out this section*  
 16 *\$10,000,000, to remain available until expended.*

17 **SEC. 329. CALCASIEU RIVER AND PASS, LOUISIANA.**

18 *Not later than 120 days after the date of enactment*  
 19 *of this Act, the Secretary shall provide to the Committee*  
 20 *on Transportation and Infrastructure of the House of Rep-*  
 21 *resentatives and the Committee on Environment and Public*  
 22 *Works of the Senate a report on plans to modify the*  
 23 *Calcasieu River and Pass Dredged Material Management*  
 24 *Plan and Supplemental Environmental Impact Statement*  
 25 *(November 22, 2010 DMMP/SEIS) to allow for the expan-*

1 sion of Dredged Material Placement Facilities (DMPFs) 17,  
 2 19, 22, D, and E to the lakeside foreshore rock boundaries  
 3 during planned rehabilitation of these facilities.

4 **SEC. 330. CAMDEN HARBOR, MAINE.**

5 (a) *IN GENERAL.*—The portions of the project for navi-  
 6 gation, Camden Harbor, Maine, described in subsection (b)  
 7 are no longer authorized beginning on the date of enactment  
 8 of this Act.

9 (b) *PORTIONS DESCRIBED.*—The portions referred to  
 10 in subsection (a) are the following:

11 (1) *The portion of the 10-foot-deep inner harbor*  
 12 *area, authorized by the first section of the Act of*  
 13 *March 3, 1873 (chapter 233, 17 Stat. 565; 25 Stat.*  
 14 *400), approximately 50,621.75 square feet in area—*

15 (A) *starting at a point with coordinates*  
 16 *N197,640.07, E837,851.71;*

17 (B) *thence running S84°43' 23.94"W about*  
 18 *381.51 feet to a point with coordinates*  
 19 *N197,604.98, E837,471.82;*

20 (C) *thence running N43°47' 51.43"W about*  
 21 *270.26 feet to a point with coordinates*  
 22 *N197,800.05, E837,284.77;*

23 (D) *thence running S59°02' 26.62"E about*  
 24 *219.18 feet to a point with coordinates*  
 25 *N197,687.30, E837,472.72;*

1                   (E) thence running  $S81^{\circ}50' 09.76''E$  about  
 2                   144.70 feet to a point with coordinates  
 3                   N197,666.75, E837,615.96;

4                   (F) thence running  $N57^{\circ}27' 07.42''E$  about  
 5                   317.32 feet to a point with coordinates  
 6                   N197,866.52, E837,928.96; and

7                   (G) thence running  $S18^{\circ}50' 04.48''W$  about  
 8                   239.27 feet to the point described in subpara-  
 9                   graph (A).

10                  (2) The portion of the 14-foot-deep outer harbor  
 11                  area, authorized by the first section of the Act of Au-  
 12                  gust 11, 1888 (25 Stat. 400; 32 Stat. 331), approxi-  
 13                  mately 222,015.94 square feet in area—

14                   (A) starting at a point with coordinates  
 15                   N197,640.07, E837,851.71;

16                   (B) thence running  $N18^{\circ}50' 04.48''E$  about  
 17                   239.27 feet to a point with coordinates  
 18                   N197,866.53, E837,928.96;

19                   (C) thence running  $N58^{\circ}28' 51.05''E$  about  
 20                   308.48 feet to a point with coordinates  
 21                   N198,027.79, E838,191.93;

22                   (D) thence running  $N84^{\circ}20' 01.88''E$  about  
 23                   370.06 feet to a point with coordinates  
 24                   N198,064.33, E838,560.18;



1                   (E) thence running  $S05^{\circ}32' 03.42''E$  about  
 2                   357.31 feet to a point with coordinates  
 3                   N197,708.68, E838,594.64; and

4                   (F) thence running  $S84^{\circ}43' 23.94''W$  about  
 5                   746.08 feet to the point described in subpara-  
 6                   graph (A).

7   **SEC. 331. CAPE PORPOISE HARBOR, MAINE, ANCHORAGE**  
 8                   **AREA DESIGNATION.**

9           (a) *IN GENERAL.*—The project for navigation, Cape  
 10 Porpoise Harbor, Maine, authorized by section 101 of the  
 11 River and Harbor Act of 1948 (62 Stat. 1172), is modified  
 12 to designate the portion of the project described in sub-  
 13 section (b) as a 6-foot-deep anchorage.

14          (b) *PORTION DESCRIBED.*—The portion of the project  
 15 referred to in subsection (a) is the approximately  
 16 192,235.63 square foot area consisting of the 100-foot-wide  
 17 and 6-foot-deep channel located within the inner harbor—

18               (1) starting at a point with coordinates N  
 19               194,175.13, E 2,882,011.74;

20               (2) thence running  $N33^{\circ}46' 08.14''W$  about  
 21               914.57 feet to a point with coordinates N 194,935.40,  
 22               E 2,881,503.38;

23               (3) thence running  $N12^{\circ}41' 09.78''W$  about  
 24               1,026.40 feet to a point with coordinates N  
 25               195,936.74, E 2,881,277.97;

1           (4) *thence running N77°18' 50.22"E about*  
 2           *100.00 feet to a point with coordinates N 195,958.70,*  
 3           *E 2,881,375.53;*

4           (5) *thence running S12°41' 09.78"E about*  
 5           *1,007.79 feet to a point with coordinates N*  
 6           *194,975.52, E 2,881,596.85;*

7           (6) *thence running S33°46' 08.14"E about*  
 8           *895.96 feet to a point with coordinates N 194,230.72,*  
 9           *E 2,882,094.86; and*

10          (7) *thence running S56°13' 51.86"W about*  
 11          *100.00 feet to the point described in paragraph (1).*

12 **SEC. 332. BALTIMORE, MARYLAND.**

13          *The Secretary is authorized, in accordance with sec-*  
 14          *tion 5 of Act of June 22, 1936 (33 U.S.C. 701h), to accept*  
 15          *funds contributed by a non-Federal interest for dredging on*  
 16          *irregular cycles of the Baltimore Inner Harbor Approach*  
 17          *Channel, Baltimore Harbor and Channels Federal naviga-*  
 18          *tion project, authorized by section 101 of the River and*  
 19          *Harbor Act of 1958 (72 Stat. 297).*

20 **SEC. 333. THAD COCHRAN LOCK AND DAM, AMORY, MIS-**  
 21                                   **SISSIPPI.**

22          (a) *SENSE OF CONGRESS.—It is the sense of Congress*  
 23          *that Thad Cochran, whose selfless determination and tire-*  
 24          *less work, while serving as a congressman and United*  
 25          *States Senator from Mississippi for 45 years, contributed*

1 *greatly to the realization and success of the Tennessee-*  
 2 *Tombigbee Waterway.*

3       (b) *DESIGNATION.*—*The navigation lock known as the*  
 4 *“Amory Lock”, located at mile 371 on the Tennessee-*  
 5 *Tombigbee Waterway, Mississippi, and the dam associated*  
 6 *with such lock, shall be known and designated as the “Thad*  
 7 *Cochran Lock and Dam”.*

8       (c) *REFERENCES.*—*Any reference in a law, map, regu-*  
 9 *lation, document, paper, or other record of the United*  
 10 *States to the lock and dam referred to in subsection (b) shall*  
 11 *be deemed to be a reference to the “Thad Cochran Lock and*  
 12 *Dam”.*

13 **SEC. 334. MISSOURI RIVER RESERVOIR SEDIMENT MANAGE-**  
 14 **MENT.**

15       *Section 1179(a) of the Water Resources Development*  
 16 *Act of 2016 (130 Stat. 1675; 132 Stat. 3782) is amended—*

17               (1) *in paragraph (3)—*

18                       (A) *in subparagraph (B), by inserting*  
 19                       *“project purposes, including” before “storage ca-*  
 20                       *capacity”; and*

21                       (B) *in subparagraph (C), by striking “pre-*  
 22                       *liminary”;*

23               (2) *by redesignating paragraphs (4) through (9)*  
 24       *as paragraphs (6) through (11), respectively; and*

1           (4) by inserting after paragraph (3) the fol-  
2       lowing:

3           “(4) *JUSTIFICATION.*—In determining the eco-  
4       nomic justification of a sediment management plan  
5       under paragraph (2), the Secretary shall—

6           “(A) measure and include flooding, erosion,  
7       and accretion damages both upstream and down-  
8       stream of the reservoir that are likely to occur as  
9       a result of sediment management within the res-  
10      ervoir compared to the damages that are likely  
11      to occur if the sediment management plan is not  
12      implemented; and

13          “(B) include lifecycle costs and a 100-year  
14      period of analysis.

15          “(5) *IMPLEMENTATION.*—As part of a sediment  
16      management plan under paragraph (2), and in ac-  
17      cordance with paragraph (10), the Secretary may  
18      carry out sediment removal activities at reservoirs  
19      owned and operated by the Secretary in the Upper  
20      Missouri River Basin, or at reservoirs for which the  
21      Secretary has flood control responsibilities under sec-  
22      tion 7 of the Act of December 22, 1944 (33 U.S.C.  
23      709), in the Upper Missouri River Basin, in accord-  
24      ance with section 602 of the Water Resources Develop-  
25      ment Act of 1986 (100 Stat. 4148; 110 Stat. 3758;

1       113 Stat. 295; 121 Stat. 1076) as if those reservoirs  
2       were listed in subsection (a) of that section.”.

3       **SEC. 335. PORTSMOUTH, NEW HAMPSHIRE.**

4       *The Secretary shall expedite the activities required to*  
5       *be carried out under section 204 of the Water Resources De-*  
6       *velopment Act of 1992 (33 U.S.C. 2326) regarding the use*  
7       *of improvement dredging of the Portsmouth Federal naviga-*  
8       *tion project in Portsmouth, New Hampshire, carried out*  
9       *pursuant to section 3 of the Act of August 13, 1946 (33*  
10       *U.S.C. 426g), as a source of clean beach fill material to*  
11       *reinforce the stone revetment at Nantasket Beach, Hull,*  
12       *Massachusetts.*

13       **SEC. 336. RAHWAY FLOOD RISK MANAGEMENT FEASIBILITY**  
14       **STUDY, NEW JERSEY.**

15       *The Secretary shall—*

16               (1) *nullify the determination of the North Atlan-*  
17       *tic Division of the Corps of Engineers that further ac-*  
18       *tivities to carry out the feasibility study for a project*  
19       *for flood risk management, Rahway, New Jersey, au-*  
20       *thorized by the resolution of the Committee on Trans-*  
21       *portation and Infrastructure of the House of Rep-*  
22       *resentatives adopted on March 24, 1998 (docket num-*  
23       *ber 2548), is not warranted;*

1           (2) *identify an acceptable alternative to the*  
 2           *project described in paragraph (1) that could receive*  
 3           *Federal support; and*

4           (3) *carry out, and expedite the completion of, a*  
 5           *feasibility study for the acceptable alternative identi-*  
 6           *fied under paragraph (2).*

7   **SEC. 337. SAN JUAN-CHAMA PROJECT; ABIQUIU DAM, NEW**  
 8           **MEXICO.**

9           (a) *ABIQUIU RESERVOIR.*—Section 5(b) of Public Law  
 10   97–140 (43 U.S.C. 620a note) is amended by striking “a  
 11   total of two hundred thousand acre-feet of”.

12          (b) *WATER STORAGE AT ABIQUIU DAM, NEW MEX-*  
 13   *ICO.*—Section 1 of Public Law 100–522 (43 U.S.C. 620a  
 14   note) is amended—

15           (1) *by striking “200,000 acre-feet of”;*

16           (2) *by inserting “and San Juan-Chama project”*  
 17           *after “Rio Grande system”; and*

18           (3) *by striking “, in lieu of the water storage au-*  
 19           *thorized by section 5 of Public Law 97–140, to the ex-*  
 20           *tent that contracting entities under section 5 of Pub-*  
 21           *lic Law 97–140 no longer require such storage”.*

22          (c) *WATER STORAGE.*—The Secretary shall—

23           (1) *store up to elevation 6230.00 NGVD29 at*  
 24           *Abiquiu Dam, New Mexico, to the extent that the nec-*

1        *essary real property interests have been acquired by*  
 2        *any entity requesting such storage; and*

3            *(2) amend the March 20, 1986, contract between*  
 4        *the United States of America and the Albuquerque*  
 5        *Bernalillo County Water Utility Authority (assigned*  
 6        *by the City of Albuquerque, New Mexico to the Albu-*  
 7        *querque Bernalillo County Water Utility Authority)*  
 8        *for water storage space in Abiquiu Reservoir to allow*  
 9        *for storage by the Albuquerque Bernalillo County*  
 10        *Water Utility Authority of San Juan-Chama project*  
 11        *water or native Rio Grande system water up to ele-*  
 12        *vation 6230.00 NGVD29.*

13        *(d) STORAGE AGREEMENTS WITH USERS OTHER*  
 14        *THAN THE ALBUQUERQUE BERNALILLO COUNTY WATER*  
 15        *UTILITY AUTHORITY.—The Secretary shall—*

16            *(1) retain or enter into new agreements with en-*  
 17        *tities for a proportionate allocation of 29,100 acre-feet*  
 18        *of storage space pursuant to section 5 of Public Law*  
 19        *97–140; and*

20            *(2) amend or enter into new storage agreements*  
 21        *for storage of San Juan-Chama project water or na-*  
 22        *tive Rio Grande system water up to the space allo-*  
 23        *cated for each entity's proportionate share of San*  
 24        *Juan-Chama water.*

1       (e) *OPERATIONS DOCUMENTS.*—*The Secretary shall*  
 2       *amend or revise any existing operations documents, includ-*  
 3       *ing the Water Control Manual or operations plan for*  
 4       *Abiquiu Reservoir, as necessary to meet the requirements*  
 5       *of this section.*

6       (f) *LIMITATIONS.*—*In carrying out this section, the fol-*  
 7       *lowing limitations shall apply:*

8               (1) *The storage of native Rio Grande system*  
 9       *water shall be subject to the provisions of the Rio*  
 10       *Grande Compact and the resolutions of the Rio*  
 11       *Grande Compact Commission.*

12              (2) *The storage of native Rio Grande system*  
 13       *water shall only be authorized to the extent that the*  
 14       *necessary water ownership and storage rights have*  
 15       *been acquired by the entity requesting such storage.*

16              (3) *The storage of native Rio Grande system*  
 17       *water or San-Juan Chama project water shall not*  
 18       *interfere with the authorized purposes of the Abiquiu*  
 19       *Dam and Reservoir project.*

20              (4) *Each user of storage space, regardless of*  
 21       *source of water, shall pay for any increase in costs at-*  
 22       *tributable to storage of that user's water.*



1 **SEC. 338. FLUSHING BAY AND CREEK FEDERAL NAVIGATION**

2 **CHANNEL, NEW YORK.**

3 (a) *IN GENERAL.*—The portion of the project for navi-  
 4 gation, Flushing Bay and Creek, New York, authorized by  
 5 the first section of the Act of March 3, 1905 (chapter 1482,  
 6 33 Stat. 1120; 52 Stat. 803; 76 Stat. 1174), described in  
 7 subsection (b) is no longer authorized beginning on the date  
 8 of enactment of this Act.

9 (b) *PORTION DESCRIBED.*—The portion referred to in  
 10 subsection (a) is the portion from river mile 2.5 to river  
 11 mile 2.9, as bounded by—

12 (1) the coordinates of—

13 (A) Latitude North  $40^{\circ} 45' 45.61''$  Lon-  
 14 gitude West  $73^{\circ} 50' 20.19''$ ;

15 (B) Latitude North  $40^{\circ} 45' 47.02''$  Lon-  
 16 gitude West  $73^{\circ} 50' 10.80''$ ;

17 (C) Latitude North  $40^{\circ} 45' 26.71''$  Lon-  
 18 gitude West  $73^{\circ} 50' 10.85''$ ; and

19 (D) Latitude North  $40^{\circ} 45' 26.72''$  Lon-  
 20 gitude West  $73^{\circ} 50' 10.96''$ ; and

21 (2) the New York Long Island State Plane (US  
 22 Survey Feet, NAD-83), as follows:

23 (A) Easting  $x1028866.501$  Northing  
 24  $y217179.294$ ;

25 (B) Easting  $x1029588.853$  Northing  
 26  $y217322.675$ ;

1                   (C)    *Easting*     $x1029588.853$     *Nothing*  
 2                    $y215267.486$ ; and

3                   (D)    *Easting*     $x1028964.587$     *Nothing*  
 4                    $y215267.486$ .

5   **SEC. 339. RUSH RIVER AND LOWER BRANCH RUSH RIVER,**  
 6                   **NORTH DAKOTA.**

7       (a) *IN GENERAL.*—*The portion of the comprehensive*  
 8       *plan for flood control and other purposes in the Red River*  
 9       *of the North drainage basin, North Dakota, South Dakota,*  
 10       *and Minnesota, authorized by section 203 of the Flood Con-*  
 11       *trol Act of 1948 (62 Stat. 1177; 64 Stat. 176), consisting*  
 12       *of clearing and rectification of the channel from mile 28.3*  
 13       *near Amenia to the mouth of the Rush River, known as*  
 14       *Cass County Drain No. 12, is no longer authorized begin-*  
 15       *ning on the date of enactment of this Act.*

16       (b) *LOWER BRANCH RUSH RIVER.*—*The project for*  
 17       *flood control, Lower Branch Rush River, North Dakota,*  
 18       *carried out under section 205 of the Flood Control Act of*  
 19       *1948 (33 U.S.C. 701s), known as Cass County Drain No.*  
 20       *2, is no longer authorized beginning on the date of enact-*  
 21       *ment of this Act.*

1 **SEC. 340. PAWCATUCK RIVER, LITTLE NARRAGANSETT BAY**  
 2 **AND WATCH HILL COVE, RHODE ISLAND AND**  
 3 **CONNECTICUT.**

4 *Beginning on the date of enactment of this Act, that*  
 5 *portion of the project for navigation, Pawcatuck River, Lit-*  
 6 *tle Narragansett Bay and Watch Hill Cove, Rhode Island*  
 7 *and Connecticut, authorized by section 2 of the Act of*  
 8 *March 2, 1945 (chapter 19, 59 Stat. 13), consisting of a*  
 9 *10-foot-deep, 16-acre anchorage area in Watch Hill Cove*  
 10 *is no longer authorized.*

11 **SEC. 341. HARRIS COUNTY, TEXAS.**

12 *Section 575 of the Water Resources Development Act*  
 13 *of 1996 (110 Stat. 3789; 113 Stat. 311; 121 Stat. 1253)*  
 14 *is repealed.*

15 **SEC. 342. CAP SANTE WATERWAY, WASHINGTON.**

16 *Beginning on the date of enactment of this Act, the*  
 17 *project for navigation, Cap Sante Waterway and Naviga-*  
 18 *tion Channel, Skagit County, Washington, authorized by*  
 19 *the Act of March 2, 1919 (chapter 95, 40 Stat. 1285), is*  
 20 *modified to deauthorize the portion of the project consisting*  
 21 *of an approximately 334,434-foot area of the Federal chan-*  
 22 *nel within Anacortes Harbor inside and directly adjacent*  
 23 *to the Federal breakwater and training wall structure,*  
 24 *starting at a point with coordinates N557015.552,*  
 25 *E1210819.619, thence running S88 13'2.06"E approxi-*  
 26 *mately 200 feet to a point with coordinates N557009.330,*

