

Calendar No. 488

115TH CONGRESS
2D SESSION

H. R. 8

IN THE SENATE OF THE UNITED STATES

JUNE 11, 2018

Received

JUNE 26, 2018

Read twice and placed on the calendar

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.

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Water Resources Development Act of 2018”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Secretary defined.

TITLE I—GENERAL PROVISIONS

- Sec. 101. Sense of Congress regarding water resources development bills.
- Sec. 102. Assessment of harbors and inland harbors.
- Sec. 103. Levee safety initiative reauthorization.
- Sec. 104. Dam safety.
- Sec. 105. Rehabilitation of Corps of Engineers constructed dams.
- Sec. 106. Forecast-informed reservoir operations.
- Sec. 107. Identification of nonpowered dams for hydropower development.
- Sec. 108. Emergency response to natural disasters.
- Sec. 109. Integrated water resources planning.
- Sec. 110. Mitigation banks.
- Sec. 111. Indian Tribes.
- Sec. 112. Columbia River.
- Sec. 113. Dissemination of information.
- Sec. 114. Non-Federal engagement and review.
- Sec. 115. Comprehensive backlog report.
- Sec. 116. Structures and facilities constructed by Secretary.
- Sec. 117. Transparency in administrative expenses.
- Sec. 118. Study of the future of the United States Army Corps of Engineers.
- Sec. 119. Acknowledgment of credit.
- Sec. 120. Non-Federal implementation pilot program.
- Sec. 121. Study of water resources development projects by non-Federal interests.
- Sec. 122. Construction of water resources development projects by non-Federal interests.
- Sec. 123. Technical assistance for regional coalitions.
- Sec. 124. Advanced funds for water resources development studies and projects.
- Sec. 125. Funding to process permits.
- Sec. 126. Study on economic and budgetary analyses.
- Sec. 127. Study of corrosion management at Corps of Engineers projects.
- Sec. 128. Costs in excess of Federal participation limit.
- Sec. 129. Report on innovative materials.
- Sec. 130. Study on Corps of Engineers.
- Sec. 131. GAO study.
- Sec. 132. GAO report on Alaska Native village relocation efforts due to flooding and erosion threats.
- Sec. 133. Study and report on expediting certain waiver processes.
- Sec. 134. Corps of Engineers continuing authorities program.
- Sec. 135. Credit or reimbursement.
- Sec. 136. Lake Okeechobee regulation schedule review.
- Sec. 137. Missouri River.
- Sec. 138. Access to real estate data.
- Sec. 139. Aquatic invasive species research.
- Sec. 140. Harmful algal bloom technology demonstration.
- Sec. 141. Bubbly Creek, Chicago ecosystem restoration.
- Sec. 142. Operation and maintenance of navigation and hydroelectric facilities.
- Sec. 143. Hurricane and storm damage reduction.
- Sec. 144. Post-disaster watershed assessments in the territories of the United States.
- Sec. 145. Old River control structure, Louisiana.
- Sec. 146. Dredge pilot program.
- Sec. 147. Disposition of projects.
- Sec. 148. Sense of Congress.
- Sec. 149. Community engagement.

- Sec. 150. Operation and maintenance of existing infrastructure.
- Sec. 151. Clarification for integral determination.
- Sec. 152. Cost share payment for certain projects.
- Sec. 153. Locks on Allegheny River.
- Sec. 154. Assistance relating to water supply.
- Sec. 155. Noise pollution abatement and mitigation.
- Sec. 156. Property acquisition.
- Sec. 157. Sense of Congress on navigation safety.
- Sec. 158. Cost and benefit feasibility assessment.
- Sec. 159. Study on Stormwater Runoff Requirements.
- Sec. 160. Sense of Congress relating to Puerto Rico.
- Sec. 161. Dredged material management plans.
- Sec. 162. Feasibility of Chicago Sanitary and Ship Canal Dispersal Barriers Project, Illinois.
- Sec. 163. Sense of Congress encouraging non-Federal dredged material placement sponsors.
- Sec. 164. Project completion for disaster areas.
- Sec. 165. Inclusion of project or facility in Corps of Engineers workplan.
- Sec. 166. Mississippi River and Tributaries Project.
- Sec. 167. Maintenance of high risk flood control projects.
- Sec. 168. Contributed funds for non-Federal reservoir operations.
- Sec. 169. Corps of Engineers continuing authorities program.

TITLE II—STUDIES

- Sec. 201. Authorization of proposed feasibility studies.
- Sec. 202. Additional studies.
- Sec. 203. Expedited completion of reports for certain projects.
- Sec. 204. Plymouth Harbor, Massachusetts.
- Sec. 205. Brandon Road study.
- Sec. 206. Houston and Coastal Texas.

TITLE III—DEAUTHORIZATIONS, MODIFICATIONS, AND RELATED PROVISIONS

- Sec. 301. Deauthorization of inactive projects.
- Sec. 302. Backlog prevention.
- Sec. 303. Project modifications.
- Sec. 304. Milwaukee Harbor, Milwaukee, Wisconsin.
- Sec. 305. Bridgeport Harbor, Connecticut.
- Sec. 306. Conveyances.
- Sec. 307. Clatsop County, Oregon.
- Sec. 308. Kissimmee River restoration, Central and Southern Florida.
- Sec. 309. Lytle and Cajon Creeks, California.
- Sec. 310. Yuba River Basin, California.
- Sec. 311. Boston harbor reserved channel deauthorizations.
- Sec. 312. Continued authorization of certain projects.
- Sec. 313. Puget sound nearshore ecosystem restoration.
- Sec. 314. Land conveyance.
- Sec. 315. Cedar River, Cedar Rapids, Iowa.
- Sec. 316. Corps of Engineers bridge repair and divestiture program for New England evacuation routes.
- Sec. 317. Port of Whitman County.
- Sec. 318. Hampton Harbor, New Hampshire, navigation improvement project.
- Sec. 319. Portsmouth Harbor and Piscataqua River.

TITLE IV—WATER RESOURCES INFRASTRUCTURE

Sec. 401. Project authorizations.

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

2 In this Act, the term “Secretary” means the Sec-
3 retary of the Army.

4 **TITLE I—GENERAL PROVISIONS**

5 **SEC. 101. SENSE OF CONGRESS REGARDING WATER RE-**
6 **SOURCES DEVELOPMENT BILLS.**

7 It is the sense of Congress that, because the missions
8 of the Corps of Engineers for navigation, flood control,
9 beach erosion control and shoreline protection, hydro-
10 electric power, recreation, water supply, environmental
11 protection, restoration, and enhancement, and fish and
12 wildlife mitigation benefit all Americans, and because
13 water resources development projects are critical to main-
14 taining the country’s economic prosperity, national secu-
15 rity, and environmental protection, Congress should con-
16 sider a water resources development bill not less often
17 than once every Congress.

18 **SEC. 102. ASSESSMENT OF HARBORS AND INLAND HAR-**
19 **BORS.**

20 Section 210(e) of the Water Resources Development
21 Act of 1986 (33 U.S.C. 2238) is amended—

22 (1) in paragraph (1), by striking “shall assess
23 the” and inserting “shall assess, and issue a report
24 to Congress on, the”; and

1 (2) in paragraph (2), by adding at the end the
2 following:

3 “(C) OPPORTUNITIES FOR BENEFICIAL
4 USE OF DREDGED MATERIALS.—In carrying out
5 paragraph (1), the Secretary shall identify po-
6 tential opportunities for the beneficial use of
7 dredged materials obtained from harbors and
8 inland harbors referred to in subsection (a)(2),
9 including projects eligible under section 1122 of
10 the Water Resources Development Act of 2016
11 (130 Stat. 1645; 33 U.S.C. 2326 note).”.

12 **SEC. 103. LEVEE SAFETY INITIATIVE REAUTHORIZATION.**

13 Title IX of the Water Resources Development Act of
14 2007 (33 U.S.C. 3301 et seq.) is amended—

15 (1) in section 9005(g)(2)(E)(i), by striking
16 “2015 through 2019” and inserting “2019 through
17 2023”; and

18 (2) in section 9008, by striking “2015 through
19 2019” each place it appears and inserting “2019
20 through 2023”.

21 **SEC. 104. DAM SAFETY.**

22 Section 14 of the National Dam Safety Program Act
23 (33 U.S.C. 467j) is amended by striking “2015 through
24 2019” each place it appears and inserting “2019 through
25 2023”.