1 *E1211019.522, thence running S01 46'58.08''W approxi-*  
 2 *mately 578 feet to a point with coordinates N556431.405,*  
 3 *E1211001.534, thence running S49 49'50.23''W approxi-*  
 4 *mately 69 feet to a point with coordinates N556387.076,*  
 5 *E1210949.002, thence running S51 53'0.25''E approxi-*  
 6 *mately 35 feet to a point with coordinates N556365.662,*  
 7 *E1210976.316, thence running S49 38'58.48''W approxi-*  
 8 *mately 112 feet to a point with coordinates N556292.989,*  
 9 *E1210890.775, thence running N88 13'1.87''W approxi-*  
 10 *mately 109 feet to a point with coordinates N556296.367,*  
 11 *E1210782.226, thence running S46 46'58.97''W approxi-*  
 12 *mately 141 feet to a point with coordinates N556199.527,*  
 13 *E1210679.164, thence running N88 13'1.77''W approxi-*  
 14 *mately 700 feet to a point with coordinates N556221.305,*  
 15 *E1209979.502, thence running N01 46'58.08''E approxi-*  
 16 *mately 250 feet to a point with coordinates N556471.184,*  
 17 *E1209987.280, thence running S88 13'1.77''E approxi-*  
 18 *mately 815 feet to a point with coordinates N556445.828,*  
 19 *E1210801.886, thence running N01 46'58.08''E approxi-*  
 20 *mately 570 feet to the point of origin.*

21 **SEC. 343. LOCAL GOVERNMENT RESERVOIR PERMIT RE-**  
 22 **VIEW.**

23 *Section 1119(b) of the Water Resources Development*  
 24 *Act of 2018 (33 U.S.C. 2347 note) is amended by striking*  
 25 *“owned or operated by the Secretary”.*

1 **SEC. 344. PROJECT MODIFICATIONS FOR IMPROVEMENT OF**  
2 **ENVIRONMENT.**

3 *Section 1203(g) of the Water Resources Development*  
4 *Act of 2018 (132 Stat. 3805) is amended, in the matter*  
5 *preceding paragraph (1), by striking “For fiscal years 2019*  
6 *and 2020” and inserting “Until September 30, 2024”.*

7 **SEC. 345. AQUATIC ECOSYSTEM RESTORATION.**

8 *For fiscal years 2021 through 2024, in carrying out*  
9 *section 206 of the Water Resources Development Act of 1996*  
10 *(33 U.S.C. 2330), the Secretary shall give priority to a*  
11 *project to restore and protect an aquatic ecosystem or estu-*  
12 *ary that—*

13 *(1) is located in the South Platte River Basin;*

14 *(2) is located on a body of water that is identi-*  
15 *fied by the applicable State pursuant to section*  
16 *303(d) of the Federal Water Pollution Control Act (33*  
17 *U.S.C. 1313(d)) as being impaired;*

18 *(3) has the potential to provide flood risk man-*  
19 *agement and recreational benefits in addition to eco-*  
20 *system restoration benefits; and*

21 *(4) is located in a city with a population of*  
22 *80,000 or less.*

1 **SEC. 346. SURPLUS WATER CONTRACTS AND WATER STOR-**  
 2 **AGE AGREEMENTS.**

3 *Section 1046(c)(3) of the Water Resources Reform and*  
 4 *Development Act of 2014 (128 Stat. 1254; 132 Stat. 3784)*  
 5 *is amended by striking “12” and inserting “16”.*

6 **SEC. 347. NO WAKE ZONES IN NAVIGATION CHANNELS.**

7 *Section 1149 of the Water Resources Development Act*  
 8 *of 2016 (33 U.S.C. 1223 note) amended—*

9 *(1) by striking “recreational” in each place it*  
 10 *appears and inserting “covered”; and*

11 *(2) by amending subsection (c) to read as fol-*  
 12 *lows:*

13 *“(c) DEFINITIONS.—In this section:*

14 *“(1) COVERED NAVIGATION CHANNEL.—The term*  
 15 *‘covered navigation channel’ means a navigation*  
 16 *channel that—*

17 *“(A) is federally marked or maintained;*

18 *“(B) is part of the Atlantic Intracoastal*  
 19 *Waterway; and*

20 *“(C) is adjacent to a marina.*

21 *“(2) COVERED VESSEL.—The term ‘covered ves-*  
 22 *sel’ means a recreational vessel or an uninspected*  
 23 *passenger vessel, as such terms are defined in section*  
 24 *2101 of title 46, United States Code.”.*

1 **SEC. 348. LIMITATION ON CONTRACT EXECUTION IN THE**  
 2 **ARKANSAS RIVER BASIN.**

3 (a) *DEFINITION OF COVERED CONTRACT.*—*In this sec-*  
 4 *tion, the term “covered contract” means a contract between*  
 5 *any local governmental entity and the Secretary for water*  
 6 *supply storage in a Federal or non-Federal hydropower lake*  
 7 *within the Arkansas River Basin.*

8 (b) *LIMITATION.*—*For any new covered contract for a*  
 9 *hydropower lake that is entered into during the period be-*  
 10 *ginning on the date of enactment of this Act and ending*  
 11 *on December 31, 2022, a local governmental entity shall*  
 12 *not pay more than 110 percent of the initial principal cost*  
 13 *for the acre-feet being sought for the new covered contract*  
 14 *for that hydropower lake.*

15 **SEC. 349. WAIVER OF NON-FEDERAL SHARE OF DAMAGES**  
 16 **RELATED TO CERTAIN CONTRACT CLAIMS.**

17 *In a case in which the Armed Services Board of Con-*  
 18 *tract Appeals or other court of competent jurisdiction has*  
 19 *rendered a decision during the period beginning on Decem-*  
 20 *ber 1, 2017, and ending on December 31, 2022, awarding*  
 21 *damages to a contractor relating to the adjudication of*  
 22 *claims arising from the construction of an authorized water*  
 23 *resources development project, notwithstanding the terms of*  
 24 *the Project Partnership Agreement, the Secretary shall*  
 25 *waive payment of the share of the non-Federal interest of*  
 26 *those damages, including attorney’s fees, if—*

1           (1)(A) *the contracting officer was instructed by*  
 2           *the Corps of Engineers to modify the terms of the con-*  
 3           *tract or terminate the contract; and*

4           (B) *the Armed Services Board of Contract Ap-*  
 5           *peals or other court of competent jurisdiction deter-*  
 6           *mined that the failure of the contracting officer to*  
 7           *timely take the action described in subparagraph (A)*  
 8           *was a material breach of the contract that resulted in*  
 9           *damages to the contractor awarded by the Armed*  
 10          *Services Board of Contract Appeals or the court, as*  
 11          *applicable; or*

12          (2) *the claims arose from construction of a*  
 13          *project deauthorized under this title.*

14   **SEC. 350. REDUCED PRICING FOR CERTAIN WATER SUPPLY**  
 15                                   **STORAGE.**

16          *Section 322 of the Water Resources Development Act*  
 17          *of 1990 (33 U.S.C. 2324) is amended—*

18           (1) *in subsection (b), by striking “2,000,000”*  
 19           *and inserting “3,000,000”; and*

20           (2) *in subsection (g)—*

21                   (A) *by striking the period at the end and*  
 22                   *inserting “; or”;*

23                   (B) *by striking “means a community” and*  
 24                   *inserting the following: “means—*

25                   *“(1) a community”; and*



1                   (C) by adding at the end the following:

2                   “(2) a regional water system that serves a popu-  
3                   lation of less than 100,000, for which the per capita  
4                   income is less than the per capita income of not less  
5                   than 50 percent of the counties in the United States.”.

6 **SEC. 351. FLOOD CONTROL AND OTHER PURPOSES.**

7                   Section 103(k) of the Water Resources Development Act  
8                   of 1986 (33 U.S.C. 2213) is amended—

9                   (1) by striking “Except as” and inserting the fol-  
10                  lowing:

11                  “(1) *IN GENERAL*.—*Except as*”; and

12                  (2) by adding at the end the following:

13                  “(2) *RENEGOTIATION OF TERMS*.—

14                         “(A) *IN GENERAL*.—At the request of a non-  
15                         Federal interest, the Secretary and the non-Fed-  
16                         eral interest may renegotiate the terms and con-  
17                         ditions of an eligible deferred payment, includ-  
18                         ing—

19                                 “(i) permitting the non-Federal con-  
20                                 tribution to be made without interest, pur-  
21                                 suant to paragraph (1);

22                                 “(ii) recalculation of the interest rate;

23                                 “(iii) full or partial forgiveness of in-  
24                                 terest accrued during the period of construc-  
25                                 tion; and

1           “(iv) a credit against construction in-  
 2           terest for a non-Federal investment that  
 3           benefits the completion or performance of  
 4           the project or separable element.

5           “(B) *ELIGIBLE DEFERRED PAYMENT.*—An  
 6           eligible deferred payment agreement under sub-  
 7           paragraph (A) is an agreement for which—

8           “(i) the non-Federal contribution was  
 9           made with interest;

10          “(ii) the period of project construction  
 11          exceeds 10 years from the execution of a  
 12          project partnership agreement or appro-  
 13          priation of funds; and

14          “(iii) the construction interest exceeds  
 15          \$45,000,000.

16          “(3) *CREDIT FOR NON-FEDERAL CONTRIBU-*  
 17          *TION.*—

18          “(A) *IN GENERAL.*—The Secretary is au-  
 19          thorized to credit any costs incurred by the non-  
 20          Federal interest (including in-kind contribu-  
 21          tions) to remedy a design or construction defi-  
 22          ciency of a covered project or separable element  
 23          toward the non-Federal share of the cost of the  
 24          covered project, if the Secretary determines the

1       *remedy to be integral to the completion or per-*  
2       *formance of the covered project.*

3               “(B) *CREDIT OF COSTS.*—*If the non-Federal*  
4       *interest incurs costs or in-kind contributions for*  
5       *a project to remedy a design or construction defi-*  
6       *ciency of a project or separable element which*  
7       *has a 100 percent Federal cost share, and the*  
8       *Secretary determines the remedy to be integral to*  
9       *the completion or performance of the project, the*  
10       *Secretary is authorized to credit such costs to*  
11       *any interest accrued on a deferred non-Federal*  
12       *contribution.*

13              “(4) *TREATMENT OF PRE-PAYMENT.*—*Notwith-*  
14       *standing a deferred payment agreement with a non-*  
15       *Federal interest, the Secretary shall accept, without*  
16       *interest of any type, the repayment of a non-Federal*  
17       *contribution for any eligible deferred payment de-*  
18       *scribed in paragraph (2)(B) for which—*

19              “(A) *the non-Federal interest makes a pay-*  
20       *ment of at least \$200 million for that eligible de-*  
21       *ferred payment agreement on or before Sep-*  
22       *tember 30, 2021; and*

23              “(B) *the non-Federal interest repays the re-*  
24       *maining principal by September 30, 2023.”.*

1 **SEC. 352. ADDITIONAL ASSISTANCE FOR CRITICAL**  
 2 **PROJECTS.**

3 (a) *CONSISTENCY WITH REPORTS.*—Congress finds  
 4 that the project modifications described in this section are  
 5 in accordance with the reports submitted to Congress by the  
 6 Secretary under section 7001 of the Water Resources Reform  
 7 and Development Act of 2014 (33 U.S.C. 2282d), titled “Re-  
 8 port to Congress on Future Water Resources Development”,  
 9 or have otherwise been reviewed by Congress.

10 (b) *MODIFICATIONS.*—

11 (1) *SACRAMENTO AREA, CALIFORNIA.*—Section  
 12 219(f)(23) of the Water Resources Development Act of  
 13 1992 (106 Stat. 4835; 113 Stat. 336; 117 Stat. 1840)  
 14 is amended to read as follows:

15 “(23) *SACRAMENTO AREA, CALIFORNIA.*—  
 16 \$45,000,000 for regional water conservation, recy-  
 17 cling, reliability, and resiliency projects in Placer, El  
 18 Dorado, and Sacramento Counties and the San Juan  
 19 Suburban Water District, California.”.

20 (2) *SOUTH PERRIS, CALIFORNIA.*—Section  
 21 219(f)(52) of the Water Resources Development Act of  
 22 1992 (106 Stat. 4835; 113 Stat. 336; 114 Stat.  
 23 2763A–220) is amended by striking “\$25,000,000”  
 24 and inserting “\$50,000,000”.

25 (3) *MADISON AND ST. CLAIR COUNTIES, ILLI-*  
 26 *NOIS.*—Section 219(f)(55) of the Water Resources De-

1        *velopment Act of 1992 (106 Stat. 4835; 113 Stat. 335;*  
 2        *114 Stat. 2763A–221) is amended by striking*  
 3        *“\$10,000,000” and inserting “\$45,000,000”.*

4            (4) *SOUTHERN AND EASTERN KENTUCKY.—Section*  
 5        *tion 531 of the Water Resources Development Act of*  
 6        *1996 (110 Stat. 3773; 113 Stat. 348; 117 Stat. 142;*  
 7        *121 Stat. 1226) is amended—*

8            (A) *in subsection (g), by inserting “Boyd,*  
 9        *Carter, Elliott, Lincoln,” after “Lee,”; and*

10          (B) *in subsection (h), by striking*  
 11        *“\$40,000,000” and inserting “\$100,000,000”.*

12          (5) *DESOTO COUNTY, MISSISSIPPI.—Section*  
 13        *219(f)(30) of the Water Resources Development Act of*  
 14        *1992 (106 Stat. 4835; 113 Stat. 336; 114 Stat.*  
 15        *2763A–220; 119 Stat. 282; 119 Stat. 2257; 122 Stat.*  
 16        *1623) is amended by striking “\$75,000,000” and in-*  
 17        *serting “\$130,000,000”.*

18          (6) *JACKSON COUNTY, MISSISSIPPI.—Section 219*  
 19        *of the Water Resources Development Act of 1992 (106*  
 20        *Stat. 4835; 110 Stat. 3757; 113 Stat. 1494; 121 Stat.*  
 21        *1258) is amended—*

22          (A) *in subsection (c)(5), by striking “water*  
 23        *supply and” and inserting “water supply,*  
 24        *projects for stormwater and drainage systems,*  
 25        *and”; and*

1                   (B) in subsection (e)(1), by striking  
2                   “\$32,500,000” and inserting “\$57,500,000”.

3                   (7) *ST. LOUIS, MISSOURI.*—Section 219(f)(32) of  
4                   the Water Resources Development Act of 1992 (106  
5                   Stat. 4835; 113 Stat. 337; 121 Stat. 1233) is amend-  
6                   ed by striking “\$35,000,000” and inserting  
7                   “\$70,000,000”.

8                   (8) *MIDWEST CITY, OKLAHOMA.*—Section  
9                   219(f)(231) of the Water Resources Development Act  
10                  of 1992 (106 Stat. 4835; 113 Stat. 336; 121 Stat.  
11                  1266) is amended by striking “\$2,000,000” and in-  
12                  serting “\$5,000,000”.

13                  (9) *SOUTH CENTRAL PENNSYLVANIA.*—Section  
14                  313 of the Water Resources Development Act of 1992  
15                  (106 Stat. 4845; 109 Stat. 407; 110 Stat. 3723; 113  
16                  Stat. 310; 117 Stat. 142; 121 Stat. 1146) is amend-  
17                  ed—

18                         (A) in subsection (g)(1), by striking  
19                         “\$200,000,000” and inserting “\$400,000,000”;  
20                         and

21                         (B) in subsection (h)(2), by inserting “Bea-  
22                         ver, Jefferson,” after “Washington,”.

23                   (10) *LAKES MARION AND MOULTRIE, SOUTH*  
24                   *CAROLINA.*—Section 219(f)(25) of the Water Resources  
25                   Development Act of 1992 (106 Stat. 4835; 113 Stat.

1       336; 114 Stat. 2763A–220; 117 Stat. 1838; 130 Stat.  
 2       1677; 132 Stat. 3818) is amended by striking  
 3       “\$89,550,000” and inserting “\$110,000,000”.

4           (11) EL PASO COUNTY, TEXAS.—Section  
 5       219(f)(269) of the Water Resources Development Act  
 6       of 1992 (106 Stat. 4835; 113 Stat. 336; 121 Stat.  
 7       1268) is amended by striking “\$25,000,000” and in-  
 8       serting “\$75,000,000”.

9           (12) WESTERN RURAL WATER.—Section 595 of  
 10       the Water Resources Development Act of 1999 (113  
 11       Stat. 383; 117 Stat. 139; 117 Stat. 142; 117 Stat.  
 12       1836; 118 Stat. 440; 121 Stat. 1219; 123 Stat. 2851;  
 13       128 Stat. 1316; 130 Stat. 1681) is amended—

14           (A) by striking the section heading and in-  
 15       serting “**WESTERN RURAL WATER.**”;

16           (B) in subsection (b), by inserting “Ari-  
 17       zona,” before “rural Idaho”;

18           (C) in subsection (c), by inserting “Ari-  
 19       zona,” before “Idaho”; and

20           (D) in subsection (i), by striking “for the  
 21       period beginning with fiscal year 2001,  
 22       \$435,000,000, to remain available until ex-  
 23       pended.” and inserting the following: “, to re-  
 24       main available until expended—

1           “(1) *for the period beginning with fiscal year*  
 2           *2001, \$435,000,000 for Idaho, Montana, rural Ne-*  
 3           *vada, New Mexico, rural Utah, and Wyoming; and*  
 4           “(2) *\$150,000,000 for Arizona.*”.

5           (13) *CENTRAL WEST VIRGINIA.—Section 571(h)*  
 6           *of the Water Resources Development Act of 1999 (113*  
 7           *Stat. 371; 121 Stat. 1257) is amended by striking*  
 8           *“\$20,000,000” and inserting “\$100,000,000”.*

9           (14) *SOUTHERN WEST VIRGINIA.—Section 340(g)*  
 10          *of the Water Resources Development Act of 1992 (106*  
 11          *Stat. 4856; 110 Stat. 3727; 113 Stat. 320) is amend-*  
 12          *ed by striking “\$40,000,000” and inserting*  
 13          *“\$120,000,000”.*

14          (c) *LOWELL CREEK TUNNEL, SEWARD, ALASKA.—Sec-*  
 15          *tion 5032(a)(2) of the Water Resources Development Act of*  
 16          *2007 (Public Law 110–114, 121 Stat. 1205) is amended*  
 17          *by striking “15” and inserting “20”.*

18          (d) *CAPE ARUNDEL DISPOSAL SITE, MAINE.—Section*  
 19          *1312 of the Water Resources Development Act of 2018 (132*  
 20          *Stat. 3821) is amended by striking “December 31, 2021”*  
 21          *and inserting “September 30, 2024”.*

22   **SEC. 353. PROJECT MODIFICATION AUTHORIZATIONS.**

23          (a) *WATER SUPPLY.—The following project modifica-*  
 24          *tions for water supply, as identified in the report entitled*  
 25          *“Report to Congress on Future Water Resources Develop-*



1 ment” dated February 2019, and submitted to Congress on  
 2 June 3, 2019, pursuant to section 7001 of the Water Re-  
 3 sources Reform and Development Act of 2014 (33 U.S.C.  
 4 2282d) or otherwise reviewed by Congress, are authorized  
 5 to be carried out by the Secretary substantially in accord-  
 6 ance with the recommendations included in such report  
 7 pursuant to section 301(c) of the Water Supply Act of 1958  
 8 (43 U.S.C. 390b(c)) and as follows:

9 (1) CLARENCE CANNON DAM AND MARK TWAIN  
 10 LAKE PROJECT, SALT RIVER, MISSOURI.—

11 (A) IN GENERAL.—The project for Clarence  
 12 Cannon Dam and Mark Twain Lake Project,  
 13 Salt River, Missouri, authorized by section 203  
 14 of the Flood Control Act of 1962 (76 Stat. 1189;  
 15 79 Stat. 1089; 95 Stat. 1684), is modified to re-  
 16 lease 5,600 acre-feet of future use water supply  
 17 storage to the Federal Government under water  
 18 supply contract No. DACW43–88–C–0036, and  
 19 future financial obligations for such volume of  
 20 storage.

21 (B) RELIEF OF CERTAIN OBLIGATIONS.—  
 22 Upon execution of the amendment required by  
 23 subparagraph (C), the State of Missouri shall be  
 24 relieved of the obligation to pay the percentage of  
 25 the annual operation and maintenance expense,

1        *the percentage of major replacement cost, and the*  
 2        *percentage of major rehabilitation costs, of the*  
 3        *joint use facilities of the project described in sub-*  
 4        *paragraph (A), that are attributable to water*  
 5        *supply storage space not being used by the State*  
 6        *during the period before the State commences use*  
 7        *of the storage space.*

8                (C) *AMENDMENT TO CONTRACT.—The Sec-*  
 9        *retary shall amend Water Supply Contract No.*  
 10        *DACW43–88–C–0036, dated March 10, 1988, be-*  
 11        *tween the United States and the State of Mis-*  
 12        *souri, to implement the modifications required*  
 13        *under subparagraphs (A) and (B).*

14        (2) *CITY OF PLATTSBURG.—*

15                (A) *IN GENERAL.—The project for Smith-*  
 16        *ville Lake, Missouri, authorized pursuant to sec-*  
 17        *tion 204 of the Flood Control Act of 1965 (79*  
 18        *Stat. 1080), is modified to release the City of*  
 19        *Plattsburg, Missouri, from—*

20                        (i) *8,850 acre-feet of future water sup-*  
 21                        *ply storage contracts; and*

22                        (ii) *future financial obligations for the*  
 23                        *volume of storage described in clause (i).*

24                (B) *AMENDMENT TO CONTRACT.—The Sec-*  
 25        *retary shall amend water supply contract No.*

1           *DACW41-73-C-0008, between the United States*  
 2           *and the State of Missouri, to implement the*  
 3           *modifications under subparagraph (A).*

4           *(3) CITY OF SMITHVILLE.—*

5                   *(A) IN GENERAL.—The project for Smith-*  
 6           *ville Lake, Missouri, authorized pursuant to sec-*  
 7           *tion 204 of the Flood Control Act of 1965 (79*  
 8           *Stat. 1080), is modified to release the City of*  
 9           *Smithville, Missouri, from—*

10                   *(i) 6,000 acre-feet of future water sup-*  
 11                   *ply storage contracts; and*

12                   *(ii) future financial obligations for the*  
 13                   *volume of storage described in clause (i).*

14                   *(B) AMENDMENT TO CONTRACT.—The Sec-*  
 15           *retary shall amend water supply contract No.*  
 16           *DACW-41-73-C-0007, between the United*  
 17           *States and the State of Missouri, to implement*  
 18           *the modifications under subparagraph (A).*

19           *(b) FLOOD RISK MANAGEMENT.—The following project*  
 20           *modifications for flood risk management, as identified in*  
 21           *a report entitled “Report to Congress on Future Water Re-*  
 22           *sources Development”, and submitted to Congress pursuant*  
 23           *to section 7001 of the Water Resources Reform and Develop-*  
 24           *ment Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed*

1 by Congress, are authorized to be carried out by the Sec-  
 2 retary:

3           (1) *Modification of the project for flood risk*  
 4           *management, lower Mississippi River, authorized by*  
 5           *the Act of May 15, 1928 (chapter 569, 45 Stat. 534),*  
 6           *to incorporate the Wolf River Backwater and*  
 7           *Nonconnah Creek levee systems into the project, au-*  
 8           *thorized by section 5 of the Act of June 22, 1936*  
 9           *(chapter 688, 49 Stat. 1575; 50 Stat. 881), subject to*  
 10          *the determination of the Secretary that such systems*  
 11          *meet all requirements applicable to such project.*

12          (2) *Modification of the project for flood risk*  
 13          *management, Red River below Denison Dam, Arkan-*  
 14          *sas, Louisiana, and Texas, authorized by the Act of*  
 15          *June 28, 1938 (chapter 795, 52 Stat. 1219), to incor-*  
 16          *porate the Cherokee Park Levee into the project, sub-*  
 17          *ject to the determination of the Secretary that such*  
 18          *levee meets all requirements applicable to such*  
 19          *project.*

20 **SEC. 354. COMPLETION OF MAINTENANCE AND REPAIR AC-**  
 21 **TIVITIES.**

22          (a) *EXPEDITED COMPLETIONS.*—

23               (1) *UPPER SNAKE RIVER BASIN.*—*The Secretary*  
 24               *shall expedite, in coordination with State, Tribal,*  
 25               *and local authorities, the completion of maintenance*

1        *and repair activities for those elements of the levee*  
2        *systems in the Upper Snake River Basin, authorized*  
3        *pursuant to the Flood Control Act of 1950 (64 Stat.*  
4        *179), that are operated and maintained by the Sec-*  
5        *retary.*

6            (2) *LOWER MISSOURI RIVER BASIN.—The Sec-*  
7        *retary shall expedite, in coordination with State and*  
8        *local authorities and stakeholders, the completion of*  
9        *maintenance and repair activities for those elements*  
10       *of the levee systems in the Lower Missouri River*  
11       *Basin, authorized pursuant to the Pick-Sloan Mis-*  
12       *souri River Basin Program (authorized by section*  
13       *9(b) of the Act of December 22, 1944 (chapter 665, 58*  
14       *Stat. 891)) or the Missouri River Bank Stabilization*  
15       *and Navigation project (authorized by section 2 of the*  
16       *Act of March 2, 1945 (chapter 19, 59 Stat. 19)), that*  
17       *are operated and maintained by the Secretary.*

18           (3) *COOS BAY NORTH JETTY SYSTEM, OREGON.—*  
19        *The Secretary shall expedite, in coordination with*  
20        *State and local authorities and stakeholders, the com-*  
21        *pletion of maintenance and repair activities for those*  
22        *elements of the Coos Bay North Jetty system, Oregon,*  
23        *authorized by the first section of the Act of January*  
24        *21, 1927 (chapter 47, 44 Stat. 1014), that are oper-*  
25        *ated and maintained by the Secretary.*

1           (4) *INDIAN RIVER INLET AND BAY, DELAWARE.*—

2           *The Secretary shall expedite, in coordination with*  
 3           *State and local authorities, the completion of mainte-*  
 4           *nance and repair activities for the elements of the*  
 5           *project for navigation, Indian River Inlet and Bay,*  
 6           *Delaware, authorized by the Act of August 26, 1937*  
 7           *(chapter 832, 50 Stat. 846), that are operated and*  
 8           *maintained by the Secretary.*

9           (b) *SAVINGS PROVISION.*—*Nothing in this section af-*  
 10          *fects the responsibility of the Secretary to comply with the*  
 11          *requirements of any Federal law in carrying out the activi-*  
 12          *ties required to be expedited by this section.*

13       **SEC. 355. PROJECT REAUTHORIZATIONS.**

14          (a) *IN GENERAL.*—

15               (1) *MUDDY RIVER, MASSACHUSETTS.*—*The sepa-*  
 16          *rable elements for ecosystem restoration of the project*  
 17          *for flood damage reduction and environmental res-*  
 18          *toration, Muddy River, Brookline and Boston, Massa-*  
 19          *chusetts, authorized by section 522 of the Water Re-*  
 20          *sources Development Act of 2000 (114 Stat. 2656),*  
 21          *and deauthorized pursuant to section 6001 of the*  
 22          *Water Resources Reform and Development Act of*  
 23          *2014 (128 Stat. 1345), are authorized to be carried*  
 24          *out by the Secretary, subject to subsection (b).*

1           (2) *EAST CHESTER CREEK, NEW YORK.*—Not-  
 2           withstanding section 1001 of the Water Resources De-  
 3           velopment Act of 1986 (33 U.S.C. 579a), the project  
 4           for navigation, East Chester Creek, New York, author-  
 5           ized by section 101 of the River and Harbor Act of  
 6           1950 (64 Stat. 164; 100 Stat. 4181), and deauthor-  
 7           ized pursuant to section 1001 of the Water Resources  
 8           Development Act of 1986 (33 U.S.C. 579(a)), is au-  
 9           thorized to be carried out by the Secretary, subject to  
 10          subsection (b).

11          (3) *CHRISTIANSTED HARBOR, UNITED STATES*  
 12          *VIRGIN ISLANDS.*—Notwithstanding section 1002 of  
 13          the Water Resources Development Act of 1986 (100  
 14          Stat. 4221), the portion of the project for navigation,  
 15          Christiansted Harbor, St. Croix, United States Virgin  
 16          Islands, authorized by section 101 of the River and  
 17          Harbor Act of 1950 (64 Stat. 167), and deauthorized  
 18          under section 1002 of the Water Resources Develop-  
 19          ment Act of 1986 (100 Stat. 4221), is authorized to  
 20          be carried out by the Secretary, subject to subsection  
 21          (b).

22          (4) *CHARLOTTE AMALIE (ST. THOMAS) HARBOR,*  
 23          *UNITED STATES VIRGIN ISLANDS.*—Notwithstanding  
 24          section 1002 of the Water Resources Development Act  
 25          of 1986 (100 Stat. 4221), the portion of the project for

1       *navigation, Charlotte Amalie (St. Thomas) Harbor,*  
 2       *St. Thomas, United States Virgin Islands, authorized*  
 3       *by the Act of August 26, 1937 (chapter 832, 50 Stat.*  
 4       *850), and deauthorized under section 1002 of the*  
 5       *Water Resources Development Act of 1986 (100 Stat.*  
 6       *4221), is authorized to be carried out by the Sec-*  
 7       *retary, subject to subsection (b).*

8       **(b) REPORT TO CONGRESS.**—*The Secretary shall com-*  
 9       *plete and submit to the Committee on Transportation and*  
 10       *Infrastructure of the House of Representatives and the Com-*  
 11       *mittee on Environment and Public Works of the Senate a*  
 12       *post-authorization change report (as such term is defined*  
 13       *in section 1132(d) of the Water Resources Development Act*  
 14       *of 2016 (33 U.S.C. 2282e(d)) prior to carrying out a project*  
 15       *identified in subsection (a).*

16       **SEC. 356. CONVEYANCES.**

17       **(a) GENERALLY APPLICABLE PROVISIONS.**—

18               **(1) SURVEY TO OBTAIN LEGAL DESCRIPTION.**—  
 19       *The exact acreage and the legal description of any*  
 20       *real property to be conveyed under this section shall*  
 21       *be determined by a survey that is satisfactory to the*  
 22       *Secretary.*

23               **(2) APPLICABILITY OF PROPERTY SCREENING**  
 24       **PROVISIONS.**—*Section 2696 of title 10, United States*



1       *Code, shall not apply to any conveyance under this*  
2       *section.*

3               (3) *COSTS OF CONVEYANCE.*—*An entity to which*  
4       *a conveyance is made under this section shall be re-*  
5       *sponsible for all reasonable and necessary costs, in-*  
6       *cluding real estate transaction and environmental*  
7       *documentation costs, associated with the conveyance.*

8               (4) *LIABILITY.*—*An entity to which a conveyance*  
9       *is made under this section shall hold the United*  
10       *States harmless from any liability with respect to ac-*  
11       *tivities carried out, on or after the date of the convey-*  
12       *ance, on the real property conveyed. The United*  
13       *States shall remain responsible for any liability with*  
14       *respect to activities carried out, before such date, on*  
15       *the real property conveyed.*

16              (5) *ADDITIONAL TERMS AND CONDITIONS.*—*The*  
17       *Secretary may require that any conveyance under*  
18       *this section be subject to such additional terms and*  
19       *conditions as the Secretary considers necessary and*  
20       *appropriate to protect the interests of the United*  
21       *States.*

22       (b) *EUFAULA, ALABAMA.*—

23              (1) *CONVEYANCE AUTHORIZED.*—*The Secretary*  
24       *shall convey to the City of Eufaula, Alabama, all*  
25       *right, title, and interest of the United States in and*

1       to the real property described in the Department of  
 2       the Army Lease No. DACW01-2-17-0747, containing  
 3       56.76 acres, more or less, and being a part of Tracts  
 4       L-1268 (26.12 acres), L-1273 (13.71 acres), L-1278  
 5       (6.75 acres), and L1279 (10.36 acres) of the Walter  
 6       F. George Lock and Dam and Lake project.

7               (2) *DEED.*—The Secretary shall convey the prop-  
 8       erty under this subsection by quitclaim deed under  
 9       such terms and conditions as the Secretary deter-  
 10      mines appropriate to protect the interests of the  
 11      United States.

12              (3) *CONSIDERATION.*—The City of Eufaula, Ala-  
 13      bama, shall pay to the Secretary an amount that is  
 14      not less than the fair market value of the property  
 15      conveyed under this subsection, as determined by the  
 16      Secretary.

17      (c) *MONTGOMERY, ALABAMA.*—

18              (1) *CONVEYANCE AUTHORIZED.*—The Secretary  
 19      shall convey to the City of Montgomery, Alabama, all  
 20      right, title, and interest of the United States in and  
 21      to the real property described in paragraph (2).

22              (2) *PROPERTY.*—The property to be conveyed is  
 23      the 62.38 acres of land and water under the primary  
 24      jurisdiction of the Secretary in the R.E. “Bob” Wood-  
 25      ruff Project Area that is covered by lease number

1       *DACW01-1-05-0037, including the parcels and*  
 2       *structure known as “Powder Magazine”.*

3           (3) *DEADLINE.*—*To the extent practicable, the*  
 4       *Secretary shall complete the conveyance under this*  
 5       *subsection by not later than 180 days after the date*  
 6       *of enactment of this Act.*

7           (4) *DEED.*—*The Secretary shall convey the prop-*  
 8       *erty under this subsection by quitclaim deed under*  
 9       *such terms and conditions as the Secretary deter-*  
 10      *mines appropriate to protect the interests of the*  
 11      *United States, to include retaining the right to inun-*  
 12      *date with water any land transferred under this sub-*  
 13      *section.*

14          (5) *CONSIDERATION.*—*The City of Montgomery,*  
 15      *Alabama, shall pay to the Secretary an amount that*  
 16      *is not less than the fair market value of the property*  
 17      *conveyed under this subsection, as determined by the*  
 18      *Secretary.*

19      (d) *CONVEYANCE OF WILMINGTON HARBOR NORTH*  
 20      *DISPOSAL AREA, DELAWARE.*—

21          (1) *IN GENERAL.*—*As soon as practicable, the*  
 22      *Secretary shall complete the conveyance of the Wil-*  
 23      *mington Harbor North Disposal Area confined dis-*  
 24      *posal facility, Delaware, to the State of Delaware.*

1           (2) *DEED.*—*The Secretary shall convey the prop-*  
 2           *erty under this subsection by quitclaim deed under*  
 3           *such terms and conditions as the Secretary deter-*  
 4           *mines appropriate to protect the interests of the*  
 5           *United States.*

6           (3) *CONSIDERATION.*—*The State of Delaware*  
 7           *shall pay to the Secretary an amount that is not less*  
 8           *than the fair market value of the property conveyed*  
 9           *under this subsection, as determined by the Secretary.*

10          (e) *OHIO RIVER LOCK AND DAM NUMBER 52, MASSAC*  
 11          *COUNTY, ILLINOIS.*—

12           (1) *CONVEYANCE AUTHORIZED.*—*The Secretary*  
 13           *shall convey to the Massac-Metropolis Port District,*  
 14           *Illinois, all right, title, and interest of the United*  
 15           *States in and to any real property located north of*  
 16           *the south bank of the Ohio River in Massac County,*  
 17           *Illinois, that is associated with the Ohio River Lock*  
 18           *and Dam 52.*

19           (2) *DEED.*—*The Secretary shall convey the prop-*  
 20           *erty under this subsection by quitclaim deed under*  
 21           *such terms and conditions as the Secretary deter-*  
 22           *mines appropriate to protect the interests of the*  
 23           *United States.*

24           (3) *CONSIDERATION.*—*The Massac-Metropolis*  
 25           *Port District, Illinois, shall pay to the Secretary an*

1        *amount that is not less than fair market value of the*  
 2        *property conveyed under this subsection, as deter-*  
 3        *mined by the Secretary.*

4        *(f) UPPER ST. ANTHONY FALLS LOCK AND DAM, MIN-*  
 5        *NEAPOLIS, MINNESOTA.—*

6                *(1) CONVEYANCE AUTHORIZED.—As soon as*  
 7        *practicable after the date of enactment of this Act, the*  
 8        *Secretary shall, upon request—*

9                *(A) convey, without consideration, to the*  
 10        *City of Minneapolis, Minnesota, or its designee,*  
 11        *all or substantially all of the real property*  
 12        *owned by the United States adjacent to or in the*  
 13        *vicinity of the Upper St. Anthony Falls Lock*  
 14        *and Dam, subject to the right of the Secretary to*  
 15        *retain any easements in such property solely to*  
 16        *the extent necessary to continue to operate and*  
 17        *maintain the Upper St. Anthony Falls Lock and*  
 18        *Dam; and*

19                *(B) provide, without consideration, to the*  
 20        *City or its designee—*

21                *(i) access and use rights by license,*  
 22        *easement, or similar agreement, to any real*  
 23        *property and structures at the site of the*  
 24        *Upper St. Anthony Falls Lock and Dam*

1           that is not conveyed under subparagraph  
2           (A); and

3           (ii) for any such property retained by  
4           the Secretary, exclusive license or easement  
5           over such property to allow the City or its  
6           designee to construct, use, and operate  
7           amenities thereon, and to utilize such prop-  
8           erty as a comprehensive recreational,  
9           touristic, and interpretive experience.