1 **SEC. 105. REHABILITATION OF CORPS OF ENGINEERS CON-**
2 **STRUCTED DAMS.**

3 Section 1177 of the Water Resources Development
4 Act of 2016 (33 U.S.C. 467f–2 note) is amended—

5 (1) in subsection (e), by striking “\$10,000,000”
6 and inserting “\$40,000,000”; and

7 (2) in subsection (f), by striking “\$10,000,000”
8 and inserting “\$40,000,000”.

9 **SEC. 106. FORECAST-INFORMED RESERVOIR OPERATIONS.**

10 (a) **REPORT ON FORECAST-INFORMED RESERVOIR**
11 **OPERATIONS.**—Not later than one year after the date of
12 completion of the forecast-informed reservoir operations
13 research study pilot program at Coyote Valley Dam, Rus-
14 sian River Basin, California (authorized by the River and
15 Harbor Act of 1950 (64 Stat. 177)), the Secretary shall
16 issue a report to the Committee on Transportation and
17 Infrastructure of the House of Representatives and the
18 Committee on Environment and Public Works of the Sen-
19 ate on the results of the study pilot program.

20 (b) **CONTENTS OF REPORT.**—The Secretary shall in-
21 clude in the report issued under subsection (a)—

22 (1) an analysis of the use of forecast-informed
23 reservoir operations at Coyote Valley Dam, Cali-
24 fornia;

1 (2) an assessment of the viability of using fore-
2 cast-informed reservoir operations at other dams
3 owned or operated by the Secretary;

4 (3) an identification of other dams owned or op-
5 erated by the Secretary where forecast-informed res-
6 ervoir operations may assist the Secretary in the op-
7 timization of future reservoir operations; and

8 (4) any additional areas for future study of
9 forecast-informed reservoir operations.

10 **SEC. 107. IDENTIFICATION OF NONPOWERED DAMS FOR**
11 **HYDROPOWER DEVELOPMENT.**

12 (a) IN GENERAL.—Not later than 18 months after
13 the date of enactment of this section, the Secretary shall
14 develop a list of existing nonpowered dams owned and op-
15 erated by the Corps of Engineers that have the greatest
16 potential for hydropower development.

17 (b) CONSIDERATIONS.—In developing the list under
18 subsection (a), the Secretary may consider the following:

19 (1) The compatibility of hydropower generation
20 with existing purposes of the dam.

21 (2) The proximity of the dam to existing trans-
22 mission resources.

23 (3) The existence of studies to characterize en-
24 vironmental, cultural, and historic resources relating
25 to the dam.

1 (4) Whether hydropower is an authorized pur-
2 pose of the dam.

3 (c) AVAILABILITY.—The Secretary shall provide the
4 list developed under subsection (a) to the Committee on
5 Transportation and Infrastructure of the House of Rep-
6 resentatives and the Committee on Environment and Pub-
7 lic Works of the Senate, and make such list available to
8 the public.

9 **SEC. 108. EMERGENCY RESPONSE TO NATURAL DISASTERS.**

10 (a) IN GENERAL.—Section 5(a)(1) of the Act of Au-
11 gust 18, 1941 (33 U.S.C. 701n(a)(1)) is amended in the
12 first sentence—

13 (1) by striking “strengthening, raising, extend-
14 ing, or other modification thereof” and inserting
15 “strengthening, raising, extending, realigning, or
16 other modification thereof”; and

17 (2) by striking “structure or project damaged
18 or destroyed by wind, wave, or water action of other
19 than an ordinary nature to the design level of pro-
20 tection when, in the discretion of the Chief of Engi-
21 neers,” and inserting “structure or project damaged
22 or destroyed by wind, wave, or water action of other
23 than an ordinary nature to either the pre-storm level
24 or the design level of protection, whichever provides

1 greater protection, when, in the discretion of the
2 Chief of Engineers,”.

3 (b) DURATION.—Section 156(e) of the Water Re-
4 sources Development Act of 1976 (42 U.S.C. 1962d–
5 5f(e)) is amended by striking “6 years” and inserting “9
6 years”.

7 **SEC. 109. INTEGRATED WATER RESOURCES PLANNING.**

8 In carrying out a water resources development feasi-
9 bility study, the Secretary shall consult with local govern-
10 ments in the watershed covered by such study to deter-
11 mine if local water management plans exist, or are under
12 development, for the purposes of stormwater management,
13 water quality improvement, aquifer recharge, water stor-
14 age, or water reuse.

15 **SEC. 110. MITIGATION BANKS.**

16 (a) DEFINITION OF MITIGATION BANK.—In this sec-
17 tion, the term “mitigation bank” has the meaning given
18 that term in section 332.2 of title 33, Code of Federal
19 Regulations.

20 (b) GUIDANCE.—The Secretary shall issue guidance
21 on the use of mitigation banks to meet requirements for
22 water resources development projects in order to update
23 mitigation bank credit release schedules to—

1 (1) support the goal of achieving efficient per-
2 mitting and maintaining appropriate environmental
3 protections; and

4 (2) promote increased transparency in the use
5 of mitigation banks.

6 (c) REQUIREMENTS.—The guidance issued under
7 subsection (b) shall—

8 (1) be consistent with—

9 (A) part 230 of title 40, Code of Federal
10 Regulations;

11 (B) section 906 of the Water Resources
12 Development Act of 1986 (33 U.S.C. 2283);

13 (C) part 332 of title 33, Code of Federal
14 Regulations; and

15 (D) section 314(b) of the National Defense
16 Authorization Act for Fiscal Year 2004 (Public
17 Law 108–136; 33 U.S.C. 1344 note); and

18 (2) provide for—

19 (A) the mitigation bank sponsor to provide
20 sufficient financial assurances to ensure a high
21 level of confidence that the compensatory miti-
22 gation project will be successfully completed, in
23 accordance with applicable performance stand-
24 ards, under section 332.3(n) of title 33, Code of
25 Federal Regulations;

1 (B) the mitigation bank sponsor to reserve
2 the share of mitigation bank credits required to
3 ensure ecological performance of the mitigation
4 bank, in accordance with section 332.8(o) of
5 title 33, Code of Federal Regulations; and

6 (C) all credits except for the share reserved
7 under subparagraph (B) to be available upon
8 completion of the construction of the mitigation
9 bank.

10 **SEC. 111. INDIAN TRIBES.**

11 (a) COST SHARING PROVISIONS FOR THE TERRI-
12 TORIES AND INDIAN TRIBES.—Section 1156(a)(2) of the
13 Water Resources Development Act of 1986 (33 U.S.C.
14 2310(a)(2)) is amended by striking “section 102 of the
15 Federally Recognized Indian Tribe List Act of 1994 (25
16 U.S.C. 5130)” and inserting “section 4(e) of the Indian
17 Self-Determination and Education Assistance Act (25
18 U.S.C. 5304(e))”.

19 (b) WRITTEN AGREEMENT REQUIREMENT FOR
20 WATER RESOURCES PROJECTS.—Section 221(b)(1) of the
21 Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)(1))
22 is amended by striking “a federally recognized Indian tribe
23 and, as defined in section 3 of the Alaska Native Claims
24 Settlement Act (43 U.S.C. 1602), a Native village, Re-
25 gional Corporation, and Village Corporation” and insert-

1 ing “an Indian tribe, as defined in section 4(e) of the In-
2 dian Self-Determination and Education Assistance Act
3 (25 U.S.C. 5304(e))”.

4 **SEC. 112. COLUMBIA RIVER.**

5 (a) BONNEVILLE DAM, OREGON.—Section
6 1178(c)(1)(A) of the Water Resources Development Act
7 of 2016 (130 Stat. 1675) is amended by striking “may
8 provide assistance” and inserting “may provide assistance,
9 which may include housing and related improvements,”.

10 (b) JOHN DAY DAM, WASHINGTON AND OREGON.—

11 (1) IN GENERAL.—The Secretary shall, not
12 later than 180 days after the date of enactment of
13 this Act, and in consultation with the Secretary of
14 the Interior, conduct a study to determine the extent
15 to which Indian Tribes have been displaced as a re-
16 sult of the construction of the John Day Dam, Co-
17 lumbia River, Washington and Oregon, as author-
18 ized by section 204 of the Flood Control Act of 1950
19 (64 Stat. 179), including an assessment of effects
20 related to housing and related improvements.