10           (2) *OWNERSHIP AND OPERATION OF LOCK AND*  
11           *DAM.—Ownership rights to the Upper St. Anthony*  
12           *Falls Lock and Dam shall not be conveyed under this*  
13           *subsection, and the Secretary shall retain all rights to*  
14           *operate and maintain the Upper St. Anthony Falls*  
15           *Lock and Dam.*

16           (3) *REVERSION.—If the Secretary determines*  
17           *that the property conveyed under this subsection is*  
18           *not used for a public purpose, all right, title, and in-*  
19           *terest in and to the property shall revert, at the dis-*  
20           *cretion of the Secretary, to the United States.*

21           (4) *UPPER ST. ANTHONY FALLS LOCK AND DAM*  
22           *DEFINED.—In this subsection, the term “Upper St.*  
23           *Anthony Falls Lock and Dam” means the lock and*  
24           *dam located on Mississippi River Mile 853.9 in Min-*  
25           *neapolis, Minnesota.*

1 (g) CLINTON, MISSOURI.—

2 (1) CONVEYANCE AUTHORIZED.—*The Secretary*  
 3 *shall convey to the City of Clinton, Missouri, without*  
 4 *consideration, all right, title, and interest of the*  
 5 *United States in and to the real property described*  
 6 *in paragraph (2).*

7 (2) PROPERTY.—*The property to be conveyed is*  
 8 *a tract of land situated in the S  $\frac{1}{2}$  of Section 12 and*  
 9 *the N  $\frac{1}{2}$  of Section 13, Township 41 North, Range 26*  
 10 *West of the Fifth Principal Meridian, Henry County,*  
 11 *Missouri, more particularly described as follows: Be-*  
 12 *ginning at the point of intersection of the north line*  
 13 *of said S  $\frac{1}{2}$  of Section 12 and the easterly right-of-*  
 14 *way of State Highway No. 13; thence easterly along*  
 15 *the north line of said S  $\frac{1}{2}$  to the northeast corner of*  
 16 *the W  $\frac{1}{2}$  NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of said Section 12;*  
 17 *thence southerly along the east line of said W  $\frac{1}{2}$  NW*  
 18  *$\frac{1}{4}$  NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  to the southeast corner thereof;*  
 19 *thence easterly along the north line of the S  $\frac{1}{2}$  NE*  
 20  *$\frac{1}{4}$  SW  $\frac{1}{4}$  of said Section 12 to the southwest corner*  
 21 *of the W  $\frac{1}{2}$  NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  of said Section 12;*  
 22 *thence in a northeasterly direction to the northeast*  
 23 *corner of said W  $\frac{1}{2}$  NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  ; thence*  
 24 *easterly along the north line of said S  $\frac{1}{2}$  to the west-*  
 25 *erly right-of-way of the County Road; thence in a*

1       southeasterly and southerly direction along the west-  
 2       erly right-of-way of said County Road approximately  
 3       2500 feet to the center of Deer Creek; thence in a  
 4       southwesterly direction along the center of said Deer  
 5       Creek, approximately 3900 feet to the south line of  
 6       said  $N \frac{1}{2}$  of Section 13; thence westerly along the  
 7       south line of said  $N \frac{1}{2}$  to the easterly right-of-way  
 8       line of the St. Louis-San Francisco Railroad; thence  
 9       in a northwesterly direction along the easterly right-  
 10      of-way of said railroad to the easterly right-of-way of  
 11      said State Highway No. 13; thence in a northeasterly  
 12      direction along the easterly right-of-way of said State  
 13      Highway No. 13 to the point of the beginning; and  
 14      including a roadway easement for ingress and egress,  
 15      described as a strip of land 80 feet in width, lying  
 16      40 feet on each side of the following described line, the  
 17      initial extremities of the following described strip  
 18      being extended or reduced as required to exactly ad-  
 19      join the boundary lines which they meet, situated in  
 20      the  $S \frac{1}{2}$  of Section 12, Township 41 North Range 26  
 21      West of the Fifth Principal Meridian, Henry County,  
 22      Missouri, more particularly described as follows:  
 23      Commencing at the center of said Section 12, thence  
 24       $S1^{\circ}24'56''W$ , 1265.52 feet to a point, thence  
 25       $N88^{\circ}29'02''W$ , 483.97 feet to the point of beginning of



1     *the strip of land herein described; thence in a north-*  
 2     *easterly direction along a curve to the right, said*  
 3     *curve having an initial tangent bearing of*  
 4     *N3°44'41"E, a radius of 238.73 feet and an interior*  
 5     *angle of 61°29'26", an arc distance of 256.21 feet to*  
 6     *a point; thence N65°14'07"E 218.58 feet to a point;*  
 7     *thence in a northeasterly direction along a curve to*  
 8     *the left, having a radius of 674.07 feet and an inte-*  
 9     *rior angle of 36°00'01", an arc distance of 423.53 feet*  
 10    *to a point; thence N29°14'07"E, 417.87 feet to a*  
 11    *point; thence northeasterly along a curve to the right,*  
 12    *having a radius of 818.51 feet and an interior angle*  
 13    *of 14°30'01", an arc distance of 207.15 feet to a*  
 14    *point; thence N43°44'07"E, 57.00 feet to the southerly*  
 15    *right-of-way line of a county road, containing 2,948*  
 16    *acres, more or less; Excluding therefrom a tract of*  
 17    *land situated in the S ½ of said Section 12, said*  
 18    *Township and Range, described as commencing at the*  
 19    *center of said Section 12; thence S1°24'56"W, 1265.52*  
 20    *feet to the point of beginning of the tract of land here-*  
 21    *in described; thence N88°29'02"W, 1122.50 feet;*  
 22    *thence S1°43'26"W, 872.62 feet; thence S88°29'02"E,*  
 23    *1337.36 feet; thence N1°43'26"E, 872.62 feet; thence*  
 24    *N88°29'02"W, 214.86 feet to the point of beginning,*  
 25    *containing 26.79 acres, more or less. The above de-*

1        *scribed tract contains, in the aggregate, 177.69 acres,*  
 2        *more or less.*

3            (3) *DEED.*—*The Secretary shall convey the prop-*  
 4        *erty under this subsection by quitclaim deed under*  
 5        *such terms and conditions as the Secretary deter-*  
 6        *mines appropriate to protect the interests of the*  
 7        *United States.*

8            (4) *REVERSION.*—*If the Secretary determines*  
 9        *that the property conveyed under this subsection is*  
 10       *not being used for a public purpose, all right, title,*  
 11       *and interest in and to the property shall revert, at the*  
 12       *discretion of the Secretary, to the United States.*

13        (h) *CITY OF CLINTON, OLD ORCHARD ADDITION, MIS-*  
 14       *SOURI.*—

15            (1) *CONVEYANCE AUTHORIZED.*—*The Secretary*  
 16        *shall convey to the City of Clinton, Missouri, all*  
 17        *right, title, and interest of the United States in and*  
 18        *to the real property described in paragraph (2).*

19            (2) *PROPERTY.*—*The property to be conveyed is*  
 20        *Lot 28 in Old Orchard Addition, a subdivision of the*  
 21        *City of Clinton, Henry County, Missouri, containing*  
 22        *0.36 acres, more or less, including any improvements*  
 23        *thereon.*

24            (3) *DEED.*—*The Secretary shall convey the prop-*  
 25        *erty under this subsection by quitclaim deed under*

1     *such terms and conditions as the Secretary deter-*  
 2     *mines appropriate to protect the interests of the*  
 3     *United States, including such reservations, terms, and*  
 4     *conditions as the Secretary determines necessary to*  
 5     *allow the United States to operate and maintain the*  
 6     *Harry S. Truman Reservoir Project.*

7             (4) *CONSIDERATION.—The City of Clinton, Mis-*  
 8     *souri, shall pay to the Secretary an amount that is*  
 9     *not less than the fair market value of the property*  
 10    *conveyed under this subsection, as determined by the*  
 11    *Secretary.*

12    (i) *TRI-COUNTY LEVEE DISTRICT, MISSOURI.—*

13             (1) *CONVEYANCE AUTHORIZED.—The Secretary*  
 14    *shall convey to the Tri-County Levee District, Mis-*  
 15    *souri, all right, title, and interest of the United States*  
 16    *in and to the real property described in paragraph*  
 17    *(2).*

18             (2) *PROPERTY.—The property to be conveyed is*  
 19    *the part of Sections 1 and 12 Township 45 North*  
 20    *Range 6 West of the 5th P.M. in Montgomery County,*  
 21    *Missouri, described as follows: A tract of land being*  
 22    *60' wide and lying South and East of and adjoining*  
 23    *the centerline of the existing levee and being described*  
 24    *as follows: Commencing at the NW corner of Section*  
 25    *12, thence S 87° 52' 35" E 587.4', thence S 01° 29'*

1      25'' W 453.68' to the point of the beginning; said  
 2      point being in the center of the levee, thence with the  
 3      centerline of the levee N 77° 01' 30'' E 164.92', thence  
 4      N 74° 26' 55'' E 250.0', thence N 72° 27' 55'' E  
 5      270.0', thence N 69° 06' 10'' E 300.0', thence N 66°  
 6      42' 15'' E 500.0', thence N 64° 14' 30'' E 270.0',  
 7      thence N 61° 09' 10'' E 800.0', thence N 60° 58' 15''  
 8      E 1724.45', thence leaving the centerline S 01° 10'  
 9      35'' W 69.43', thence parallel with the above described  
 10     centerline S 60° 58' 15'' W 1689.62', thence S 61° 09'  
 11     10'' W 801.71', thence S 64° 14' 30'' W 272.91',  
 12     thence S 66° 42' 15'' W 502.55', thence S 69° 06' 10''  
 13     W 303.02', thence S 72° 27' 55'' W 272.8', thence S  
 14     74° 26' 55'' W 252.39', thence S 77° 01' 30'' W  
 15     181.75', thence leaving the South side of the levee N  
 16     01° 26' 25'' E 61.96' to the point of beginning and  
 17     containing 5.89 acres more or less.

18            (3) *DEED.*—The Secretary shall convey the prop-  
 19     erty under this subsection by quitclaim deed under  
 20     such terms and conditions as the Secretary deter-  
 21     mines appropriate to protect the interests of the  
 22     United States.

23            (4) *CONSIDERATION.*—The Tri-County Levee  
 24     District, Missouri, shall pay to the Secretary an  
 25     amount that is not less than the fair market value of

1     *the property conveyed under this subsection, as deter-*  
 2     *mined by the Secretary.*

3     (j) *JUDGE JOSEPH BARKER, JR., HOUSE, OHIO.—*

4         (1) *NON-FEDERAL ENTITY.—In this subsection,*  
 5     *the term “non-Federal entity” means the Friends of*  
 6     *Joseph Barker, Jr., House, a nonprofit organization*  
 7     *in the State of Ohio.*

8         (2) *CONVEYANCE AUTHORIZED.—*

9             (A) *IN GENERAL.—Subject to paragraph*  
 10     *(6), the Secretary shall convey to the non-Federal*  
 11     *entity, without consideration, all right, title, and*  
 12     *interest of the United States in and to the prop-*  
 13     *erty described in paragraph (3)(A).*

14            (B) *EASEMENT.—Upon conveyance of the*  
 15     *property under subparagraph (A), the Secretary*  
 16     *shall provide to the non-Federal entity, without*  
 17     *consideration, an easement over the property de-*  
 18     *scribed in paragraph (3)(B) for access to the*  
 19     *conveyed property for as long as the non-Federal*  
 20     *entity is in legal possession of the conveyed prop-*  
 21     *erty.*

22         (3) *DESCRIPTIONS OF PROPERTY.—*

23             (A) *IN GENERAL.—The property referred to*  
 24     *in paragraph (2)(A) is the following (as in exist-*  
 25     *ence on the date of enactment of this Act):*

1                   (i) JUDGE JOSEPH BARKER, JR.,  
2                   HOUSE.—*The tract of land situated in the*  
3                   *State of Ohio, Washington County, on the*  
4                   *Ohio River, and being particularly bounded*  
5                   *and described as follows: Beginning at a*  
6                   *point located on the southern right-of-way*  
7                   *line of Ohio Route 7, a new corner to the*  
8                   *land now or formerly owned by the United*  
9                   *States of America; thence, leaving the right-*  
10                  *of-way of said Route 7 and severing the*  
11                  *land of said United States of America par-*  
12                  *allel to and approximately 10 feet easterly*  
13                  *of the toe of the existing dredge disposal*  
14                  *berm, southeasterly approximately 326 feet*  
15                  *to a point prior to the current Corps of En-*  
16                  *gineers access to the dredging spoil area;*  
17                  *thence, northeasterly approximately 480 feet*  
18                  *paralleling the top of the slope to the river-*  
19                  *bank side of the house and approximately*  
20                  *25 feet northerly therefrom; thence, north-*  
21                  *west approximately 302 feet to a point in*  
22                  *the southern right-of-way of Ohio Route 7;*  
23                  *thence with the right-of-way of said Route*  
24                  *7, southwesterly approximately 485 feet to*

1           the point of beginning, containing approxi-  
2           mately 3.51 acres.

3           (ii) ROAD TRACT.—The tract of land  
4           situated in the State of Ohio, Washington  
5           County, on the Ohio River, and being par-  
6           ticularly bounded and described as follows:  
7           Beginning at a point located on the south-  
8           ern right-of-way line of Ohio Route 7, a  
9           new corner to the land now or formerly  
10          owned by the United States of America;  
11          thence, leaving the right-of-way of said  
12          Route 7 and severing the land of said  
13          United States of America and with the  
14          House Parcel southeasterly 25 feet; thence,  
15          northeast, running parallel to said Route 7  
16          right-of-way, approximately 994 feet to a  
17          point of deflection; thence northeasterly 368  
18          feet to a point beyond the existing fence cor-  
19          ner; thence, east 140 feet to the edge of the  
20          existing Willow Island access road; thence  
21          with said access road, northwesterly ap-  
22          proximately 62 feet to a point in the south-  
23          ern right-of-way of Ohio Route 7; thence  
24          with the right-of-way of said Route 7,  
25          southwesterly approximately 1,491 feet to

1           *the point of beginning, containing approxi-*  
2           *mately 1 acre.*

3           *(B) EASEMENT.—The property referred to*  
4           *in paragraph (2)(B) is the following: The tract*  
5           *of land situated in the State of Ohio, Wash-*  
6           *ington County, on the Ohio River, and being*  
7           *particularly bounded and described as follows:*  
8           *Beginning at a point at the intersection of the*  
9           *southern right-of-way of Ohio Route 7 and the*  
10          *northeast side of the existing Willow Island ac-*  
11          *cess road, a new corner to the land now or for-*  
12          *merly owned by the United States of America;*  
13          *thence, southwest, running with said Route 7*  
14          *right-of-way, approximately 30 feet to a point on*  
15          *the southwest side of the existing access road,*  
16          *and corner to the road tract; thence with said ac-*  
17          *cess road and the line of the road parcel, south-*  
18          *easterly approximately 62 feet to a point; thence*  
19          *leaving the road parcel and crossing the existing*  
20          *access road northeasterly approximately 30 feet*  
21          *to a point located on the northeast side of the ex-*  
22          *isting access road; thence, northwesterly approxi-*  
23          *mately 62 feet, to the point of beginning, con-*  
24          *taining approximately 0.04 acre.*



1           (4) *DEED.*—*The Secretary shall convey the prop-*  
2           *erty under this subsection by quitclaim deed under*  
3           *such terms and conditions as the Secretary deter-*  
4           *mines appropriate to protect the interests of the*  
5           *United States.*

6           (5) *REVERSION.*—*If the Secretary determines*  
7           *that the property conveyed under this subsection is*  
8           *not being used by the non-Federal entity for a public*  
9           *purpose, all right, title, and interest in and to the*  
10          *property shall revert, at the discretion of the Sec-*  
11          *retary, to the United States.*

12          (6) *REQUIREMENTS.*—

13                (A) *IMPROVEMENTS.*—*The Secretary shall*  
14                *make such improvements and alterations to the*  
15                *property described in paragraph (3)(A)(i) as the*  
16                *Secretary, in consultation with the non-Federal*  
17                *entity and relevant stakeholders, determines to be*  
18                *appropriate to facilitate conveyance of the prop-*  
19                *erty and provision of the easement under this*  
20                *subsection, subject to the condition that the total*  
21                *cost of those improvements and alterations un-*  
22                *dertaken by the Secretary shall be not more than*  
23                *\$120,000.*

1           (B) *ENVIRONMENTAL ASSESSMENT.*—*Before*  
2           *making a conveyance under paragraph (2), the*  
3           *Secretary shall—*

4                   (i) *conduct, with respect to the prop-*  
5                   *erty to be conveyed, an assessment of the en-*  
6                   *vironmental condition of the property, in-*  
7                   *cluding an investigation of any potential*  
8                   *hazardous, toxic, or radioactive waste*  
9                   *present on such property; and*

10                  (ii) *submit to the non-Federal entity a*  
11                  *report describing the results of such assess-*  
12                  *ment.*

13           (C) *REFUSAL BY NON-FEDERAL ENTITY.*—

14                   (i) *IN GENERAL.*—*Upon review by the*  
15                   *non-Federal entity of the report under sub-*  
16                   *paragraph (B), the non-Federal entity may*  
17                   *elect to refuse the conveyance under this*  
18                   *subsection.*

19                   (ii) *ELECTION.*—*An election under*  
20                   *clause (i)—*

21                           (I) *shall be at the sole discretion*  
22                           *of the non-Federal entity; and*

23                           (II) *shall be made by the non-Fed-*  
24                           *eral entity by not later than the date*  
25                           *that is 30 days after the date of sub-*

1 mission of the report under subpara-  
 2 graph (B)(ii).

3 (D) DREDGED MATERIAL PLACEMENT AC-  
 4 TIVITIES.—The Secretary shall—

5 (i) notify and coordinate with the non-  
 6 Federal entity and relevant stakeholders be-  
 7 fore carrying out any dredged material  
 8 placement activities associated with the  
 9 property described in paragraph (3)(A)  
 10 after the date on which such property is  
 11 conveyed under this subsection; and

12 (ii) in carrying out a dredged material  
 13 placement activity under clause (i), act in  
 14 accordance with Engineer Manual EM  
 15 1110–2–5025 (or a subsequent version of  
 16 that manual).

17 (7) RESERVATION OF RIGHTS.—The Secretary  
 18 may reserve and retain from any conveyance under  
 19 this subsection a right-of-way or any other right that  
 20 the Secretary determines to be necessary for the oper-  
 21 ation and maintenance of the authorized Federal  
 22 channel along the Ohio River.