21 (2) ADDITIONAL ACTIONS.—If the Secretary de-
22 termines, based on the study under paragraph (1),
23 that assistance is required, the Secretary may use all
24 existing authorities of the Secretary to provide as-
25 sistance, which may include housing and related im-

1 provements, to Indian Tribes displaced as a result of
2 the construction of the John Day Dam, Columbia
3 River, Washington and Oregon.

4 (3) REPEAL.—Section 1178(c)(2) of the Water
5 Resources Development Act of 2016 (130 Stat.
6 1675) is repealed.

7 (c) THE DALLES DAM, WASHINGTON AND OR-
8 EGON.—The Secretary, in consultation with the Secretary
9 of the Interior, shall complete a village development plan
10 for any Indian Tribe displaced as a result of the construc-
11 tion of the Dalles Dam, Columbia River, Washington and
12 Oregon, as authorized by section 204 of the Flood Control
13 Act of 1950 (64 Stat. 179).

14 **SEC. 113. DISSEMINATION OF INFORMATION.**

15 (a) FINDINGS.—Congress finds the following:

16 (1) Congress plays a central role in identifying,
17 prioritizing, and authorizing vital water resources in-
18 frastructure activities throughout the United States.

19 (2) The Water Resources Reform and Develop-
20 ment Act of 2014 (Public Law 113–121) established
21 a new and transparent process to review and
22 prioritize the water resources development activities
23 of the Corps of Engineers with strong congressional
24 oversight.

1 (3) Section 7001 of the Water Resources Re-
2 form and Development Act of 2014 (33 U.S.C.
3 2282d) requires the Secretary to develop and submit
4 to Congress each year a Report to Congress on Fu-
5 ture Water Resources Development and, as part of
6 the annual report process, to—

7 (A) publish a notice in the Federal Reg-
8 ister that requests from non-Federal interests
9 proposed feasibility studies and proposed modi-
10 fications to authorized water resources develop-
11 ment projects and feasibility studies for inclu-
12 sion in the report; and

13 (B) review the proposals submitted and in-
14 clude in the report those proposed feasibility
15 studies and proposed modifications that meet
16 the criteria for inclusion established under such
17 section 7001.

18 (4) Congress will use the information provided
19 in the annual Report to Congress on Future Water
20 Resources Development to determine authorization
21 needs and priorities for purposes of water resources
22 development legislation.

23 (5) To ensure that Congress can gain a thor-
24 ough understanding of the water resources develop-
25 ment needs and priorities of the United States, it is

1 important that the Secretary take sufficient steps to
2 ensure that non-Federal interests are made aware of
3 the new annual report process, including the need
4 for non-Federal interests to submit proposals during
5 the Secretary's annual request for proposals in order
6 for such proposals to be eligible for consideration by
7 Congress.

8 (b) DISSEMINATION OF PROCESS INFORMATION.—
9 The Secretary shall develop, support, and implement edu-
10 cation and awareness efforts for non-Federal interests
11 with respect to the annual Report to Congress on Future
12 Water Resources Development required under section
13 7001 of the Water Resources Reform and Development
14 Act of 2014 (33 U.S.C. 2282d), including efforts to—

15 (1) develop and disseminate technical assistance
16 materials, seminars, and guidance on the annual
17 process as it relates to non-Federal interests;

18 (2) provide written notice to local elected offi-
19 cials and previous and potential non-Federal inter-
20 ests on the annual process and on opportunities to
21 address local water resources challenges through the
22 missions and authorities of the Corps of Engineers;

23 (3) issue guidance for non-Federal interests to
24 assist such interests in developing proposals for

1 water resources development projects that satisfy the
2 requirements of such section 7001; and

3 (4) provide, at the request of a non-Federal in-
4 terest, assistance with researching and identifying
5 existing project authorizations and Corps of Engi-
6 neers decision documents.

7 **SEC. 114. NON-FEDERAL ENGAGEMENT AND REVIEW.**

8 (a) PUBLIC NOTICE.—

9 (1) IN GENERAL.—Prior to developing and
10 issuing any new or revised implementation guidance
11 for a covered water resources development law, the
12 Secretary shall issue a public notice that—

13 (A) informs potentially interested non-Fed-
14 eral stakeholders of the Secretary's intent to
15 develop and issue such guidance; and

16 (B) provides an opportunity for interested
17 non-Federal stakeholders to engage with, and
18 provide input and recommendations to, the Sec-
19 retary on the development and issuance of such
20 guidance.

21 (2) ISSUANCE OF NOTICE.—The Secretary shall
22 issue the notice under paragraph (1) through a post-
23 ing on a publicly accessible website dedicated to pro-
24 viding notice on the development and issuance of im-

1 plementation guidance for a covered water resources
2 development law.

3 (b) STAKEHOLDER ENGAGEMENT.—

4 (1) INPUT.—The Secretary shall allow a min-
5 imum of 60 days after issuance of the public notice
6 under subsection (a) for non-Federal stakeholders to
7 provide input and recommendations to the Secretary,
8 prior to finalizing implementation guidance for a
9 covered water resources development law.

10 (2) OUTREACH.—The Secretary may, as appro-
11 priate (as determined by the Secretary), reach out to
12 non-Federal stakeholders and circulate drafts of im-
13 plementation guidance for a covered water resources
14 development law for informal feedback and rec-
15 ommendations.

16 (c) DEVELOPMENT OF GUIDANCE.—When developing
17 implementation guidance for a covered water resources de-
18 velopment law, the Secretary shall take into consideration
19 the input and recommendations received from non-Federal
20 stakeholders, and make the final guidance available to the
21 public on-line on a publicly accessible website.

22 (d) COVERED WATER RESOURCES DEVELOPMENT
23 LAW.—In this section, the term “covered water resources
24 development law” means—

1 (1) the Water Resources Reform and Develop-
2 ment Act of 2014;

3 (2) the Water Resources Development Act of
4 2016;

5 (3) this Act; and

6 (4) any Federal water resources development
7 law enacted after the date of enactment of this Act.

8 **SEC. 115. COMPREHENSIVE BACKLOG REPORT.**

9 Section 1001(b)(4) of the Water Resources Develop-
10 ment Act of 1986 (33 U.S.C. 579a(b)(4)) is amended—

11 (1) in the header, by inserting “AND OPER-
12 ATION AND MAINTENANCE” after “BACKLOG”;

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

15 “(A) IN GENERAL.—The Secretary shall
16 compile and publish—

17 “(i) a complete list of all projects and
18 separable elements of projects of the Corps
19 of Engineers that are authorized for con-
20 struction but have not been completed; and

21 “(ii) a list of major Federal operation
22 and maintenance needs of projects and
23 properties under the control of the Corps
24 of Engineers.”;

25 (3) in subparagraph (B)—

1 (A) in the heading, by inserting “BACK-
2 LOG” before “INFORMATION”; and

3 (B) in the matter preceding clause (i), by
4 striking “subparagraph (A)” and inserting
5 “subparagraph (A)(i)”;

6 (4) by redesignating subparagraph (C) as sub-
7 paragraph (D) and inserting after subparagraph (B)
8 the following:

9 “(C) REQUIRED OPERATION AND MAINTEN-
10 NANCE INFORMATION.—The Secretary shall in-
11 clude on the list developed under subparagraph
12 (A)(ii), for each project and property under the
13 control of the Corps of Engineers on that list—

14 “(i) the authority under which the
15 project was authorized or the property was
16 acquired by the Corps of Engineers;

17 “(ii) a brief description of the project
18 or property;

19 “(iii) an estimate of the Federal costs
20 to meet the major operation and mainte-
21 nance needs at the project or property; and

22 “(iv) an estimate of unmet or deferred
23 operation and maintenance needs at the
24 project or property.”; and

25 (5) in subparagraph (D), as so redesignated—

(A) in clause (i), in the matter preceding subclause (I), by striking “Not later than 1 year after the date of enactment of this paragraph, the Secretary shall submit a copy of the list” and inserting “For fiscal year 2019, and biennially thereafter, in conjunction with the President’s annual budget submission to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit a copy of the lists”; and

(B) in clause (ii), by striking “list” and inserting “lists”.

SEC. 116. STRUCTURES AND FACILITIES CONSTRUCTED BY SECRETARY.

Section 14 of the Act of March 3, 1899 (33 U.S.C. 408) is amended by adding at the end the following:

“(d) WORK DEFINED.—For the purposes of this section, the term ‘work’ shall not include unimproved real estate owned or operated by the Secretary as part of a water resources development project if the Secretary determines that modification of such real estate would not affect the function and usefulness of the project.”.

SEC. 117. TRANSPARENCY IN ADMINISTRATIVE EXPENSES.

Section 1012(b)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2315a(b)(1))

1 is amended by striking “The Secretary” and inserting
2 “Not later than 1 year after the date of enactment of the
3 Water Resources Development Act of 2018, the Sec-
4 retary”.

5 **SEC. 118. STUDY OF THE FUTURE OF THE UNITED STATES**
6 **ARMY CORPS OF ENGINEERS.**

7 (a) IN GENERAL.—The Secretary shall enter into an
8 agreement with the National Academy of Sciences to con-
9 vene a committee of experts to carry out a comprehensive
10 study on—

11 (1) the ability of the Corps of Engineers to
12 carry out its statutory missions and responsibilities,
13 and the potential effects of transferring the func-
14 tions (including regulatory obligations), personnel,
15 assets, and civilian staff responsibilities of the Sec-
16 retary relating to civil works from the Department
17 of Defense to a new or existing agency or subagency
18 of the Federal Government, including how such a
19 transfer might affect the Federal Government’s abil-
20 ity to meet the current statutory missions and re-
21 sponsibilities of the Corps of Engineers; and

22 (2) improving the Corps of Engineers’ project
23 delivery processes, including recommendations for
24 such improvements, taking into account factors in-
25 cluding—

1 (A) the effect of the annual appropriations
2 process on the ability of the Corps of Engineers
3 to efficiently secure and carry out contracts for
4 water resources projects and perform regulatory
5 obligations;

6 (B) the effect that the current Corps of
7 Engineers leadership and geographic structure
8 at the division and district levels has on its abil-
9 ity to carry out its missions in a cost-effective
10 manner; and

11 (C) the effect of the frequency of rotations
12 of senior leaders of the Corps of Engineers and
13 how such frequency affects the function of the
14 district.

15 (b) CONSIDERATIONS.—The study carried out under
16 subsection (a) shall include consideration of—

17 (1) effects on the national security of the
18 United States;

19 (2) the ability of the Corps of Engineers to
20 maintain sufficient engineering capability and capac-
21 ity to assist ongoing and future operations of the
22 United States armed services; and

23 (3) emergency and natural disaster response
24 obligations of the Federal Government that are car-
25 ried out by the Corps of Engineers.

1 (c) CONSULTATION.—The agreement entered into
2 under subsection (a) shall require the National Academy
3 to, in carrying out the study, consult with—

4 (1) the Department of Defense, including the
5 Secretary of the Army and the Assistant Secretary
6 of the Army for Civil Works;

7 (2) the Department of Transportation;

8 (3) the Environmental Protection Agency;

9 (4) the Department of Homeland Security;

10 (5) the Office of Management and Budget;

11 (6) other appropriate Federal agencies;

12 (7) professional and nongovernmental organiza-
13 tions; and

14 (8) the Committee on Transportation and In-
15 frastructure of the House of Representatives and the
16 Committee on Environment and Public Works of the
17 Senate.

18 (d) SUBMISSION TO CONGRESS.—The Secretary shall
19 submit the final report of the National Academy con-
20 taining the findings of the study carried out under sub-
21 section (a) to the Committee on Transportation and Infra-
22 structure of the House of Representatives and the Com-
23 mittee on Environment and Public Works of the Senate
24 not later than 2 years after the date of enactment of this
25 Act.

1 **SEC. 119. ACKNOWLEDGMENT OF CREDIT.**

2 Section 7007(a) of the Water Resources Development
3 Act of 2007 (121 Stat. 1277; 128 Stat. 1226) is amended
4 by adding at the end the following: “Notwithstanding sec-
5 tion 221(a)(4)(C)(i) of the Flood Control Act of 1970 (42
6 U.S.C. 1962d–5b(a)(4)(C)(i)), the Secretary may provide
7 credit for work carried out during the period beginning
8 on November 8, 2007, and ending on the date of enact-
9 ment of the Water Resources Development Act of 2018
10 by the non-Federal interest for a project under this title
11 if the Secretary determines that the work is integral to
12 the project and was carried out in accordance with the
13 laws specified in section 5014(i)(2)(A) of the Water Re-
14 sources Reform and Development Act of 2014 (128 Stat.
15 1331) and all other applicable Federal laws.”.

16 **SEC. 120. NON-FEDERAL IMPLEMENTATION PILOT PRO-**
17 **GRAM.**

18 Section 1043(b) of the Water Resources Reform and
19 Development Act of 2014 (33 U.S.C. 2201 note) is
20 amended—

21 (1) in paragraph (3)(A)(i)—

22 (A) in the matter preceding subclause

23 (I)—

24 (i) by striking “15” and inserting

25 “20”; and

1 (ii) by striking “prior to the date of
2 enactment of this Act”;

3 (B) in subclause (I)—

4 (i) in the matter preceding item (aa),
5 by inserting “that have been authorized for
6 construction prior to the date of enactment
7 of this Act and” after “not more than 12
8 projects”; and

9 (ii) in item (bb), by striking “; and”
10 and inserting a semicolon;

11 (C) in subclause (II)—

12 (i) by inserting “that have been au-
13 thorized for construction prior to the date
14 of enactment of this Act and” after “not
15 more than 3 projects”; and

16 (ii) by striking the semicolon and in-
17 serting “; and”; and

18 (D) by adding at the end the following:

19 “(III) not more than 5 projects
20 that have been authorized for con-
21 struction, but did not receive the au-
22 thorization prior to the date of enact-
23 ment of this Act;”; and

24 (2) in subsection (b)(8) by striking “2015
25 through 2019” and inserting “2019 through 2023”.

1 **SEC. 121. STUDY OF WATER RESOURCES DEVELOPMENT**
2 **PROJECTS BY NON-FEDERAL INTERESTS.**

3 Section 203 of the Water Resources Development Act
4 of 1986 (33 U.S.C. 2231) is amended—

5 (1) in subsection (a)(1), by inserting “federally
6 authorized” before “feasibility study”;

7 (2) by amending subsection (c) to read as fol-
8 lows:

9 “(c) SUBMISSION TO CONGRESS.—

10 “(1) REVIEW AND SUBMISSION OF STUDIES TO
11 CONGRESS.—Not later than 180 days after the date
12 of receipt of a feasibility study of a project under
13 subsection (a)(1), the Secretary shall submit to the
14 Committee on Environment and Public Works of the
15 Senate and the Committee on Transportation and
16 Infrastructure of the House of Representatives a re-
17 port that describes—

18 “(A) the results of the Secretary’s review
19 of the study under subsection (b), including a
20 determination of whether the project is feasible;

21 “(B) any recommendations the Secretary
22 may have concerning the plan or design of the
23 project; and

24 “(C) any conditions the Secretary may re-
25 quire for construction of the project.

1 “(2) LIMITATION.—The completion of the re-
2 view by the Secretary of a feasibility study that has
3 been submitted under subsection (a)(1) may not be
4 delayed as a result of consideration being given to
5 changes in policy or priority with respect to project
6 consideration.”; and

7 (3) by amending subsection (e) to read as fol-
8 lows:

9 “(e) REVIEW AND TECHNICAL ASSISTANCE.—

10 “(1) REVIEW.—The Secretary may accept and
11 expend funds provided by non-Federal interests to
12 undertake reviews, inspections, certifications, and
13 other activities that are the responsibility of the Sec-
14 retary in carrying out this section.

15 “(2) TECHNICAL ASSISTANCE.—At the request
16 of a non-Federal interest, the Secretary shall provide
17 to the non-Federal interest technical assistance re-
18 lating to any aspect of a feasibility study if the non-
19 Federal interest contracts with the Secretary to pay
20 all costs of providing such technical assistance.

21 “(3) LIMITATION.—Funds provided by non-
22 Federal interests under this subsection shall not be
23 eligible for credit under subsection (d) or reimburse-
24 ment.

1 “(4) IMPARTIAL DECISIONMAKING.—In carrying
 2 out this section, the Secretary shall ensure that the
 3 use of funds accepted from a non-Federal interest
 4 will not affect the impartial decisionmaking of the
 5 Secretary, either substantively or procedurally.”.