23 (8) TREATMENT.—Conveyance to the non-Fed-  
 24 eral entity under this subsection of property described

1       *in paragraph (3)(A)(i) shall satisfy all obligations of*  
 2       *the Secretary with respect to such property under—*

3               *(A) section 306101 of title 54, United States*  
 4       *Code; and*

5               *(B) section 306108 of title 54, United States*  
 6       *Code, with respect to the effects on the property*  
 7       *of dredged material placement activities carried*  
 8       *out by the Secretary after the date of the convey-*  
 9       *ances.*

10       *(9) INAPPLICABILITY.—Subtitle I of title 40, and*  
 11       *chapter 4 of title 41, United States Code shall not*  
 12       *apply to any conveyance or easement provided under*  
 13       *this subsection.*

14       *(k) LEABURG FISH HATCHERY, LANE COUNTY, OR-*  
 15       *EGON.—*

16               *(1) CONVEYANCE AUTHORIZED.—Subject to the*  
 17       *provisions of this subsection, the Secretary shall con-*  
 18       *vey, without consideration, to the State of Oregon,*  
 19       *acting through the Oregon Department of Fish and*  
 20       *Wildlife, all right, title, and interest of the United*  
 21       *States in and to the real property comprising the*  
 22       *Leaburg Fish Hatchery, consisting of approximately*  
 23       *21.55 acres, identified as tracts Q–1500, Q–1501E,*  
 24       *and 300E–1 and described in Department of the*

1     *Army Lease No. DACW57-1-18-0009, together with*  
2     *any improvements on the property.*

3             (2) *WATER RIGHTS.*—*The Secretary may trans-*  
4     *fer to the State of Oregon, acting through the Oregon*  
5     *Department of Fish and Wildlife, any water rights*  
6     *held by the United States that are appurtenant to the*  
7     *property conveyed under this subsection.*

8             (3) *DEED.*—*The Secretary shall convey the prop-*  
9     *erty under this subsection by quitclaim deed under*  
10    *such terms and conditions as the Secretary deter-*  
11    *mines appropriate to protect the interests of the*  
12    *United States, including a condition that all of the*  
13    *property conveyed under this subsection be used and*  
14    *maintained by the State of Oregon for the purpose of*  
15    *operating a fish hatchery in perpetuity.*

16            (4) *REVERSION.*—*If the Secretary determines*  
17    *that the property conveyed under this subsection is*  
18    *not being used or maintained by the State of Oregon*  
19    *for the purpose of operating a fish hatchery in per-*  
20    *petuity, all or any portion of the property, including*  
21    *any water rights transferred under this subsection,*  
22    *shall, at the option of the Secretary, revert to the*  
23    *United States.*

24            (5) *SAVINGS CLAUSE.*—*If the State of Oregon*  
25    *does not accept the conveyance under this subsection,*

1        *the Secretary may dispose of the property, including*  
 2        *appurtenant water rights, under subchapter III of*  
 3        *chapter 5 of title 40, United States Code.*

4        *(l) WILLAMETTE FALLS LOCKS, WILLAMETTE RIVER,*  
 5        *OREGON.—*

6                *(1) DEFINITIONS.—In this section:*

7                        *(A) REAL ESTATE APPENDIX.—The term*  
 8                        *“real estate appendix” means Appendix A of the*  
 9                        *document published by the District Commander*  
 10                        *of the Portland District of the Corps of Engi-*  
 11                        *neers, titled “Willamette Falls Locks Willamette*  
 12                        *River Oregon Section 216 Disposition Study*  
 13                        *with Integrated Environmental Assessment”.*

14                        *(B) RECEIVING ENTITY.—The term “receiv-*  
 15                        *ing entity” means an entity identified by the*  
 16                        *State of Oregon, in consultation with the Wil-*  
 17                        *lamette Falls Locks Commission, to receive the*  
 18                        *conveyance under paragraph (2).*

19                        *(C) WILLAMETTE FALLS LOCKS PROJECT.—*  
 20                        *The term “Willamette Falls Locks project”*  
 21                        *means the project for navigation, Willamette*  
 22                        *Falls Locks, Willamette River, Oregon, author-*  
 23                        *ized by the Act of June 25, 1910 (36 Stat. 664,*  
 24                        *chapter 382).*

1           (D) *WILLAMETTE FALLS LOCKS REPORT.*—  
 2           *The term “Willamette Falls Locks report” means*  
 3           *the memorandum of the Director of Civil Works*  
 4           *with the subject “Willamette Falls Locks (WFL),*  
 5           *Willamette River Oregon Section 216 Disposi-*  
 6           *tion Study with Integrated Environmental As-*  
 7           *essment (Study)”*, dated July 11, 2019.

8           (2) *CONVEYANCE AUTHORIZED.*—*The Secretary*  
 9           *is authorized to convey to the receiving entity, with-*  
 10          *out consideration, all right, title, and interest of the*  
 11          *United States in and to any land in which the Fed-*  
 12          *eral Government has a property interest for the Wil-*  
 13          *lamette Falls Locks project, together with any im-*  
 14          *provements on the land, subject to the requirements of*  
 15          *this subsection and in accordance with the Willamette*  
 16          *Falls Locks report.*

17          (3) *DEED.*—*The Secretary shall convey the prop-*  
 18          *erty under this subsection by quitclaim deed under*  
 19          *such terms and conditions as the Secretary deter-*  
 20          *mines appropriate to protect the interests of the*  
 21          *United States.*

22          (4) *SUBJECT TO EXISTING EASEMENTS AND*  
 23          *OTHER INTERESTS.*—*The conveyance of property*  
 24          *under paragraph (2) shall be subject to all existing*

1        *deed reservations, easements, rights-of-way, and leases*  
 2        *that are in effect as of the date of the conveyance.*

3            (5) *REVERSION.—If the Secretary determines*  
 4        *that the property conveyed under this subsection cease*  
 5        *to be held in public ownership, all right, title, and in-*  
 6        *terest in and to the property shall revert, at the dis-*  
 7        *cretion of the Secretary, to the United States.*

8            (6) *REQUIREMENTS BEFORE CONVEYANCE.—*

9            (A) *PERPETUAL ROAD EASEMENT.—Before*  
 10        *making the conveyance under paragraph (2), the*  
 11        *Secretary shall acquire a perpetual road ease-*  
 12        *ment from an adjacent property owner for use of*  
 13        *an access road, which easement shall convey with*  
 14        *the property conveyed under such paragraph.*

15          (B) *ENVIRONMENTAL COMPLIANCE.—Before*  
 16        *making the conveyance under paragraph (2), in*  
 17        *accordance with the real estate appendix, the*  
 18        *Secretary shall complete a Phase 1 Environ-*  
 19        *mental Site Assessment pursuant to the Com-*  
 20        *prehensive Environmental Response, Compensa-*  
 21        *tion, and Liability Act of 1980 (42 U.S.C. 9601*  
 22        *et seq.).*

23          (C) *HISTORIC PRESERVATION.—The Sec-*  
 24        *retary may enter into a memorandum of agree-*  
 25        *ment with the Oregon State Historic Preserva-*



1            *tion Office and the Advisory Council on Historic*  
 2            *Preservation that identifies actions the Secretary*  
 3            *shall take before making the conveyance under*  
 4            *paragraph (2).*

5            *(D) REPAIRS.—Before making the convey-*  
 6            *ance under paragraph (2), the Secretary shall*  
 7            *carry out repairs to address primary seismic*  
 8            *and safety risks in accordance with the rec-*  
 9            *ommendations approved in the Willamette Falls*  
 10           *Locks report.*

11           *(7) DEAUTHORIZATION.—Beginning on the date*  
 12           *on which the Secretary makes the conveyance under*  
 13           *paragraph (2), the Willamette Falls Locks project is*  
 14           *no longer authorized.*

15    **SEC. 357. LAKE EUFAULA ADVISORY COMMITTEE.**

16           *Section 3133(b) of the Water Resources Development*  
 17           *Act of 2007 (121 Stat. 1141) is amended by adding at the*  
 18           *end the following:*

19           *“(5) TERMINATION.—The committee shall termi-*  
 20           *nate on the date that is 30 days after the date on*  
 21           *which the committee submits final recommendations*  
 22           *to the Secretary.”.*

1 **SEC. 358. REPEAL OF MISSOURI RIVER TASK FORCE, NORTH**  
 2 **DAKOTA.**

3 (a) *IN GENERAL.*—Section 705 of the Water Resources  
 4 Development Act of 2000 (114 Stat. 2696) is repealed.

5 (b) *CONFORMING AMENDMENTS.*—

6 (1) *PURPOSES.*—Section 702(b)(3) of the Water  
 7 Resources Development Act of 2000 (114 Stat. 2695)  
 8 is amended by inserting “prepared under section  
 9 705(e) (as in effect on the day before the date of en-  
 10 actment of the Water Resources Development Act of  
 11 2020)” before the period at the end.

12 (2) *DEFINITIONS.*—Section 703 of the Water Re-  
 13 sources Development Act of 2000 (114 Stat. 2695) is  
 14 amended—

15 (A) by striking paragraphs (2) and (4); and

16 (B) by redesignating paragraphs (3) and  
 17 (5) as paragraphs (2) and (3), respectively.

18 **SEC. 359. REPEAL OF MISSOURI RIVER TASK FORCE, SOUTH**  
 19 **DAKOTA.**

20 (a) *IN GENERAL.*—Section 905 of the Water Resources  
 21 Development Act of 2000 (114 Stat. 2709) is repealed.

22 (b) *CONFORMING AMENDMENTS.*—

23 (1) *PURPOSES.*—Section 902(b)(3) of the Water  
 24 Resources Development Act of 2000 (114 Stat. 2708)  
 25 is amended by inserting “prepared under section  
 26 905(e) (as in effect on the day before the date of en-

1        *actment of the Water Resources Development Act of*  
 2        *2020)” before the period at the end.*

3            (2) *DEFINITIONS.—Section 903 of the Water Re-*  
 4        *sources Development Act of 2000 (114 Stat. 2708) is*  
 5        *amended—*

6            (A) *by striking paragraphs (2) and (4); and*

7            (B) *by redesignating paragraphs (3) and*  
 8        *(5) as paragraphs (2) and (3), respectively.*

9        **SEC. 360. CONFORMING AMENDMENTS.**

10        (a) *Section 710 of the Water Resources Development*  
 11        *Act of 1986 (33 U.S.C. 2264), and the item relating to such*  
 12        *section in the table of contents, are repealed.*

13        (b) *Section 1001 of the Water Resources Development*  
 14        *Act of 1986 (33 U.S.C. 579a) is amended—*

15            (1) *in subsection (b), by striking paragraph (2)*  
 16        *and redesignating paragraph (3) as paragraph (2);*  
 17        *and*

18            (2) *by striking subsection (c).*

19        (c) *Section 1001 of the Water Resources Reform and*  
 20        *Development Act of 2014 (33 U.S.C. 2282c) is amended—*

21            (1) *in subsection (d)—*

22            (A) *in paragraph (1), by striking “Notwith-*  
 23        *standing the requirements of subsection (c), the*  
 24        *Secretary” and inserting “The Secretary”;*

1                   (B) by striking “subsections (a) and (c)”  
2                   each place it appears and inserting “subsection  
3                   (a)”; and

4                   (C) by striking paragraph (4); and  
5                   (2) by striking subsection (c) and redesignating  
6                   subsections (d) through (g) as subsections (c) through  
7                   (f), respectively.

8                   (d) Section 6003 of the Water Resources Reform and  
9                   Development Act of 2014 (33 U.S.C. 579c), and the item  
10                  relating to such section in the table of contents, are repealed.

11                  (e) Section 1301 of the Water Resources Development  
12                  Act of 2016 (33 U.S.C. 579d), and the item relating to such  
13                  section in the table of contents, are repealed.

14                  (f) Section 1302 of the Water Resources Development  
15                  Act of 2016 (33 U.S.C. 579c–1), and the item relating to  
16                  such section in the table of contents, are repealed.

17                  (g) Section 1301 of the Water Resources Development  
18                  Act of 2018 (33 U.S.C. 579d–1), and the item relating to  
19                  such section in the table of contents, are repealed.

20                  (h) Section 1302 of the Water Resources Development  
21                  Act of 2018 (33 U.S.C. 579c–2), and the item relating to  
22                  such section in the table of contents, are repealed.

1     **TITLE IV—WATER RESOURCES**  
2                 **INFRASTRUCTURE**

3     **SEC. 401. PROJECT AUTHORIZATIONS.**

4             *The following projects for water resources development*  
5     *and conservation and other purposes, as identified in the*  
6     *reports titled “Report to Congress on Future Water Re-*  
7     *sources Development” submitted to Congress pursuant to*  
8     *section 7001 of the Water Resources Reform and Develop-*  
9     *ment Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed*  
10    *by Congress, are authorized to be carried out by the Sec-*  
11    *retary substantially in accordance with the plans, and sub-*  
12    *ject to the conditions, described in the respective reports or*  
13    *decision documents designated in this section:*

14                 (1) *NAVIGATION.—*

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. AK	Port of Nome Modifications	May 29, 2020	Federal: \$378,908,000 Non-Federal: \$126,325,000 Total: \$505,233,000
2. AK	St. George Harbor Improvement, St. George	August 13, 2020	Federal: \$147,874,000 Non-Federal: \$16,508,000 Total: \$164,382,000
3. AK	Unalaska (Dutch Harbor) Chan- nels	February 7, 2020	Federal: \$26,967,000 Non-Federal: \$8,989,000 Total: \$35,956,000
4. CT	New Haven Har- bor Navigation Improvement Project	May 7, 2020	Federal: \$55,250,000 Non-Federal: \$19,442,000 Total: \$74,692,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
5. NY, NJ	<i>New York and New Jersey Harbor Anchor- ages</i>	<i>April 23, 2020</i>	<i>Federal: \$19,550,000 Non-Federal: \$6,520,000 Total: \$26,070,000</i>
6. TX	<i>Gulf Intracoastal Waterway, Brazos River Floodgates and Colorado River Locks</i>	<i>October 23, 2019</i>	<i>Total: \$414,144,000</i>
7. TX	<i>Houston Ship Channel Expan- sion Channel Improvement Project, Harris, Chambers, and Galveston Coun- ties</i>	<i>April 23, 2020</i>	<i>Federal: \$625,204,000 Non-Federal: \$260,431,000 Total: \$885,635,000</i>
8. TX	<i>Matagorda Ship Channel Im- provement Project, Port Lavaca</i>	<i>November 15, 2019</i>	<i>Federal: \$140,156,000 Non-Federal: \$80,500,000 Total: \$220,656,000</i>
9. VA	<i>Atlantic Intra- coastal Water- way, North Landing Bridge Replacement</i>	<i>August 25, 2020</i>	<i>Federal: \$102,755,000 Non-Federal: \$0 Total: \$102,755,000</i>

1 (2) *FLOOD RISK MANAGEMENT.*—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. AZ	<i>Little Colorado River at Wins- low, Navajo County</i>	<i>December 14, 2018</i>	<i>Federal: \$54,260,000 Non-Federal: \$29,217,000 Total: \$83,477,000</i>

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
2. CA	Westminster, East Garden Grove, California Flood Risk Management	July 9, 2020	Federal: \$324,905,000 Non-Federal: \$940,191,000 Total: \$1,265,096,000
3. CT, NY	Westchester County Streams, Byram River Basin, Fairfield County, Connecticut, and Westchester County, New York	May 7, 2020	Federal: \$15,199,000 Non-Federal: \$15,199,000 Total: \$30,397,000
4. KY	Louisville Metropolitan Flood Protection System Reconstruction, Jefferson and Bullitt Counties	October 27, 2020	Federal: \$122,170,000 Non-Federal: \$65,917,000 Total: \$188,087,000
5. ND	Souris River Basin Flood Risk Management	April 16, 2019	Federal: \$59,582,915 Non-Federal: \$32,364,085 Total: \$91,947,000
6. NJ	Peckman River Basin	April 29, 2020	Federal: \$98,137,000 Non-Federal: \$52,843,000 Total: \$150,980,000
7. NM	Middle Rio Grande Flood Protection, Bernalillo to Belen	March 13, 2020	Federal: \$201,944,451 Non-Federal: \$108,740,000 Total: \$310,684,000
8. OK	Tulsa and West-Tulsa Levee System, Tulsa County	April 23, 2020	Federal: \$89,311,000 Non-Federal: \$48,091,000 Total: \$137,402,000
9. PR	Rio Culebrinas at Aguiadilla and Aguada	August 17, 2020	Federal: \$17,295,600 Non-Federal: \$8,568,400 Total: \$25,864,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
10. PR	<i>Rio Guayanilla Flood Risk Management, Guayanilla</i>	<i>August 13, 2020</i>	<i>Federal: \$103,422,000 Non-Federal: \$55,689,000 Total: \$159,111,000</i>
11. PR	<i>Rio Grande de Manati Flood Risk Manage- ment, Ciales</i>	<i>November 18, 2020</i>	<i>Federal: \$9,770,000 Non-Federal: \$4,520,000 Total: \$14,290,000</i>
12. USVI	<i>Savan Gut, St. Thomas</i>	<i>August 24, 2020</i>	<i>Federal: \$48,658,100 Non-Federal: \$25,455,900 Total: \$74,114,000</i>
13. USVI	<i>Turpentine Run, St. Thomas</i>	<i>August 17, 2020</i>	<i>Federal: \$29,817,850 Non-Federal: \$15,311,150 Total: \$45,129,000</i>

1 (3) HURRICANE AND STORM DAMAGE RISK RE-  
2 Duction.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. DE	<i>Delaware Bene- ficial Use of Dredged Mate- rial for the Delaware River</i>	<i>March 6, 2020</i>	<i>Initial Federal: \$66,464,000 Initial Non-Federal: \$35,789,000 Total: \$102,253,000 Renourishment Federal: \$120,023,000 Renourishment Non-Federal: \$120,023,000 Renourishment Total: \$240,046,000</i>



<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
2. NJ	<i>New Jersey Beneficial Use of Dredged Material for the Delaware River</i>	<i>April 8, 2020</i>	<i>Initial Federal: \$84,071,000</i> <i>Initial Non-Federal: \$45,270,000</i> <i>Total: \$129,341,000</i> <i>Renourishment Federal: \$85,495,000</i> <i>Renourishment Non-Federal: \$85,495,000</i> <i>Renourishment Total: \$170,990,000</i>
3. NJ	<i>Rahway River Basin, New Jersey Coastal Storm Risk Management</i>	<i>June 9, 2020</i>	<i>Federal: \$48,322,000</i> <i>Non-Federal: \$26,020,000</i> <i>Total: \$74,342,000</i>
4. NJ	<i>Raritan Bay and Sandy Hook Bay, Highlands</i>	<i>August 25, 2020</i>	<i>Federal: \$107,680,000</i> <i>Non-Federal: \$57,981,000</i> <i>Total: \$165,661,000</i>
5. NY	<i>East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, Atlantic Coast of New York</i>	<i>August 22, 2019</i>	<i>Initial Federal: \$638,460,000</i> <i>Initial Non-Federal: \$0</i> <i>Total: \$638,460,000</i> <i>Renourishment Federal: \$200,924,000</i> <i>Renourishment Non-Federal: \$200,924,000</i> <i>Renourishment Total: \$401,847,000</i>
6. NY	<i>Fire Island Inlet to Montauk Point, New York Reformulation</i>	<i>July 9, 2020</i>	<i>Initial Federal: \$1,576,790,000</i> <i>Initial Non-Federal: \$0</i> <i>Total: \$1,576,790,000</i> <i>Renourishment Federal: \$767,695,000</i> <i>Renourishment Non-Federal: \$767,695,000</i> <i>Renourishment Total: \$1,535,390,000</i>

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
7. NY	<i>Hashamomuck Cove Coastal Storm Risk Management</i>	<i>December 9, 2019</i>	<i>Initial Federal: \$11,920,000 Initial Non-Federal: \$6,418,000 Total: \$18,338,000 Renourishment Federal: \$24,237,000 Renourishment Non-Federal: \$24,237,000 Renourishment Total: \$48,474,000</i>
8. RI	<i>Pawcatuck River Coastal Storm Risk Manage- ment Project</i>	<i>December 19, 2018</i>	<i>Federal: \$37,679,000 Non-Federal: \$20,289,000 Total: \$57,968,000</i>
9. VA	<i>Norfolk Coastal Storm Risk Management</i>	<i>February 5, 2019</i>	<i>Federal: \$942,920,000 Non-Federal: \$507,730,000 Total: \$1,450,650,000</i>

1 (4) *FLOOD RISK MANAGEMENT AND ECOSYSTEM*  
2 *RESTORATION.*—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. CO	<i>South Platte River and Tributaries, Adams and Denver Counties</i>	<i>July 29, 2019</i>	<i>Federal: \$344,076,000 Non-Federal: \$206,197,000 Total: \$550,273,000</i>

3 (5) *ECOSYSTEM RESTORATION.*—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. CA	<i>Delta Islands and Levees</i>	<i>December 18, 2018</i>	<i>Federal: \$17,251,000 Non-Federal: \$9,289,000 Total: \$26,540,000</i>