6 **SEC. 122. CONSTRUCTION OF WATER RESOURCES DEVEL-**
 7 **OPMENT PROJECTS BY NON-FEDERAL INTER-**
 8 **ESTS.**

9 Section 204 of the Water Resources Development Act
 10 of 1986 (33 U.S.C. 2232) is amended—

11 (1) in subsection (b)—

12 (A) in paragraph (1), in the matter pre-
 13 ceding subparagraph (A), by inserting “feder-
 14 ally authorized” before “water resources devel-
 15 opment project”;

16 (B) in paragraph (2)(A), by inserting “,
 17 except as provided in paragraph (3)” before the
 18 semicolon; and

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

20 “(3) PERMIT EXCEPTION.—

21 “(A) IN GENERAL.—For a project de-
 22 scribed in subsection (a)(1) or subsection
 23 (a)(3), or a separable element thereof, with re-
 24 spect to which a written agreement described in
 25 subparagraph (B) has been entered into, a non-

1 Federal interest that carries out a project under
2 this section shall not be required to obtain any
3 Federal permits or approvals that would not be
4 required if the Secretary carried out the project
5 or separable element unless significant new cir-
6 cumstances or information relevant to environ-
7 mental concerns or compliance have arisen since
8 development of the project recommendation.

9 “(B) WRITTEN AGREEMENT.—For pur-
10 poses of this paragraph, a written agreement
11 shall provide that the non-Federal interest shall
12 comply with the same legal and technical re-
13 quirements that would apply if the project or
14 separable element were carried out by the Sec-
15 retary, including all mitigation required to off-
16 set environmental impacts of the project or sep-
17 arable element as determined by the Secretary.

18 “(C) CERTIFICATIONS.—Notwithstanding
19 subparagraph (A), if a non-Federal interest car-
20 rying out a project under this section would, in
21 the absence of a written agreement entered into
22 under this paragraph, be required to obtain a
23 certification from a State under Federal law to
24 carry out the project, such certification shall
25 still be required if a written agreement is en-

1 tered into with respect to the project under this
2 paragraph.”;

3 (2) by amending subsection (c) to read as fol-
4 lows:

5 “(c) STUDIES AND ENGINEERING.—

6 “(1) IN GENERAL.—When requested by an ap-
7 propriate non-Federal interest, the Secretary shall
8 undertake all necessary studies, engineering, and
9 technical assistance on construction for any project
10 to be undertaken under subsection (b), and provide
11 technical assistance in obtaining all necessary per-
12 mits for the construction, if the non-Federal interest
13 contracts with the Secretary to furnish the United
14 States funds for the studies, engineering, or tech-
15 nical assistance on construction in the period during
16 which the studies, engineering, or technical assist-
17 ance on construction are being conducted.

18 “(2) NO WAIVER.—Nothing in this section may
19 be construed to waive any requirement of section
20 3142 of title 40, United States Code.

21 “(3) LIMITATION.—Funds provided by non-
22 Federal interests under this subsection shall not be
23 eligible for credit or reimbursement under subsection
24 (d).

1 “(4) IMPARTIAL DECISIONMAKING.—In carrying
 2 out this section, the Secretary shall ensure that the
 3 use of funds accepted from a non-Federal interest
 4 will not affect the impartial decisionmaking of the
 5 Secretary, either substantively or procedurally.”; and

6 (3) in subsection (d)—

7 (A) in paragraph (3)—

8 (i) in subparagraph (A), by striking “;
 9 and” and inserting a semicolon;

10 (ii) in subparagraph (B)(ii), by strik-
 11 ing the period at the end and inserting “;
 12 and”; and

13 (iii) by adding at the end the fol-
 14 lowing:

15 “(C) in the case of reimbursement, appro-
 16 priations are provided by Congress for such
 17 purpose.”; and

18 (B) in paragraph (5)—

19 (i) by striking “flood damage reduc-
 20 tion” each place it appears and inserting
 21 “water resources development”;

22 (ii) in subparagraph (A), by striking
 23 “for a discrete segment of a” and inserting
 24 “for carrying out a discrete segment of a
 25 federally authorized”; and

1 (iii) in subparagraph (D), in the mat-
2 ter preceding clause (i), by inserting “to be
3 carried out” after “project”.

4 **SEC. 123. TECHNICAL ASSISTANCE FOR REGIONAL COALI-**
5 **TIONS.**

6 Section 22(a)(1) of the Water Resources Develop-
7 ment Act of 1974 (42 U.S.C. 1962d-16(a)(1)) is amended
8 to read as follows:

9 “(1) COMPREHENSIVE PLANS.—The Secretary
10 of the Army, acting through the Chief of Engineers,
11 is authorized to cooperate with any State, group of
12 States, non-Federal interest working with a State or
13 group of States, or regional coalition of govern-
14 mental entities in the preparation of comprehensive
15 plans for the development, utilization, and conserva-
16 tion of the water and related resources of drainage
17 basins, watersheds, or ecosystems located within the
18 boundaries of such State, interest, or entity, includ-
19 ing plans to comprehensively address water re-
20 sources challenges, and to submit to Congress re-
21 ports and recommendations with respect to appro-
22 priate Federal participation in carrying out such
23 plans.”.

1 **SEC. 124. ADVANCED FUNDS FOR WATER RESOURCES DE-**
2 **VELOPMENT STUDIES AND PROJECTS.**

3 (a) CONTRIBUTIONS BY STATES AND POLITICAL
4 SUBDIVISIONS FOR IMMEDIATE USE ON AUTHORIZED
5 FLOOD-CONTROL WORK; REPAYMENT.—The Act of Octo-
6 ber 15, 1940 (54 Stat. 1176; 33 U.S.C. 701h–1) is
7 amended—

8 (1) by striking “a flood-control project duly
9 adopted and authorized by law” and inserting “a
10 federally authorized water resources development
11 project,”;

12 (2) by striking “such work” and inserting
13 “such project”;

14 (3) by striking “from appropriations which may
15 be provided by Congress for flood-control work” and
16 inserting “if appropriations are provided by Con-
17 gress for such purpose”; and

18 (4) by adding at the end the following: “For
19 purposes of this Act, the term ‘State’ means the sev-
20 eral States, the District of Columbia, the common-
21 wealths, territories, and possessions of the United
22 States, and Indian tribes (as defined in section 4(e)
23 of the Indian Self-Determination and Education As-
24 sistance Act (25 U.S.C. 5304(e))).”.

25 (b) NO ADVERSE EFFECT ON PROCESSES.—In im-
26 plementing any provision of law that authorizes a non-

1 Federal interest to provide, advance, or contribute funds
 2 to the Secretary for the development or implementation
 3 of a water resources development project (including sec-
 4 tions 203 and 204 of the Water Resources Development
 5 Act of 1986 (33 U.S.C. 2231, 2232), section 5 of the Act
 6 of June 22, 1936 (33 U.S.C. 701h), and the Act of Octo-
 7 ber 15, 1940 (33 U.S.C. 701h–1)), the Secretary shall en-
 8 sure, to the maximum extent practicable, that the use by
 9 a non-Federal interest of such authorities does not ad-
 10 versely affect—

11 (1) the process or timeline for development and
 12 implementation of other water resources develop-
 13 ment projects by other non-Federal entities that do
 14 not use such authorities; or

15 (2) the process for including such projects in
 16 the President’s annual budget submission to Con-
 17 gress under section 1105(a) of title 31, United
 18 States Code.

19 (c) **ADVANCES BY PRIVATE PARTIES; REPAYMENT.**—
 20 Section 11 of the Act of March 3, 1925 (Chapter 467;
 21 33 U.S.C. 561) is repealed.

22 **SEC. 125. FUNDING TO PROCESS PERMITS.**

23 Section 214(a) of the Water Resources Development
 24 Act of 2000 (33 U.S.C. 2352(a)) is amended—

1 (1) by striking paragraph (3) and redesignating
2 paragraphs (4) and (5) as paragraphs (3) and (4),
3 respectively; and

4 (2) in paragraph (4), as so redesignated—

5 (A) by striking “4 years after the date of
6 enactment of this paragraph” and inserting
7 “December 31, 2022”; and

8 (B) by striking “carry out a study” and in-
9 serting “carry out a followup study”.

10 **SEC. 126. STUDY ON ECONOMIC AND BUDGETARY ANAL-**
11 **YSES.**

12 (a) IN GENERAL.—Not later than 180 days after the
13 date of enactment of this Act, the Secretary shall enter
14 into an agreement with the National Academy of Sciences
15 to—

16 (1) carry out a study on the economic principles
17 and analytical methodologies currently used by or
18 applied to the Corps of Engineers to formulate,
19 evaluate, and budget for water resources develop-
20 ment projects; and

21 (2) make recommendations to Congress on po-
22 tential changes to such principles and methodologies
23 to improve transparency, return on Federal invest-
24 ment, cost savings, and prioritization, in the formu-
25 lation, evaluation, and budgeting of such projects.