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
2. CA	<i>Malibu Creek Eco-system Restoration, Los Angeles and Ventura Counties</i>	<i>November 13, 2020</i>	<i>Federal: \$172,249,000 Non-Federal: \$106,960,000 Total: \$279,209,000</i>
3. CA	<i>Yuba River Eco-system Restoration</i>	<i>June 20, 2019</i>	<i>Federal: \$66,975,000 Non-Federal: \$36,064,000 Total: \$103,039,000</i>
4. CO, NM, TX	<i>Rio Grande, Environmental Management Program, Sandia Pueblo to Isleta Pueblo, New Mexico, Eco-system Restoration</i>	<i>August 5, 2019</i>	<i>Federal: \$16,998,000 Non-Federal: \$9,153,000 Total: \$26,151,000</i>
5. FL	<i>Comprehensive Everglades Restoration Plan, Loxahatchee River Watershed Restoration Project, Martin and Palm Beach Counties</i>	<i>April 8, 2020</i>	<i>Federal: \$379,583,000 Non-Federal: \$375,737,000 Total: \$755,320,000</i>
6. IA, MO	<i>Grand River Basin Eco-system Restoration</i>	<i>November 18, 2020</i>	<i>Federal: \$78,876,000 Non-Federal: \$42,471,000 Total: \$121,347,000</i>
7. IL	<i>The Great Lakes and Mississippi River Interbasin Study - Brandon Road, Will County</i>	<i>May 23, 2019</i>	<i>Federal: \$557,730,550 Non-Federal: \$300,316,450 Total: \$858,047,000</i>
8. IL	<i>South Fork of the South Branch of the Chicago River, Bubbly Creek, Eco-system Restoration</i>	<i>July 9, 2020</i>	<i>Federal: \$11,657,000 Non-Federal: \$6,277,000 Total: \$17,934,000</i>

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
9. MD	Anacostia Water- shed Restora- tion, Prince George's County	December 19, 2018	Federal: \$25,866,750 Non-Federal: \$13,928,250 Total: \$39,795,000
10. MO	St. Louis Riverfront- Meramec River Basin Eco- system Restora- tion	November 1, 2019	Federal: \$61,362,893 Non-Federal: \$33,042,107 Total: \$94,405,000
11. NY, NJ	Hudson-Raritan Estuary Eco- system Restora- tion	May 26, 2020	Federal: \$273,933,000 Non-Federal: \$147,502,000 Total: \$421,435,000
12. NY	Hudson River Habitat Res- toration	November 19, 2020	Federal: \$33,479,000 Non-Federal: \$11,159,000 Total: \$44,638,000
13. TX	Jefferson County Ecosystem Res- toration	September 12, 2019	Federal: \$38,942,000 Non-Federal: \$20,969,000 Total: \$59,911,000

1 (6) WATER SUPPLY.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. OR	Willamette River Basin Review Reallocation,	December 18, 2019	Federal: \$0 Non-Federal: \$0 Total: \$0

2 (7) MODIFICATIONS AND OTHER PROJECTS.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Decision Document</b>	<b>D. Estimated Costs</b>
1. CA	<i>San Luis Rey Flood Control Project, San Diego County</i>	<i>July 24, 2020</i>	<i>Federal: \$143,407,500 Non-Federal: \$47,802,500 Total: \$191,210,000</i>
2. FL	<i>Caloosahatchee River West Basin Storage Reservoir (C-43 WBSR)</i>	<i>July 24, 2020</i>	<i>Federal: \$514,999,000 Non-Federal: \$514,999,000 Total: \$1,029,998,000</i>
3. FL	<i>Central and Southern Flor- ida, Canal 111 (C-111) South Dade Project</i>	<i>September 15, 2020</i>	<i>Federal: \$66,736,500 Non-Federal: \$66,736,500 Total: \$133,473,000</i>
4. KY	<i>Kentucky Lock</i>	<i>June 9, 2020</i>	<i>Total: \$1,166,809,000</i>
5. NC	<i>Carolina Beach Integrated Beach Re- nourishment</i>	<i>June 16, 2020</i>	<i>Federal: \$25,125,000 Non-Federal: \$25,125,000 Total: \$50,250,000</i>
6. NC	<i>Wrightsville Beach</i>	<i>July 2, 2020</i>	<i>Federal: \$60,068,000 Non-Federal: \$18,486,000 Total: \$78,554,000 Renourishment Federal: \$18,918,900 Renourishment Non-Federal: \$10,187,100 Renourishment Total: \$29,106,000</i>
7. TX	<i>Corpus Christi Ship Channel, Deepening and Widening and Barge Shelves</i>	<i>May 4, 2020</i>	<i>Federal: \$406,343,000 Non-Federal: \$275,274,000 Total: \$681,617,000</i>
8. VA	<i>Atlantic Intra- coastal Water- way Deep Creek Bridge Replace- ment</i>	<i>October 19, 2020</i>	<i>Federal: \$59,500,000 Non-Federal: \$0 Total: \$59,500,000</i>

1 **SEC. 402. SPECIAL RULES.**

2       (a) *GREAT LAKES AND MISSISSIPPI RIVER*  
 3 *INTERBASIN PROJECT, BRANDON ROAD, WILL COUNTY, IL-*  
 4 *LINOIS.—The Secretary shall carry out the project for eco-*  
 5 *system restoration, Great Lakes and Mississippi River*  
 6 *Interbasin project, Brandon Road, Will County, Illinois,*  
 7 *authorized by section 401 of this Act, substantially in ac-*  
 8 *cordance with the terms and conditions described in the Re-*  
 9 *port of the Chief of Engineers, dated May 23, 2019, with*  
 10 *the following modifications:*

11               (1) *The Federal share of the cost of construction*  
 12               *shall be 80 percent.*

13               (2) *The Secretary may include the addition or*  
 14               *substitution of technologies or measures not described*  
 15               *in the report, as the Secretary determines to be advis-*  
 16               *able.*

17       (b) *EAST ROCKAWAY INLET TO ROCKAWAY INLET AND*  
 18 *JAMAICA BAY REFORMULATION, NEW YORK.—The project*  
 19 *for hurricane and storm damage reduction, East Rockaway*  
 20 *Inlet to Rockaway Inlet and Jamaica Bay, Atlantic Coast*  
 21 *of New York, authorized by section 401 of this Act, shall*  
 22 *be considered to be a continuation of the interim response*  
 23 *to the authorization by the House of Representatives dated*  
 24 *September 20, 1997, and the authorization under the head-*  
 25 *ing “Department of the Army—Corps of Engineers—*

1 *Civil—Construction” under chapter 4 of title X of the Dis-*  
 2 *aster Relief Appropriations Act, 2013 (127 Stat. 24).*

3       (c) *TULSA AND WEST-TULSA LEVEE SYSTEM, TULSA*  
 4 *COUNTY, OKLAHOMA.—For the project for flood risk man-*  
 5 *agement, Tulsa and West-Tulsa Levee System, Tulsa Coun-*  
 6 *ty, Oklahoma, authorized by section 401 of this Act, the*  
 7 *non-Federal contribution for the project shall be financed*  
 8 *over a period of 30 years from the date of completion of*  
 9 *the project, in accordance with section 103(k) of the Water*  
 10 *Resources Development Act of 1986 (33 U.S.C. 2213(k)).*

11       (d) *WILLAMETTE RIVER BASIN REVIEW REALLOCA-*  
 12 *TION STUDY.—The Secretary shall carry out the project for*  
 13 *water supply, Willamette River Basin Review Reallocation,*  
 14 *Oregon, authorized by section 401 of this Act, substantially*  
 15 *in accordance with the terms and conditions described in*  
 16 *the Report of the Chief of Engineers, dated December 18,*  
 17 *2019, with the following modifications:*

18               (1) *The Secretary shall meet the obligations of*  
 19 *the Corps of Engineers under the Endangered Species*  
 20 *Act of 1973 by complying with the June 2019 NMFS*  
 21 *Willamette Basin Review Study Biological Opinion*  
 22 *Reasonable and Prudent Alternative until such time,*  
 23 *if any, as it is modified or replaced, in whole or in*  
 24 *part, through the consultation process under section*  
 25 *7(a) of the Endangered Species Act of 1973.*

1           (2) *The Secretary may reallocate not more than*  
 2           *10 percent of overall storage in the joint conservation*  
 3           *pool, as authorized by this Act and without further*  
 4           *congressional action, if such reallocation is consistent*  
 5           *with the ongoing consultation under section 7(a) of*  
 6           *the Endangered Species Act of 1973 related to Wil-*  
 7           *lamette Valley System operations.*

8           (3) *The Secretary shall ensure that the revised*  
 9           *reallocation is not reallocated from a single storage*  
 10          *use, does not seriously affect authorized project pur-*  
 11          *poses, and does not otherwise involve major oper-*  
 12          *ational changes to the project.*

13          (e) *CANO MARTIN PENA, SAN JUAN, PUERTO RICO.—*  
 14          *Section 5127 of the Water Resources Development Act of*  
 15          *2007 (121 Stat. 1242) is amended by striking*  
 16          *“\$150,000,000” and inserting “\$255,816,000”.*

17          **SEC. 403. AUTHORIZATION OF PROJECTS BASED ON FEASI-**  
 18                               **BILITY STUDIES PREPARED BY NON-FEDERAL**  
 19                               **INTERESTS.**

20          (a) *IN GENERAL.—The Secretary is authorized to*  
 21          *carry out the following projects for water resources develop-*  
 22          *ment and conservation and other purposes, subject to sub-*  
 23          *section (b):*

24               (1) *FORT PIERCE, ST. LUCIE COUNTY, FLOR-*  
 25          *IDA.—The project for hurricane and storm damage*



1        *reduction, Fort Pierce, St. Lucie County, Florida, as*  
 2        *described in the review assessment of the Secretary, ti-*  
 3        *tled “Review Assessment of St. Lucie County, Florida*  
 4        *Fort Pierce Shore Protection Project Section 203 Inte-*  
 5        *grated Feasibility Study and Environmental Assess-*  
 6        *ment (June 2018)” and dated July 2018, at a total*  
 7        *cost of \$33,107,639, and at an estimated total cost of*  
 8        *\$97,958,972 for periodic nourishment over the 50-year*  
 9        *life of the project.*

10        (2) *BAPTISTE COLLETTE BAYOU, LOUISIANA.—*  
 11        *The project for navigation, Baptiste Collette Bayou,*  
 12        *Louisiana, as described in the review assessment of*  
 13        *the Secretary, titled “Review Assessment of*  
 14        *Plaquemines Parish Government’s Section 203 Study*  
 15        *Baptiste Collette Bayou Navigation Channel Deep-*  
 16        *ening Project Integrated Feasibility Study and Envi-*  
 17        *ronmental Assessment (January 2017, Amended April*  
 18        *2018)” and dated June 2018, at a total cost of*  
 19        *\$44,920,000.*

20        (3) *HOUMA NAVIGATION CANAL, LOUISIANA.—*  
 21        *The project for navigation, Houma Navigation Canal,*  
 22        *Louisiana, as described in the review assessment of*  
 23        *the Secretary, titled “Review Assessment of Houma*  
 24        *Navigation Canal Deepening Project Section 203 In-*  
 25        *tegrated Feasibility Report and DRAFT Environ-*

1        *mental Impact Statement (June 2018)” and dated*  
2        *July 2018, at a total cost of \$253,458,000.*

3            (4) *PORT FOURCHON BELLE PASS CHANNEL,*  
4        *LOUISIANA.—The project for navigation, Port*  
5        *Fourchon Belle Pass Channel, Louisiana, as described*  
6        *in the review assessment of the Secretary, titled “Re-*  
7        *view Assessment of Port Fourchon Belle Pass Channel*  
8        *Deepening Project Section 203 Feasibility Study*  
9        *(January 2019, revised January 2020)” and dated*  
10       *April 2020, at a total cost of \$95,483,000.*

11           (5) *WILMINGTON HARBOR, NORTH CAROLINA.—*  
12        *The project for navigation, Wilmington Harbor,*  
13        *North Carolina, as described in the review assessment*  
14        *of the Secretary, titled “Review Assessment of Wil-*  
15        *mington Harbor, North Carolina Navigation Im-*  
16        *provement Project Integrated Section 203 Study &*  
17        *Environmental Report (February 2020)” and dated*  
18        *May 2020, at a total cost of \$834,093,000.*

19           (6) *CHACON CREEK, TEXAS.—The project for*  
20        *flood risk management, ecosystem restoration, and*  
21        *other purposes, Chacon Creek, Texas, as described in*  
22        *the review assessment of the Secretary, titled “Review*  
23        *Assessment of Chacon Creek, Texas Section 203 Inte-*  
24        *grated Feasibility Report and DRAFT Environ-*

1        *mental Assessment (August 2018)” and dated Sep-*  
 2        *tember 2018, at a total cost of \$51,973,000.*

3        *(b) REQUIREMENTS.—The Secretary may only carry*  
 4        *out a project authorized under subsection (a)—*

5                *(1) substantially in accordance with the applica-*  
 6        *ble review assessment for the project submitted by the*  
 7        *Secretary under section 203(c) of the Water Resources*  
 8        *Development Act of 1986, as identified in subsection*  
 9        *(a) of this section, and subject to such modifications*  
 10        *or conditions as the Secretary considers appropriate*  
 11        *and identifies in a final assessment that addresses the*  
 12        *concerns, recommendations, and conditions identified*  
 13        *by the Secretary in the applicable review assessment;*  
 14        *and*

15                *(2) after the Secretary transmits to the Com-*  
 16        *mittee on Transportation and Infrastructure of the*  
 17        *House of Representatives and the Committee on Envi-*  
 18        *ronment and Public Works of the Senate such final*  
 19        *assessment.*

## 20        **TITLE V—OTHER MATTERS**

### 21        **SEC. 501. UPDATE ON INVASIVE SPECIES POLICY GUID-** 22        **ANCE.**

23        *(a) IN GENERAL.—The Secretary shall periodically*  
 24        *update the Invasive Species Policy Guidance, developed*  
 25        *under section 104 of the River and Harbor Act of 1958 (33*

1 *U.S.C. 610) and the Nonindigenous Aquatic Nuisance Pre-*  
 2 *vention and Control Act of 1990 (16 U.S.C. 4701 et seq.),*  
 3 *in accordance with the most recent National Invasive Spe-*  
 4 *cies Council Management Plan developed pursuant to Exec-*  
 5 *utive Order 13112.*

6 (b) *INCLUSION.—The Secretary may include in the up-*  
 7 *dated guidance invasive species specific efforts at federally*  
 8 *authorized water resources development projects located*  
 9 *in—*

10 (1) *high-altitude lakes; and*

11 (2) *the Tennessee and Cumberland River basins.*

12 **SEC. 502. AQUATIC INVASIVE SPECIES RESEARCH.**

13 *Section 1108 of the Water Resources Development Act*  
 14 *of 2018 (33 U.S.C. 2263a) is amended—*

15 (1) *in subsection (a)—*

16 (A) *by striking “management” and insert-*  
 17 *ing “prevention, management,”; and*

18 (B) *by inserting “, elodea, quagga mussels,”*  
 19 *after “Asian carp”; and*

20 (2) *in subsection (b)—*

21 (A) *by inserting “or could be impacted in*  
 22 *the future” after “impacted”; and*

23 (B) *by striking “Pacific” and all that fol-*  
 24 *lows through the period at the end and inserting*  
 25 *“Pacific, Arctic, and Gulf Coasts, the Great*

1           *Lakes, and reservoirs operated and maintained*  
2           *by the Secretary.”.*

3   **SEC. 503. TERRESTRIAL NOXIOUS WEED CONTROL PILOT**  
4           **PROGRAM.**

5           *(a) IN GENERAL.—The Secretary shall carry out a*  
6   *pilot program, in consultation with the Federal Interagency*  
7   *Committee for the Management of Noxious and Exotic*  
8   *Weeds, to identify and develop new and improved strategies*  
9   *for terrestrial noxious weed control on Federal land under*  
10   *the jurisdiction of the Secretary.*

11          *(b) PARTNERSHIPS.—In carrying out the pilot pro-*  
12   *gram under subsection (a), the Secretary shall act in part-*  
13   *nership with such other individuals and entities as the Sec-*  
14   *retary determines to be appropriate.*

15          *(c) COOPERATIVE AGREEMENTS.—The Secretary may*  
16   *utilize cooperative agreements with county and State agen-*  
17   *cies for the implementation of the pilot program under sub-*  
18   *section (a).*

19          *(d) REPORT TO CONGRESS.—Not later than 2 years*  
20   *after the date of enactment of this Act, the Secretary shall*  
21   *provide to the Committee on Environment and Public*  
22   *Works of the Senate and the Committee on Transportation*  
23   *and Infrastructure of the House of Representatives a report*  
24   *describing the new and improved strategies developed*  
25   *through the pilot program under subsection (a).*

1 **SEC. 504. INVASIVE SPECIES RISK ASSESSMENT,**  
 2 **PRIORITIZATION, AND MANAGEMENT.**

3 *Section 528(f)(2) of the Water Resources Development*  
 4 *Act of 1996 (110 Stat. 3771) is amended—*

5 *(1) by redesignating subparagraphs (I) and (J)*  
 6 *as subparagraphs (J) and (K), respectively;*

7 *(2) by inserting after subparagraph (H) the fol-*  
 8 *lowing:*

9 *“(I) shall, using existing amounts appro-*  
 10 *priated to the Task Force, develop and update,*  
 11 *as appropriate, a priority list of invasive species*  
 12 *that—*

13 *“(i) reflects an assessment of ecological*  
 14 *risk that the listed invasive species rep-*  
 15 *resent;*

16 *“(ii) includes populations of invasive*  
 17 *plants and animals that—*

18 *“(I) are significantly impacting*  
 19 *the structure and function of ecological*  
 20 *communities, native species, or habitat*  
 21 *within the South Florida ecosystem; or*

22 *“(II) demonstrate a strong poten-*  
 23 *tial to reduce, obscure, or otherwise*  
 24 *alter key indicators used to measure*  
 25 *Everglades restoration progress; and*

1           “(iii) shall be used by the Task Force  
 2           and agencies and entities represented on the  
 3           Task Force to focus cooperative and collabo-  
 4           rative efforts—

5                       “(I) to guide applied research;

6                       “(II) to develop innovative strate-  
 7                       gies and tools to facilitate improved  
 8                       management, control, or eradication of  
 9                       listed invasive species;

10                      “(III) to implement specific man-  
 11                      agement, control, or eradication activi-  
 12                      ties at the appropriate periodicity and  
 13                      intensity necessary to reduce or neu-  
 14                      tralize the impacts of listed invasive  
 15                      species, including the use of qualified  
 16                      skilled volunteers when appropriate;  
 17                      and

18                      “(IV) to develop innovative strate-  
 19                      gies and tools to prevent future intro-  
 20                      ductions of nonnative species;”;

21           (3) in subparagraph (J) (as so redesignated), by  
 22           striking “ecosystem” and inserting “ecosystem, in-  
 23           cluding the activities described in subparagraph (I)”;  
 24           and

1           (4) in clause (i) of subparagraph (K) (as so re-  
 2           designated), by inserting “, including the priority list  
 3           under subparagraph (I) and the activities described  
 4           in that subparagraph” after “Task Force”.