1 (b) CONSIDERATIONS.—The study under subsection
2 (a) shall include—

3 (1) an analysis of the current economic prin-
4 ciples and analytical methodologies used by or ap-
5 plied to the Corps of Engineers in determining the
6 total benefits and total costs during the formulation
7 of, and plan selection for, a water resources develop-
8 ment project;

9 (2) an analysis of improvements or alternatives
10 to how the Corps of Engineers utilizes the National
11 Economic Development, Regional Economic Develop-
12 ment, Environmental Quality, and Other Social Ef-
13 fects accounts developed by the Institute for Water
14 Resources of the Corps of Engineers in the formula-
15 tion of, and plan selection for, such projects;

16 (3) an analysis of whether such principles and
17 methodologies fully account for all of the potential
18 benefits of project alternatives, including any reason-
19 ably associated benefits of such alternatives that are
20 not contrary to law, Federal policy, or sound water
21 resources management;

22 (4) an analysis of whether such principles and
23 methodologies fully account for all of the costs of
24 project alternatives, including potential societal

1 costs, such as lost ecosystem services, and full
2 lifecycle costs for such alternatives;

3 (5) an analysis of the methodologies utilized by
4 the Federal Government in setting and applying dis-
5 count rates for benefit-cost analyses used in the for-
6 mulation, evaluation, and budgeting of Corps of En-
7 gineers water resources development projects; and

8 (6) an analysis of whether or not the Army
9 Corps of Engineers—

10 (A) considers cumulative benefits of locally
11 developed projects, including Master Plans ap-
12 proved by the Corps; and

13 (B) uses the benefits referred to in sub-
14 paragraph (A) for purposes of benefit-cost anal-
15 ysis for project justification for potential
16 projects within such Master Plans.

17 (c) PUBLICATION.—The agreement entered into
18 under subsection (a) shall require the National Academy
19 of Sciences to, not later than 30 days after the completion
20 of the study—

21 (1) submit a report containing the results of
22 the study and the recommendations to the Com-
23 mittee on Environment and Public Works of the
24 Senate and the Committee on Transportation and
25 Infrastructure of the House of Representatives; and

1 (2) make a copy of such report available on a
2 publicly accessible website.

3 (d) SENSE OF CONGRESS ON BUDGETARY EVALUA-
4 TION METRICS AND TRANSPARENCY.—It is the sense of
5 Congress that the President, in the formulation of the an-
6 nual budget request for the U.S. Army Corps of Engineers
7 (Civil Works), should submit to Congress a budget that—

8 (1) aligns the assessment of the potential ben-
9 efit-cost ratio for budgeting water resources develop-
10 ment projects with that used by the Corps of Engi-
11 neers during project plan formulation and evaluation
12 pursuant to section 80 of the Water Resources De-
13 velopment Act of 1974 (42 U.S.C. 1962d–17); and

14 (2) demonstrates the transparent criteria and
15 metrics utilized by the President in the evaluation
16 and selection of water resources development
17 projects included in the budget request.

18 **SEC. 127. STUDY OF CORROSION MANAGEMENT AT CORPS**
19 **OF ENGINEERS PROJECTS.**

20 (a) IN GENERAL.—Not later than 1 year after the
21 date of enactment of this Act, the Comptroller General
22 of the United States shall submit to the Committee on
23 Transportation and Infrastructure of the House of Rep-
24 resentatives and the Committee on Environment and Pub-
25 lic Works of the Senate a study of corrosion management

1 efforts at projects and properties under the control of the
2 Corps of Engineers.

3 (b) REQUIREMENTS.—The study under subsection
4 (a) shall include—

5 (1) an analysis of—

6 (A) asset management protocols that are
7 utilized by the Corps of Engineers, including
8 protocols that examine both asset integrity and
9 the integration of corrosion management efforts
10 within the asset lifecycle, which includes the
11 stages of design, manufacturing and construc-
12 tion, operation and maintenance, and decom-
13 missioning;

14 (B) available corrosion prevention tech-
15 nologies that may be used at projects and prop-
16 erties under the control of the Corps of Engi-
17 neers;

18 (C) corrosion-related asset failures and the
19 management protocols of the Corps of Engi-
20 neers to incorporate lessons learned from such
21 failures into work and management practices;

22 (D) training of Corps of Engineers employ-
23 ees with respect to, and best practices for, iden-
24 tifying and preventing corrosion at projects and

1 properties under the control of the Corps of En-
2 gineers; and

3 (E) the estimated costs and anticipated
4 benefits, including safety benefits, associated
5 with the integration of corrosion management
6 efforts within the asset lifecycle; and

7 (2) a description of Corps of Engineers, stake-
8 holder, and expert perspectives on the effectiveness
9 of corrosion management efforts to reduce the inci-
10 dence of corrosion at projects and properties under
11 the control of the Corps of Engineers.

12 **SEC. 128. COSTS IN EXCESS OF FEDERAL PARTICIPATION**
13 **LIMIT.**

14 Section 14 of the Flood Control Act of 1946 (33
15 U.S.C. 701r) is amended by inserting “, and if such
16 amount is not sufficient to cover the costs included in the
17 Federal cost share for a project, as determined by the Sec-
18 retary, the non-Federal interest shall be responsible for
19 any such costs that exceed such amount” before the period
20 at the end.

21 **SEC. 129. REPORT ON INNOVATIVE MATERIALS.**

22 Not later than 1 year after the date of enactment
23 of this Act, the Secretary shall submit to Congress a re-
24 port that describes activities conducted by the Corps of
25 Engineers at centers of expertise, technology centers, tech-

1 nical centers, research and development centers, univer-
2 sities, and similar facilities and organizations relating to
3 the testing, research, development, identification, and rec-
4 ommended uses for innovative materials in water re-
5 sources development projects.

6 **SEC. 130. STUDY ON CORPS OF ENGINEERS.**

7 Not later than 180 days after the date of enactment
8 of this Act, the Comptroller General of the United States
9 shall submit to Congress a report that—

10 (1) describes the capacity and preparedness of
11 the Corps of Engineers workforce, including chal-
12 lenges related to diversity, recruitment, retention, re-
13 tirements, credentialing, professional development,
14 on-the-job training, and other readiness-related gaps
15 in ensuring a fully prepared 21st century Corps of
16 Engineers workforce;

17 (2) provides recommendations to improve the
18 capacity and preparedness of the Corps of Engineers
19 workforce;

20 (3) contains an assessment of the existing tech-
21 nology used by the Corps of Engineers, the effects
22 of inefficiencies in the Corps' current technology
23 usage, and recommendations for improved tech-
24 nology or tools to accomplish its missions and re-
25 sponsibilities; and

1 (4) describes how changes to the navigation in-
2 dustry workforce with which the Corps of Engineers
3 collaborates may affect safety and operations within
4 the navigation industry.

5 **SEC. 131. GAO STUDY.**

6 (a) IN GENERAL.—Not later than 2 years after the
7 date of enactment of this Act, the Comptroller General
8 of the United States shall submit to the Committee on
9 Environment and Public Works of the Senate and the
10 Committee on Transportation and Infrastructure of the
11 House of Representatives a study of the consideration by
12 the Corps of Engineers of natural features and nature-
13 based features in the study of the feasibility of projects
14 for flood risk management, hurricane and storm damage
15 reduction, and ecosystem restoration.

16 (b) CONSIDERATIONS.—The study under subsection
17 (a) shall include—

18 (1) a description of guidance or instructions
19 issued, and other measures taken, by the Secretary
20 and the Chief of Engineers to consider natural fea-
21 tures and nature-based features in project feasibility
22 studies;

23 (2) an assessment of the costs, benefits, im-
24 pacts, and trade-offs associated with natural fea-
25 tures and nature-based features recommended by the

1 Secretary for flood risk reduction, hurricane and
 2 storm damage reduction (including trough bars,
 3 coastal wetlands, and barrier coral reefs), and eco-
 4 system restoration projects, and the effectiveness of
 5 those natural features and nature-based features;

6 (3) a description of any statutory, fiscal, regu-
 7 latory, or other policy barriers to the appropriate
 8 consideration and use of a full array of natural fea-
 9 tures and nature-based features; and

10 (4) any recommendations for changes to statu-
 11 tory, fiscal, regulatory, or other policies to improve
 12 the use of natural features and nature-based fea-
 13 tures by the Corps of Engineers.