5 **SEC. 505. INVASIVE SPECIES MITIGATION AND REDUCTION.**

6           Section 104 of the River and Harbor Act of 1958 (33  
 7 U.S.C. 610) is amended—

8           (1) in subsection (b)—

9           (A) in paragraph (1)—

10           (i) in the matter preceding subpara-  
 11           graph (A), by striking “this section  
 12           \$110,000,000” and inserting “this section  
 13           (except for subsections (f) and (g))  
 14           \$130,000,000”;

15           (ii) in subparagraph (B), by striking  
 16           “and” at the end;

17           (iii) in subparagraph (C), by striking  
 18           the period at the end and inserting a semi-  
 19           colon; and

20           (iv) by adding at the end the following:

21           “(D) \$30,000,000 shall be made available to  
 22           carry out subsection (d)(1)(A)(iv); and

23           “(E) \$10,000,000 shall be made available to  
 24           carry out subsection (d)(1)(A)(v).”;



1           *(B) by redesignating paragraph (2) as*  
 2           *paragraph (3);*

3           *(C) by inserting after paragraph (1) the fol-*  
 4           *lowing:*

5           “(2) *OTHER PROGRAMS.*—

6           “*(A) IN GENERAL.*—*There are authorized to*  
 7           *be appropriated—*

8           “*(i) \$10,000,000 for each of fiscal*  
 9           *years 2021 through 2024 to carry out sub-*  
 10           *section (f); and*

11           “*(ii) \$50,000,000 for each of fiscal*  
 12           *years 2021 through 2024 to carry out sub-*  
 13           *section (g)(2).*

14           “*(B) INVASIVE PLANT SPECIES PILOT PRO-*  
 15           *GRAM.*—*There is authorized to be appropriated*  
 16           *to the Secretary of the Interior, acting through*  
 17           *the Director of the United States Fish and Wild-*  
 18           *life Service, \$10,000,000 to carry out subsection*  
 19           *(g)(3).”; and*

20           *(D) in paragraph (3) (as so redesignated),*  
 21           *by inserting “or (2)(A)” after “paragraph (1)”;*  
 22           *(2) in subsection (d)—*

23           *(A) in the subsection heading, by inserting*  
 24           “*AND DECONTAMINATION*” *after “INSPECTION”;*

25           *(B) in paragraph (1)—*

1                   (i) in subparagraph (A)—

2                   (I) in the subparagraph heading,  
3                   by inserting “AND DECONTAMINATION”  
4                   after “INSPECTION”;

5                   (II) in clause (ii), by striking  
6                   “and” at the end;

7                   (III) in clause (iii), by striking  
8                   “Arizona River Basins.” and inserting  
9                   “Arkansas River Basins;”; and

10                  (IV) by adding at the end the fol-  
11                  lowing:

12                  “(iv) to protect the Russian River  
13                  Basin, California; and

14                  “(v) to protect basins and watersheds  
15                  that adjoin an international border between  
16                  the United States and Canada.”; and

17                  (ii) by striking subparagraph (B) and  
18                  inserting the following:

19                  “(B) LOCATIONS.—The Secretary shall  
20                  place watercraft inspection and decontamination  
21                  stations under subparagraph (A) at locations  
22                  with the highest likelihood of preventing the  
23                  spread of aquatic invasive species into and out  
24                  of waters of the United States, as determined by

1           *the Secretary in consultation with the Governors*  
 2           *and entities described in paragraph (3).”;*

3                   *(C) in paragraph (3)(A), by striking “(iii)”*  
 4           *and inserting “(v)”;* and

5                   *(D) by striking “watercraft inspection sta-*  
 6           *tions” each place it appears and inserting*  
 7           *“watercraft inspection and decontamination sta-*  
 8           *tions”;* and

9           *(3) by adding at the end the following:*

10       “(f) *INVASIVE SPECIES MANAGEMENT PILOT PRO-*  
 11 *GRAM.—*

12                   “(1) *DEFINITION OF INVASIVE SPECIES.—In this*  
 13       *subsection, the term ‘invasive species’ has the meaning*  
 14       *given the term in section 1 of Executive Order 13112*  
 15       *(64 Fed. Reg. 6183; relating to invasive species (Feb-*  
 16       *ruary 3, 1999)) (as amended by section 2 of Execu-*  
 17       *tive Order 13751 (81 Fed. Reg. 88609; relating to*  
 18       *safeguarding the Nation from the impacts of invasive*  
 19       *species (December 5, 2016))).*

20                   “(2) *DEVELOPMENT OF PLANS.—The Secretary,*  
 21       *in coordination with the Aquatic Nuisance Species*  
 22       *Task Force, shall carry out a pilot program under*  
 23       *which the Secretary shall collaborate with States in*  
 24       *the Upper Missouri River Basin in developing vol-*  
 25       *untary aquatic invasive species management plans to*

1       *mitigate the effects of invasive species on public infra-*  
2       *structure facilities located on reservoirs of the Corps*  
3       *of Engineers in those States.*

4               “(3) *MANAGEMENT PLAN.*—

5                       “(A) *IN GENERAL.*—*The Secretary, in con-*  
6                       *sultation with the Governor of each State in the*  
7                       *Upper Missouri River Basin that elects to par-*  
8                       *ticipate in the pilot program, shall prepare a*  
9                       *management plan, or update or expand an exist-*  
10                      *ing plan, for each participating State that iden-*  
11                      *tifies public infrastructure facilities located on*  
12                      *reservoirs of the Corps of Engineers in those*  
13                      *States that—*

14                      “(i) *are affected by aquatic invasive*  
15                      *species; and*

16                      “(ii) *need financial and technical as-*  
17                      *sistance in order to maintain operations.*

18                      “(B) *USE OF EXISTING PLANS.*—*In devel-*  
19                      *oping a management plan under subparagraph*  
20                      *(A), the Secretary shall consider a management*  
21                      *plan submitted by a participating State under*  
22                      *section 1204(a) of the Nonindigenous Aquatic*  
23                      *Nuisance Prevention and Control Act of 1990*  
24                      *(16 U.S.C. 4724(a)).*

1           “(4) *TERMINATION OF AUTHORITY.*—*The author-*  
 2           *ity provided under this subsection shall terminate on*  
 3           *September 30, 2024.*

4           “(g) *INVASIVE SPECIES PREVENTION, CONTROL, AND*  
 5           *ERADICATION.*—

6           “(1) *DEFINITION OF INVASIVE SPECIES.*—*In this*  
 7           *subsection, the term ‘invasive species’ has the meaning*  
 8           *given the term in section 1 of Executive Order 13112*  
 9           *(64 Fed. Reg. 6183; relating to invasive species (Feb-*  
 10           *ruary 3, 1999)) (as amended by section 2 of Execu-*  
 11           *tive Order 13751 (81 Fed. Reg. 88609; relating to*  
 12           *safeguarding the Nation from the impacts of invasive*  
 13           *species (December 5, 2016))).*

14           “(2) *INVASIVE SPECIES PARTNERSHIPS.*—

15           “(A) *IN GENERAL.*—*The Secretary may*  
 16           *enter into partnerships with applicable States*  
 17           *and other Federal agencies to carry out actions*  
 18           *to prevent the introduction of, control, or eradi-*  
 19           *cate, to the maximum extent practicable,*  
 20           *invasive species that adversely impact water*  
 21           *quantity or water quality in the Platte River*  
 22           *Basin, the Upper Colorado River Basin, the*  
 23           *Upper Snake River Basin, and the Upper Mis-*  
 24           *souri River Basin.*

1                   “(B) *PRIORITIZATION*.—*In selecting actions*  
 2                   *to carry out under a partnership under subpara-*  
 3                   *graph (A), the Secretary shall give priority to*  
 4                   *projects that are intended to control or eradicate*  
 5                   *the Russian olive (*Elaeagnus angustifolia*) or*  
 6                   *saltcedar (of the genus *Tamarix*).*

7                   “(3) *INVASIVE PLANT SPECIES PILOT PRO-*  
 8                   *GRAM*.—

9                   “(A) *DEFINITIONS*.—*In this paragraph:*

10                   “(i) *ELIGIBLE ENTITY*.—*The term ‘eli-*  
 11                   *gible entity’ means a partnership between*  
 12                   *or among 2 or more entities that—*

13                   “(I) *includes—*

14                   “(aa) *at least 1 flood control*  
 15                   *district; and*

16                   “(bb) *at least 1 city, county,*  
 17                   *township, town, borough, parish,*  
 18                   *village, or other general purpose*  
 19                   *political subdivision of a State or*  
 20                   *Indian Tribe (as defined in sec-*  
 21                   *tion 4 of the Indian Self-Deter-*  
 22                   *mination and Education Assist-*  
 23                   *ance Act (25 U.S.C. 5304)); and*

24                   “(II) *may include any other enti-*  
 25                   *ty (such as a nonprofit organization or*

1                   *institution of higher education), as de-*  
 2                   *termined by the Secretary.*

3                   “(ii) *INVASIVE PLANT SPECIES.*—*The*  
 4                   *term ‘invasive plant species’ means a plant*  
 5                   *that is nonnative to the ecosystem under*  
 6                   *consideration, the introduction of which*  
 7                   *causes or is likely to cause economic harm*  
 8                   *or harm to human health.*

9                   “(B) *PILOT PROGRAM.*—*The Secretary of*  
 10                  *the Interior, acting through the Director of the*  
 11                  *United States Fish and Wildlife Service, shall es-*  
 12                  *tablish a pilot program under which such Sec-*  
 13                  *retary shall work with eligible entities to carry*  
 14                  *out activities—*

15                  “(i) *to remove invasive plant species in*  
 16                  *riparian areas that contribute to drought*  
 17                  *conditions in—*

18                  “(I) *the Lower Colorado River*  
 19                  *Basin;*

20                  “(II) *the Rio Grande River*  
 21                  *Basin;*

22                  “(III) *the Texas Gulf Coast*  
 23                  *Basin; and*

24                  “(IV) *the Arkansas-White-Red*  
 25                  *Basin;*

1                   “(ii) where appropriate, to replace the  
 2                   invasive plant species described in clause (i)  
 3                   with ecologically suitable native species; and  
 4                   “(iii) to maintain and monitor ripar-  
 5                   ian areas in which activities are carried out  
 6                   under clauses (i) and (ii).

7                   “(C) *REPORT TO CONGRESS.*—Not later  
 8                   than 18 months after the date of enactment of  
 9                   this subsection, the Secretary of the Interior, act-  
 10                  ing through the Director of the United States  
 11                  Fish and Wildlife Service, shall submit to the  
 12                  Committee on Environment and Public Works of  
 13                  the Senate and the Committee on Transportation  
 14                  and Infrastructure of the House of Representa-  
 15                  tives a report describing the implementation of  
 16                  the pilot program.

17                  “(D) *TERMINATION OF AUTHORITY.*—The  
 18                  authority provided under this paragraph shall  
 19                  terminate on September 30, 2024.

20                  “(4) *COST SHARE.*—The Federal share of an ac-  
 21                  tion carried out under a partnership under para-  
 22                  graph (2) or an activity carried out under the pilot  
 23                  program under paragraph (3) shall not exceed 80 per-  
 24                  cent of the total cost of the action or activity.”.



1 **SEC. 506. AQUATIC INVASIVE SPECIES PREVENTION.**

2 *Section 1039(b) of the Water Resources Reform and*  
3 *Development Act of 2014 (16 U.S.C. 4701 note) is amend-*  
4 *ed—*

5 *(1) in paragraph (1)—*

6 *(A) in the paragraph heading, by striking*  
7 *“UPPER MISSISSIPPI AND OHIO RIVER BASINS*  
8 *AND TRIBUTARIES” and inserting “MISSISSIPPI*  
9 *RIVER AND TRIBUTARIES, INCLUDING SUB-BA-*  
10 *SINS”;*

11 *(B) in subparagraph (A), by striking*  
12 *“Upper Mississippi and Ohio River basins and*  
13 *tributaries” and inserting “Mississippi River*  
14 *and tributaries, including the 6 sub-basins of the*  
15 *River,”; and*

16 *(C) in subparagraph (B), by striking “and*  
17 *the document prepared” and all that follows*  
18 *through “February 2012.” and inserting “the*  
19 *Mississippi River Basin Asian Carp Control*  
20 *Strategy Framework, and the Asian Carp Re-*  
21 *gional Coordinating Committee’s Asian Carp*  
22 *Action Plan.”; and*

23 *(2) in paragraph (2)—*

24 *(A) in subparagraph (A)—*

1                   (i) by striking “December 31 of each  
2                   year” and inserting “December 31, 2020,  
3                   and biennially thereafter”; and

4                   (ii) by striking “Upper Mississippi  
5                   and Ohio River basins and tributaries” and  
6                   inserting “Mississippi River and tribu-  
7                   taries, including the 6 sub-basins of the  
8                   River”; and

9                   (B) in subparagraph (B)—

10                  (i) in clause (i), by striking “Upper  
11                  Mississippi and Ohio River basins and trib-  
12                  utaries” and inserting “Mississippi River  
13                  and tributaries, including the 6 sub-basins  
14                  of the River,”; and

15                  (ii) in clause (ii), by striking “Upper  
16                  Mississippi and Ohio River basins and trib-  
17                  utaries” and inserting “Mississippi River  
18                  and tributaries, including the 6 sub-basins  
19                  of the River”.

20 **SEC. 507. INVASIVE SPECIES IN ALPINE LAKES PILOT PRO-**  
21 **GRAM.**

22                  (a) *ESTABLISHMENT.*—The Secretary of the Interior,  
23 acting through the Director of the United States Fish and  
24 Wildlife Service, shall establish a pilot program (referred  
25 to in this section as the “pilot program”) to develop and

1 *carry out effective measures necessary to prevent, control,*  
 2 *or eradicate aquatic invasive species in alpine lakes that*  
 3 *are not located within a unit of the National Park System.*

4 (b) *PARTNERSHIPS.*—*The Secretary of the Interior,*  
 5 *acting through the Director of the United States Fish and*  
 6 *Wildlife Service, shall offer to enter into a partnership to*  
 7 *carry out the pilot program with—*

8 (1) *any relevant partnering Federal agency; and*

9 (2) *any relevant compact agency organized with*  
 10 *the consent of Congress under article I, section 10 of*  
 11 *the Constitution of the United States.*

12 (c) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*  
 13 *authorized to be appropriated to carry out the pilot pro-*  
 14 *gram \$25,000,000 for the period of fiscal years 2022*  
 15 *through 2024.*

16 **SEC. 508. MURDER HORNET ERADICATION PILOT PROGRAM.**

17 (a) *GRANT AUTHORITY.*—*The Secretary of the Inte-*  
 18 *rior, acting through the Director of the Fish and Wildlife*  
 19 *Service, and in consultation with all relevant Federal agen-*  
 20 *cies, shall establish a pilot program to provide financial*  
 21 *assistance to States for management, research, and public*  
 22 *education activities necessary to—*

23 (1) *eradicate the Asian giant hornet; and*

24 (2) *restore bee populations damaged by the Asian*  
 25 *giant hornet.*

1       (b) *ELIGIBILITY.*—*A State is eligible to receive finan-*  
 2 *cial assistance under this section if the State has dem-*  
 3 *onstrated to the Secretary of the Interior sufficient need to*  
 4 *implement measures to eradicate the Asian giant hornet.*

5       (c) *COST SHARING.*—

6           (1) *FEDERAL SHARE.*—*The Federal share of the*  
 7 *costs of activities carried out under the pilot program*  
 8 *may not exceed 75 percent of the total costs of such*  
 9 *activities.*

10          (2) *IN-KIND CONTRIBUTIONS.*—*The non-Federal*  
 11 *share of the costs of activities carried out under the*  
 12 *pilot program may be provided in the form of in-kind*  
 13 *contributions of materials or services.*

14       (d) *LIMITATION ON ADMINISTRATIVE EXPENSES.*—*Not*  
 15 *more than 5 percent of financial assistance provided by the*  
 16 *Secretary of the Interior under this section may be used*  
 17 *for administrative expenses.*

18       (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*  
 19 *authorized to be appropriated to the Secretary of the Inte-*  
 20 *rior to carry out the pilot program \$4,000,000 for each of*  
 21 *fiscal years 2021 through 2025.*

22       (f) *DEFINITIONS.*—*In this section:*

23           (1) *ASIAN GIANT HORNET.*—*The term “Asian*  
 24 *giant hornet” means a Vespa mandarinia.*

1           (2) *STATE.*—*The term “State” means each of the*  
2           *several States, the District of Columbia, and the terri-*  
3           *tories and insular possessions of the United States.*

4           (g) *SUNSET.*—*The authority under this section shall*  
5           *terminate on the date that is 5 years after the date of enact-*  
6           *ment of this Act.*

7   **SEC. 509. ASIAN CARP PREVENTION AND CONTROL PILOT**  
8           **PROGRAM.**

9           (a) *CORPS OF ENGINEERS ASIAN CARP PREVENTION*  
10          *PILOT PROGRAM.*—

11           (1) *IN GENERAL.*—*The Secretary, in conjunction*  
12           *with the Tennessee Valley Authority and other rel-*  
13           *evant Federal agencies, shall carry out an Asian carp*  
14           *prevention pilot program to carry out projects to*  
15           *manage and prevent the spread of Asian carp using*  
16           *innovative technologies, methods, and measures.*

17           (2) *PROJECT SELECTION.*—

18           (A) *LOCATION.*—*Each project under the*  
19           *pilot program shall be carried out in a river sys-*  
20           *tem or reservoir in the Cumberland River Water-*  
21           *shed or Tennessee River Watershed in which*  
22           *Asian carp populations are expanding or have*  
23           *been documented.*

1           (B) *CONSULTATION.*—*In selecting projects*  
2           *to carry out under the pilot program, the Sec-*  
3           *retary shall consult with—*

4                   (i) *applicable Federal, State, and local*  
5                   *agencies;*

6                   (ii) *institutions of higher education;*  
7                   *and*

8                   (iii) *relevant private organizations, in-*  
9                   *cluding nonprofit organizations.*

10          (C) *LIMITATIONS.*—

11                   (i) *NUMBER OF PROJECTS.*—*The Sec-*  
12                   *retary may select not more than 10 projects*  
13                   *to carry out under the pilot program.*

14                   (ii) *DEADLINE.*—*Not later than Sep-*  
15                   *tember 30, 2024, the Secretary shall com-*  
16                   *plete projects selected to be carried out*  
17                   *under the pilot program.*

18          (3) *BEST PRACTICES.*—*In carrying out the pilot*  
19                   *program, to the maximum extent practicable, the Sec-*  
20                   *retary shall consider existing best practices, such as*  
21                   *those described in the document of the Asian Carp*  
22                   *Working Group of the Aquatic Nuisance Species Task*  
23                   *Force entitled “Management and Control Plan for*  
24                   *Bighead, Black, Grass, and Silver Carps in the*  
25                   *United States” and dated November 2007.*

1           (4) *COST-SHARE.*—

2                   (A) *IN GENERAL.*—*The Federal share of the*  
3                   *costs of a project carried out under the program*  
4                   *may not exceed 75 percent of the total costs of*  
5                   *the project.*

6                   (B) *OPERATION, MAINTENANCE, REHABILI-*  
7                   *TATION, AND REPAIR.*—*After the completion of a*  
8                   *project under the pilot program, the Federal*  
9                   *share of the costs for operation, maintenance, re-*  
10                  *habilitation, and repair of the project shall be*  
11                  *100 percent.*

12               (5) *MEMORANDUM OF AGREEMENT.*—*For projects*  
13               *carried out in reservoirs owned or managed by the*  
14               *Tennessee Valley Authority, the Secretary and the*  
15               *Tennessee Valley Authority shall execute a memo-*  
16               *randum of agreement establishing the framework for*  
17               *a partnership and the terms and conditions for shar-*  
18               *ing expertise and resources.*

19               (6) *PAYMENTS.*—*The Secretary is authorized to*  
20               *accept and expend funds from the Tennessee Valley*  
21               *Authority to complete any work under this section at*  
22               *a reservoir owned or managed by the Tennessee Valley*  
23               *Authority.*