14 (c) DEFINITIONS.—In this section, the terms “nat-
 15 ural feature” and “nature-based feature” have the mean-
 16 ings given such terms in section 1184 of the Water Re-
 17 sources Development Act of 2016 (33 U.S.C. 2289a).

18 **SEC. 132. GAO REPORT ON ALASKA NATIVE VILLAGE RELO-**
 19 **CATION EFFORTS DUE TO FLOODING AND**
 20 **EROSION THREATS.**

21 (a) DEFINITION OF ALASKA NATIVE VILLAGE.—In
 22 this section, the term “Alaska Native village” means a Na-
 23 tive village that has a Village Corporation (as those terms
 24 are defined in section 3 of the Alaska Native Claims Set-
 25 tlement Act (43 U.S.C. 1602)).

1 (b) REPORT.—The Comptroller General of the
2 United States shall submit to Congress a report on efforts
3 to relocate Alaska Native villages due to flooding and ero-
4 sion threats that updates the report of the Comptroller
5 General entitled “Alaska Native Villages: Limited
6 Progress Has Been Made on Relocating Villages Threat-
7 ened by Flooding and Erosion”, dated June 2009.

8 (c) INCLUSIONS.—The report under subsection (b)
9 shall include—

10 (1) a summary of flooding and erosion threats
11 to Alaska Native villages throughout the State of
12 Alaska, based on information from—

13 (A) the Corps of Engineers;

14 (B) the Denali Commission; and

15 (C) any other relevant sources of informa-
16 tion as the Comptroller General determines to
17 be appropriate;

18 (2) the status of efforts to relocate Alaska Na-
19 tive villages due to flooding and erosion threats; and

20 (3) any other issues relating to flooding and
21 erosion threats to, or relocation of, Alaska Native
22 villages, as the Comptroller General determines to be
23 appropriate.

1 **SEC. 133. STUDY AND REPORT ON EXPEDITING CERTAIN**
2 **WAIVER PROCESSES.**

3 Not later than 1 year after the date of enactment
4 of this Act, the Secretary shall complete and submit to
5 the Committee on Environment and Public Works of the
6 Senate and the Committee on Transportation and Infra-
7 structure of the House of Representatives a report based
8 on the results of a study on the best options available to
9 the Secretary to implement the waiver process for the non-
10 Federal cost share under section 116 of the Energy and
11 Water Development and Related Agencies Appropriations
12 Act, 2010 (Public Law 111–85; 123 Stat. 2851).

13 **SEC. 134. CORPS OF ENGINEERS CONTINUING AUTHORI-**
14 **TIES PROGRAM.**

15 Section 107 of the River and Harbor Act of 1960
16 (33 U.S.C. 577) is amended—

17 (1) in subsection (a), by striking
18 “\$50,000,000” and inserting “\$62,500,000”; and

19 (2) in subsection (b), by striking
20 “\$10,000,000” and inserting “\$12,500,000”.

21 **SEC. 135. CREDIT OR REIMBURSEMENT.**

22 Section 1022 of the Water Resources Reform and De-
23 velopment Act of 2014 (33 U.S.C. 2225) is amended to
24 read as follows:

1 **“SEC. 1022. CREDIT OR REIMBURSEMENT.**

2 “(a) REQUESTS FOR CREDITS.—With respect to an
3 authorized flood damage reduction project, or separable
4 element thereof, that has been constructed by a non-Fed-
5 eral interest under section 211 of the Water Resources
6 Development Act of 1996 (33 U.S.C. 701b–13), or an au-
7 thorized coastal navigation project that has been con-
8 structed by the Corps of Engineers pursuant to section
9 11 of the Act of March 3, 1925, before the date of enact-
10 ment of the Water Resources Development Act of 2018,
11 the Secretary may provide to the non-Federal interest, at
12 the request of the non-Federal interest, a credit in an
13 amount equal to the estimated Federal share of the cost
14 of the project or separable element, in lieu of providing
15 to the non-Federal interest a reimbursement in that
16 amount or reimbursement of funds of an equivalent
17 amount, subject to the availability of appropriations.

18 “(b) APPLICATION OF CREDITS.—At the request of
19 the non-Federal interest, the Secretary may apply such
20 credit to the share of the cost of the non-Federal interest
21 of carrying out other flood damage reduction and coastal
22 navigation projects or studies.

23 “(c) APPLICATION OF REIMBURSEMENT.—At the re-
24 quest of the non-Federal interest, the Secretary may apply
25 such funds, subject to the availability of appropriations,
26 equal to the share of the cost of the non-Federal interest

1 of carrying out other flood damage reduction and coastal
2 navigation projects or studies.”.

3 **SEC. 136. LAKE OKEECHOBEE REGULATION SCHEDULE RE-**
4 **VIEW.**

5 The Secretary, acting through the Chief of Engi-
6 neers, shall expedite completion of the Lake Okeechobee
7 regulation schedule to coincide with the completion of the
8 Herbert Hoover Dike project, and may consider all rel-
9 evant aspects of the Comprehensive Everglades Restora-
10 tion Plan described in section 601 of the Water Resources
11 Development Act of 2000 (114 Stat. 2680).

12 **SEC. 137. MISSOURI RIVER.**

13 (a) IRC REPORT.—Not later than 18 months after
14 the date of enactment of this Act, the Secretary shall sub-
15 mit to the Committee on Transportation and Infrastruc-
16 ture of the House of Representatives and the Committee
17 on Environment and Public Works of the Senate a report
18 regarding the impacts of interception-rearing complex con-
19 struction on the navigation, flood control, and other au-
20 thorized purposes set forth in the Missouri River Master
21 Manual, and on the population recovery of the pallid stur-
22 geon.

23 (b) NO ADDITIONAL IRC CONSTRUCTION.—Until the
24 report under subsection (a) is submitted, no additional
25 interception-rearing complex construction is authorized.

1 **SEC. 138. ACCESS TO REAL ESTATE DATA.**

2 (a) IN GENERAL.—As soon as is practicable, using
3 available funds, the Secretary shall make publicly avail-
4 able, including on a publicly accessible website, informa-
5 tion relating to all real property with respect to which the
6 Corps of Engineers holds an interest. In making such in-
7 formation publicly available, the Secretary shall, to the
8 maximum extent practicable, endeavor to provide such in-
9 formation to all adjoining residential stakeholders of real
10 property to which the Army Corps of Engineers holds an
11 interest therein. The information shall include standard-
12 ized real estate plat descriptions and geospatial informa-
13 tion.

14 (b) LIMITATION.—Nothing in this section may be
15 construed to compel or authorize the disclosure of data
16 or other information determined by the Secretary to be
17 confidential, privileged, national security, or personal in-
18 formation, or information the disclosure of which is other-
19 wise prohibited by law.

20 **SEC. 139. AQUATIC INVASIVE SPECIES RESEARCH.**

21 (a) IN GENERAL.—As part of the ongoing activities
22 of the Engineer Research and Development Center to ad-
23 dress the spread and impacts of aquatic invasive species,
24 the Secretary shall undertake research on the manage-
25 ment and eradication of aquatic invasive species, including
26 Asian carp and zebra mussels.

1 (b) LOCATIONS.—In carrying out subsection (a), the
2 Secretary shall work with Corps of Engineers district of-
3 fices representing diverse geographical regions of the con-
4 tinental United States that are impacted by aquatic
5 invasive species, such as the Atlantic, Pacific, and Gulf
6 coasts and the Great Lakes.

7 (c) REPORT.—Not later than 180 days after the date
8 of enactment of this section, the Secretary shall submit
9 to the Committee on Transportation and Infrastructure
10 of the House of Representatives and the Committee on
11 Environment and Public Works of the Senate a report rec-
12 ommending a plan to address the spread and impacts of
13 aquatic invasive species.

14 **SEC. 140. HARMFUL ALGAL BLOOM TECHNOLOGY DEM-**
15 **ONSTRATION.**

16 (a) IN GENERAL.—The Secretary, acting through the
17 Engineer Research and Development Center of the Chief
18 of Engineers, shall implement a 5-year harmful algal
19 bloom technology development demonstration under the
20 Aquatic Nuisance Research Program. To the extent prac-
21 ticable, the Corps of Engineers shall support research that
22 will identify and develop improved strategies for early de-
23 tection, prevention, and management techniques and pro-
24 cedures to reduce the occurrence and effects of harmful
25 algal blooms in the Nation’s water resources.