24               (7) *REPORT.*—*Not later than 2 years after the*  
25               *date of enactment of this Act, and 2 years thereafter,*

1        *the Secretary shall submit to Congress a report de-*  
 2        *scribing the results of the pilot program, including an*  
 3        *analysis of the effectiveness of the innovative tech-*  
 4        *nologies, methods, and measures used in projects car-*  
 5        *ried out under the pilot program at preventing the*  
 6        *spread, or managing the eradicating of, Asian carp.*

7            (8) *AUTHORIZATION OF APPROPRIATIONS.—*  
 8        *There is authorized to be appropriated to carry out*  
 9        *this subsection \$25,000,000, to remain available until*  
 10       *expended.*

11       (b) *FISH AND WILDLIFE SERVICE ASIAN CARP ERADI-*  
 12       *CATION PROGRAM.—*

13            (1) *ESTABLISHMENT.—The Secretary of the Inte-*  
 14        *rior, acting through the Director of the United States*  
 15        *Fish and Wildlife Service, shall establish a program*  
 16        *to provide financial assistance to States to implement*  
 17        *measures, including for management, research, and*  
 18        *public education activities, necessary to eradicate the*  
 19        *Asian carp.*

20            (2) *ELIGIBILITY.—A State is eligible to receive*  
 21        *financial assistance under this subsection if such*  
 22        *State has demonstrated to the Secretary of the Inte-*  
 23        *rior sufficient need to implement measures to eradi-*  
 24        *cate the Asian carp.*



1           (3) *PRIORITY.*—*In providing financial assist-*  
2           *ance under the program, the Secretary of the Interior*  
3           *shall give priority to States in the Cumberland River*  
4           *Watershed or the Tennessee River Watershed in which*  
5           *Asian carp populations are expanding or have been*  
6           *documented.*

7           (4) *COST SHARING.*—

8                 (A) *FEDERAL SHARE.*—*The Federal share*  
9                 *of the costs of activities carried out under the*  
10                *program may not exceed 80 percent of the total*  
11                *costs of such activities.*

12               (B) *IN-KIND CONTRIBUTIONS.*—*The non-*  
13                *Federal share of the costs of activities carried out*  
14                *under the program may be provided in the form*  
15                *of in-kind contributions of materials or services.*

16           (5) *LIMITATION ON ADMINISTRATIVE EX-*  
17            *PENSES.*—*Not more than 5 percent of financial as-*  
18            *sistance provided by the Secretary of the Interior*  
19            *under this subsection may be used for administrative*  
20            *expenses.*

21           (6) *AUTHORIZATION OF APPROPRIATIONS.*—  
22            *There is authorized to be appropriated to the Sec-*  
23            *retary of the Interior to carry out this subsection*  
24            *\$4,000,000 for each of fiscal years 2021 through 2025.*

1 **SEC. 510. INVASIVE SPECIES IN NONCONTIGUOUS STATES**  
2 **AND TERRITORIES PILOT PROGRAM.**

3 (a) *ESTABLISHMENT.*—*The Secretary of the Interior,*  
4 *acting through the Director of the United States Fish and*  
5 *Wildlife Service, shall establish a pilot program to carry*  
6 *out measures necessary to prevent, control, or eradicate*  
7 *invasive species in culturally significant forested water-*  
8 *sheds in noncontiguous States and territories of the United*  
9 *States in which the Corps of Engineers is carrying out flood*  
10 *risk management projects.*

11 (b) *IMPLEMENTATION.*—*The Secretary of the Interior,*  
12 *acting through the Director of the United States Fish and*  
13 *Wildlife Service, is encouraged to carry out the measures*  
14 *described in subsection (a) in consultation with—*

15 (1) *States, any territory or possession of the*  
16 *United States, and units of local government, includ-*  
17 *ing federally recognized Indian Tribes (as defined in*  
18 *section 4 of the Indian Self-Determination and Edu-*  
19 *cation Assistance Act (25 U.S.C. 5304)); and*

20 (2) *nonprofit organizations with knowledge of,*  
21 *and experience in, forested watershed management,*  
22 *including nonprofit organizations with a primary*  
23 *purpose of serving and partnering with indigenous*  
24 *communities.*

25 (c) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*  
26 *authorized to be appropriated to carry out the pilot pro-*

1 gram under subsection (a) \$25,000,000 for the period of fis-  
2 cal years 2022 through 2024.

3 **SEC. 511. SOIL MOISTURE AND SNOWPACK MONITORING.**

4 (a) *INSTALLATION OF NETWORK.*—

5 (1) *IN GENERAL.*—*In accordance with the activi-*  
6 *ties required under section 4003(a) of the Water Re-*  
7 *sources Reform and Development Act of 2014 (128*  
8 *Stat. 1310; 130 Stat. 1676), and to support the goals*  
9 *of the Weather Research and Forecasting Innovation*  
10 *Act of 2017 (Public Law 115–25) and the National*  
11 *Integrated Drought Information System Reauthoriza-*  
12 *tion Act of 2018 (Public Law 115–423), the Sec-*  
13 *retary, in coordination with the Administrator of the*  
14 *National Oceanic and Atmospheric Administration*  
15 *(referred to in this section as the “Administrator”),*  
16 *the Chief of the Natural Resources Conservation Serv-*  
17 *ice, the Director of the United States Geological Sur-*  
18 *vey, and the Commissioner of Reclamation, shall con-*  
19 *tinue installation of a network of soil moisture and*  
20 *plains snowpack monitoring stations, and modifica-*  
21 *tion of existing stations, in the Upper Missouri River*  
22 *Basin.*

23 (2) *REQUIREMENTS.*—*In carrying out installa-*  
24 *tion and modification activities under paragraph (1),*  
25 *the Secretary—*

1           (A) may continue to enter into agreements,  
 2           including cooperative agreements, with State  
 3           mesonet programs for purposes of installing new  
 4           stations or modifying existing stations;

5           (B) shall transfer ownership and all respon-  
 6           sibilities for operation and maintenance of new  
 7           stations to the respective State mesonet program  
 8           for the State in which the monitoring station is  
 9           located on completion of installation of the sta-  
 10          tion; and

11          (C) shall establish, in consultation with the  
 12          Administrator, requirements and standards for  
 13          the installation of new stations and modification  
 14          of existing stations to ensure seamless data inte-  
 15          gration into—

16               (i) the National Mesonet Program;  
 17               (ii) the National Coordinated Soil  
 18               Moisture Network; and  
 19               (iii) other relevant networks.

20          (3) AUTHORIZATION OF APPROPRIATIONS.—  
 21          There is authorized to be appropriated to carry out  
 22          this subsection, in addition to any other funds au-  
 23          thorized to be appropriated for the installation of a  
 24          network of soil moisture and plains snowpack moni-  
 25          toring stations or the modification of existing stations

1       *in the Upper Missouri River Basin, \$7,000,000 for*  
2       *each of fiscal years 2021 through 2025.*

3       **(b) SOIL MOISTURE AND SNOWPACK MONITORING**  
4       **PILOT PROGRAM.—**

5               **(1) IN GENERAL.**—*Not later than 180 days after*  
6       *the date of the enactment of this Act, the Adminis-*  
7       *trator shall establish within the National Mesonet*  
8       *Program a pilot program for the acquisition and use*  
9       *of data generated by the network described in sub-*  
10       *section (a).*

11               **(2) REQUIREMENTS.**—*In establishing the pilot*  
12       *program under paragraph (1), the Administrator*  
13       *shall—*

14                       **(A)** *enter into agreements with State*  
15       *mesonet programs in the Upper Missouri River*  
16       *Basin to acquire data generated by the network*  
17       *described in subsection (a) that—*

18                               **(i)** *are similar to the agreements in ef-*  
19       *fect as of the date of the enactment of this*  
20       *Act with States under the National Mesonet*  
21       *Program; and*

22                               **(ii)** *allow for sharing of data with*  
23       *other Federal agencies and with institutions*  
24       *engaged in federally supported research, in-*

1                   cluding the United States Drought Monitor,  
2                   as appropriate and feasible;

3                   (B) in coordination with the Secretary, the  
4                   Chief of the Natural Resources Conservation  
5                   Service, the Director of the United States Geo-  
6                   logical Survey, and the Commissioner of Rec-  
7                   lamation, gather data from the operation of the  
8                   network to inform ongoing efforts of the National  
9                   Oceanic and Atmospheric Administration in  
10                  support of—

11                   (i) the National Integrated Drought  
12                   Information System, including the National  
13                   Coordinated Soil Moisture Network;

14                   (ii) the United States Drought Mon-  
15                   itor;

16                   (iii) the National Water Model and  
17                   other relevant national modeling efforts;

18                   (iv) validation, verification, and cali-  
19                   bration of satellite-based, in situ, and other  
20                   remote sensing activities and output prod-  
21                   ucts;

22                   (v) flood risk and water resources mon-  
23                   itoring initiatives by the Secretary and the  
24                   Commissioner; and

1                   (vi) any other programs or initiatives  
2                   the Administrator considers appropriate;

3                   (C) at the request of State mesonet pro-  
4                   grams, or as the Administrator considers appro-  
5                   priate, provide technical assistance to such pro-  
6                   grams under the pilot program under paragraph  
7                   (1) to ensure proper data requirements; and

8                   (D) ensure an appropriate mechanism for  
9                   quality control and quality assurance is em-  
10                  ployed for the data acquired under the pilot pro-  
11                  gram, such as the Meteorological Assimilation  
12                  Data Ingest System.

13               (3) *STUDY REQUIRED.*—

14               (A) *IN GENERAL.*—Not later than 1 year  
15               after the date of the enactment of this Act, the  
16               Administrator shall initiate a study of the pilot  
17               program required by paragraph (1) to evaluate  
18               the data generated by the network described in  
19               subsection (a) and the applications of that data  
20               to programs and initiatives described in para-  
21               graph (2)(B).

22               (B) *ELEMENTS.*—The study required by  
23               subparagraph (A) shall include an assessment  
24               of—

(i) the contribution of the soil moisture, snowpack, and other relevant data generated by the network described in subsection (a) to weather, subseasonal and seasonal, and climate forecasting products on the local, regional, and national levels;

(ii) the enhancements made to the National Integrated Drought Information System, the National Water Model, and the United States Drought Monitor, and other relevant national modeling efforts, using data and derived data products generated by the network;

(iii) the contribution of data generated by the network to remote sensing products and approaches;

(iv) the viability of the ownership and operational structure of the network; and

(v) any other matters the Administrator considers appropriate, in coordination with the Secretary, the Chief of the Natural Resources Conservation Service, the Director of the United States Geological Survey, and the Commissioner of Reclamation.



1           (4) *REPORT REQUIRED.*—Not later than 4 years  
 2       after the date of the enactment of this Act, the Admin-  
 3       istrator shall submit to the appropriate congressional  
 4       committees a report—

5                (A) *setting forth the findings of the study*  
 6       *required by paragraph (3); and*

7                (B) *making recommendations based on*  
 8       *those findings to improve weather, subseasonal,*  
 9       *seasonal, and climate monitoring nationally.*

10          (5) *GOVERNMENT ACCOUNTABILITY OFFICE*  
 11       *AUDIT.*—

12               (A) *IN GENERAL.*—Not later than 60 days  
 13       after the report required by paragraph (4) is  
 14       submitted, the Comptroller General of the United  
 15       States shall initiate an audit to evaluate that re-  
 16       port and determine whether—

17                   (i) *the Administrator, in conducting*  
 18       *the pilot program under paragraph (1), has*  
 19       *utilized the relevant data generated by the*  
 20       *network described in subsection (a) in the*  
 21       *manner most beneficial to the programs and*  
 22       *initiatives described in paragraph (2)(B);*

23                   (ii) *the acquisition agreements entered*  
 24       *into under paragraph (2)(A) with State*

mesonet programs fully comply with the requirements of that paragraph; and

(iii) the heads of other agencies, including the Secretary, the Chief of the Natural Resources Conservation Service, the Director of the United States Geological Survey, and the Commissioner of Reclamation, are utilizing the data generated by the network to better inform and improve the missions of those agencies.

(B) *REPORT REQUIRED.*—Not later than 270 days after initiating the audit required by subparagraph (A), the Comptroller General shall submit to the appropriate congressional committees a report setting forth the findings of the audit.

(6) *APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.*—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Commerce, Science, and Transportation, the Committee on Environment and Public Works, and the Committee on Energy and Natural Resources of the Senate; and

1                   (B) *the Committee on Transportation and*  
 2                   *Infrastructure, the Committee on Science, Space,*  
 3                   *and Technology, and the Committee on Natural*  
 4                   *Resources of the House of Representatives.*

5   **SEC. 512. GREAT LAKES ST. LAWRENCE SEAWAY DEVELOP-**  
 6                   **MENT CORPORATION.**

7           (a) *RENAMING THE SAINT LAWRENCE SEAWAY DE-*  
 8   *VELOPMENT CORPORATION.*—*The Act of May 13, 1954 (33*  
 9   *U.S.C. 981 et seq.) is amended—*

10           (1) *in section 1 (33 U.S.C. 981), by striking*  
 11           *“Saint Lawrence Seaway Development Corporation”*  
 12           *and inserting “Great Lakes St. Lawrence Seaway De-*  
 13           *velopment Corporation”; and*

14           (2) *in section 2(b) (33 U.S.C. 982(b)), by strik-*  
 15           *ing “Saint Lawrence Seaway Development Corpora-*  
 16           *tion” and inserting “Great Lakes St. Lawrence Sea-*  
 17           *way Development Corporation”.*

18           (b) *REFERENCES.*—*Any reference to the Saint Law-*  
 19   *rence Seaway Development Corporation in any law, regula-*  
 20   *tion, document, record, Executive order, or other paper of*  
 21   *the United States shall be deemed to be a reference to the*  
 22   *Great Lakes St. Lawrence Seaway Development Corpora-*  
 23   *tion.*

24           (c) *TECHNICAL AND CONFORMING AMENDMENTS.*—

1           (1) *TITLE 5.*—Section 5315 of title 5, United  
 2       *States Code*, is amended by striking “Saint Lawrence  
 3       *Seaway Development Corporation*” and inserting  
 4       “Great Lakes St. Lawrence Seaway Development Cor-  
 5       poration”.

6           (2) *TITLE 18.*—Section 2282B of title 18, United  
 7       *States Code*, is amended by striking “Saint Lawrence  
 8       *Seaway Development Corporation*” and inserting  
 9       “Great Lakes St. Lawrence Seaway Development Cor-  
 10      poration”.

11          (3) *INTERNAL REVENUE CODE.*—Section  
 12       9505(a)(2) of the Internal Revenue Code of 1986 (26  
 13       U.S.C. 9505(a)(2)) is amended by striking “Saint  
 14       Lawrence Seaway Development Corporation” and in-  
 15       serting “Great Lakes St. Lawrence Seaway Develop-  
 16       ment Corporation”.

17          (4) *TITLE 31.*—Section 9101(3)(K) of title 31,  
 18       *United States Code*, is amended by striking “Saint  
 19       Lawrence Seaway Development Corporation” and in-  
 20       serting “Great Lakes St. Lawrence Seaway Develop-  
 21       ment Corporation”.

22          (5) *WATER RESOURCES DEVELOPMENT ACT OF*  
 23       1986.—*The Water Resources Development Act of 1986*  
 24       (33 U.S.C. 2211 et seq.) is amended—

1           (A) in section 206 (33 U.S.C. 2234), by  
 2           striking “Saint Lawrence Seaway Development  
 3           Corporation” and inserting “Great Lakes St.  
 4           Lawrence Seaway Development Corporation”;

5           (B) in section 210(a)(1) (33 U.S.C.  
 6           2238(a)(1)), by striking “Saint Lawrence Sea-  
 7           way Development Corporation” and inserting  
 8           “Great Lakes St. Lawrence Seaway Development  
 9           Corporation”;

10          (C) in section 214(2)(B) (33 U.S.C.  
 11          2241(2)(B)), by striking “Saint Lawrence Sea-  
 12          way Development Corporation” and inserting  
 13          “Great Lakes St. Lawrence Seaway Development  
 14          Corporation”; and

15          (D) in section 1132(b) (33 U.S.C. 2309(b)),  
 16          by striking “Saint Lawrence Seaway Develop-  
 17          ment Corporation” and inserting “Great Lakes  
 18          St. Lawrence Seaway Development Corporation”  
 19          each place it appears.

20          (6) TITLE 46.—Title 46, United States Code, is  
 21          amended—

22               (A) in section 2109, by striking “Saint  
 23               Lawrence Seaway Development Corporation”  
 24               and inserting “Great Lakes St. Lawrence Sea-  
 25               way Development Corporation”;

1           (B) in section 8103(g), by striking “Saint  
2       Lawrence Seaway Development Corporation”  
3       and inserting “Great Lakes St. Lawrence Sea-  
4       way Development Corporation”;

5           (C) in section 8503(c), by striking “Saint  
6       Lawrence Seaway Development Corporation”  
7       and inserting “Great Lakes St. Lawrence Sea-  
8       way Development Corporation”;

9           (D) in section 55112(a)(3), by striking “St.  
10      Lawrence Seaway Development Corporation”  
11      and inserting “Great Lakes St. Lawrence Sea-  
12      way Development Corporation”;

13          (E) in section 55331(3), by striking “Saint  
14      Lawrence Seaway Development Corporation”  
15      and inserting “Great Lakes St. Lawrence Sea-  
16      way Development Corporation”; and

17          (F) in section 70032, by striking “Saint  
18      Lawrence Seaway Development Corporation”  
19      and inserting “Great Lakes St. Lawrence Sea-  
20      way Development Corporation” each place it ap-  
21      pears.

22      (7) TITLE 49.—

23           (A) IN GENERAL.—Title 49, United States  
24      Code, is amended—

25           (i) in section 110—

1 (I) in the heading, by striking  
 2 “**Saint Lawrence Seaway De-**  
 3 **velopment Corporation**” and in-  
 4 serting “**Great Lakes St. Law-**  
 5 **rence Seaway Development**  
 6 **Corporation**”; and

7 (II) in subsection (a), by striking  
 8 “Saint Lawrence Seaway Development  
 9 Corporation” and inserting “Great  
 10 Lakes St. Lawrence Seaway Develop-  
 11 ment Corporation”; and

12 (ii) in section 6314(c)(2)(G), by strik-  
 13 ing “Saint Lawrence Seaway Development  
 14 Corporation” and inserting “Great Lakes  
 15 St. Lawrence Seaway Development Cor-  
 16 poration”.

17 (B) *TABLE OF SECTIONS.*—The table of sec-  
 18 tions for chapter 1 of subtitle I of title 49,  
 19 United States Code, is amended by amending the  
 20 item relating to section 110 to read as follows:

“110. Great Lakes St. Lawrence Seaway Development Corporation.”.

21 **SEC. 513. DETERMINATION OF BUDGETARY EFFECTS.**

22 The budgetary effects of this Act, for the purpose of  
 23 complying with the Statutory Pay-As-You-Go Act of 2010,  
 24 shall be determined by reference to the latest statement titled  
 25 “Budgetary Effects of PAYGO Legislation” for this Act,

1 *submitted for printing in the Congressional Record by the*  
2 *Chairman of the House Budget Committee, provided that*  
3 *such statement has been submitted prior to the vote on pas-*  
4 *sage.*

Amend the title so as to read: “An Act to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes.”.

Attest:

*Clerk.*





116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 1811**

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**AMENDMENTS**