1 (b) SCALABILITY REQUIREMENT.—The Secretary
 2 shall ensure that technologies identified, tested, and de-
 3 ployed under the harmful algal bloom program technology
 4 development demonstration have the ability to scale up to
 5 meet the needs of harmful-algal-bloom-related events.

6 **SEC. 141. BUBBLY CREEK, CHICAGO ECOSYSTEM RESTORA-**
 7 **TION.**

8 The Secretary shall enter into a memorandum of un-
 9 derstanding with the Administrator of the Environmental
 10 Protection Agency to facilitate ecosystem restoration ac-
 11 tivities at the South Fork of the South Branch of the Chi-
 12 cago River (commonly known as Bubbly Creek).

13 **SEC. 142. OPERATION AND MAINTENANCE OF NAVIGATION**
 14 **AND HYDROELECTRIC FACILITIES.**

15 (a) IN GENERAL.—Section 314 of the Water Re-
 16 sources Development Act of 1990 (33 U.S.C. 2321) is
 17 amended—

18 (1) in the heading by inserting “**NAVIGATION**
 19 **AND**” before “**HYDROELECTRIC FACILITIES**”;

20 (2) in the first sentence, by striking “Activities
 21 currently performed” and inserting the following:

22 “(a) IN GENERAL.—Activities currently performed”;

23 (3) in subsection (a) (as designated by para-
 24 graph (2)), by inserting “navigation or” before “hy-
 25 droelectric”;

1 (4) in the second sentence, by striking “This
2 section” and inserting the following:

3 “(b) MAJOR MAINTENANCE CONTRACTS AL-
4 LOWED.—This section”; and

5 (5) by adding at the end the following:

6 “(c) EXCLUSION.—This section does not—

7 “(1) apply to a navigation facility that was
8 under contract on or before the date of enactment
9 of this subsection with a non-Federal interest to per-
10 form operations or maintenance; and

11 “(2) prohibit the Secretary from contracting
12 out commercial activities after the date of enactment
13 of this subsection at a navigation facility.”.

14 (b) CLERICAL AMENDMENT.—The table of contents
15 contained in section 1(b) of the Water Resources Develop-
16 ment Act of 1990 (104 Stat. 4604) is amended by striking
17 the item relating to section 314 and inserting the fol-
18 lowing:

“Sec. 314. Operation and maintenance of navigation and hydroelectric facili-
ties.”.

19 **SEC. 143. HURRICANE AND STORM DAMAGE REDUCTION.**

20 Section 156 of the Water Resources Development Act
21 of 1976 (42 U.S.C. 1962d–5f) is amended in subsection
22 (b)—

23 (1) by striking “Notwithstanding” and insert-
24 ing the following:

1 “(1) IN GENERAL.—Notwithstanding”; and

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

3 “(2) TIMING.—The 15 additional years under
4 paragraph (1) shall begin on the date of initiation
5 of construction of congressionally authorized nour-
6 ishment.”.

7 **SEC. 144. POST-DISASTER WATERSHED ASSESSMENTS IN**
8 **THE TERRITORIES OF THE UNITED STATES.**

9 Section 3025 of the Water Resources Reform and De-
10 velopment Act of 2014 (33 U.S.C. 2267b) is amended by
11 adding at the end the following:

12 “(e) ASSESSMENTS IN THE TERRITORIES OF THE
13 UNITED STATES.—

14 “(1) IN GENERAL.—For any major disaster de-
15 clared in the territories of the United States before
16 the date of enactment of this subsection, all activi-
17 ties in the territory carried out or undertaken pursu-
18 ant to the authorities described under this section
19 shall be conducted at full Federal expense unless the
20 President determines that the territory has the abil-
21 ity to pay the cost share for an assessment under
22 this section without the use of non-Federal funds or
23 loans.

24 “(2) TERRITORIES DEFINED.—In this sub-
25 section, the term ‘territories of the United States’

1 means those insular areas specified in section
2 1156(a)(1) of the Water Resources Development Act
3 of 1986 (33 U.S.C. 2310(a)(1)).”.

4 **SEC. 145. OLD RIVER CONTROL STRUCTURE, LOUISIANA.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of enactment of this Act, the Secretary shall submit
7 to the Committee on Transportation and Infrastructure
8 of the House of Representatives and the Committee on
9 Environment and Public Works of the Senate a report on
10 the structure and operations plan for the Old River control
11 structure authorized by the Flood Control Act of 1954 (68
12 Stat. 1258) based on the best available science, improved
13 monitoring capabilities, and other factors as determined
14 by the Secretary, including consideration of—

- 15 (1) flood control;
16 (2) navigational conditions;
17 (3) water supply; and
18 (4) ecosystem restoration and ecological produc-
19 tivity.

20 (b) PUBLIC PARTICIPATION.—In developing the re-
21 port required by subsection (a), the Secretary shall provide
22 opportunity for public input and stakeholder engagement,
23 including public meetings.

1 **SEC. 146. DREDGE PILOT PROGRAM.**

2 (a) IN GENERAL.—The Secretary is authorized to
3 carry out a pilot program to award contracts with a dura-
4 tion of up to five years for the operation and maintenance
5 of harbors and inland harbors referred to in section
6 210(a)(2) of the Water Resources Development Act of
7 1986 (33 U.S.C. 2238(a)(2)).

8 (b) SCOPE.—In carrying out the pilot program under
9 subsection (a), the Secretary may award a contract de-
10 scribed in such subsection, which may address one or more
11 harbors or inland harbors in a geographical region, if the
12 Secretary determines that the contract provides cost sav-
13 ings compared to the awarding of such work on an annual
14 basis.

15 (c) REPORT TO CONGRESS.—Not later than one year
16 after the date on which the first contract is awarded pur-
17 suant to the pilot program carried out under subsection
18 (a), the Secretary shall submit to Congress a report evalu-
19 ating, with respect to the pilot program and any contracts
20 awarded under the pilot program—

- 21 (1) cost effectiveness;
- 22 (2) reliability and performance;
- 23 (3) cost savings attributable to mobilization and
24 demobilization of dredge equipment; and
- 25 (4) response times to address navigational im-
26 pediments.

1 (d) SUNSET.—The authority of the Secretary to enter
2 into contracts pursuant to the pilot program carried out
3 under subsection (a) shall expire on the date that is 10
4 years after the date of enactment of this Act.

5 **SEC. 147. DISPOSITION OF PROJECTS.**

6 (a) IN GENERAL.—In carrying out a disposition
7 study for a project of the Corps of Engineers, or a sepa-
8 rable element of such a project, including a disposition
9 study under section 216 of the Flood Control Act of 1970
10 (33 U.S.C. 549a), the Secretary shall consider modifica-
11 tions that would improve the overall quality of the environ-
12 ment in the public interest, including removal of the
13 project or separable element of a project.

14 (b) DISPOSITION STUDY TRANSPARENCY.—The Sec-
15 retary shall carry out disposition studies described in sub-
16 section (a) in a transparent manner, including by—

- 17 (1) providing opportunities for public input; and
18 (2) publishing the final disposition studies.

19 (c) REMOVAL OF INFRASTRUCTURE.—For disposition
20 studies described in subsection (a) in which the Secretary
21 determines that a Federal interest no longer exists, and
22 makes a recommendation of removal of the project or sep-
23 arable element of a project, the Secretary is authorized
24 to pursue removal of the project or separable element of
25 a project using—

1 (1) existing authorities, as considered appro-
2 priate by the Secretary; or

3 (2) partnerships with other Federal agencies
4 and non-Federal entities with appropriate capabili-
5 ties to undertake infrastructure removal.

6 **SEC. 148. SENSE OF CONGRESS.**

7 It is the sense of Congress that the construction of
8 a new lock at the Soo Locks at Sault Ste. Marie, Michi-
9 gan, is vital to our national economy, national security,
10 and national need for new critical infrastructure.

11 **SEC. 149. COMMUNITY ENGAGEMENT.**

12 (a) IN GENERAL.—The Corps of Engineers shall
13 make efforts—

14 (1) as part of the mission of the Corps, to iden-
15 tify and address with respect to covered communities
16 any disproportionate and adverse health or environ-
17 mental effects of the Corps’ programs, policies, prac-
18 tices, and activities;

19 (2) to promote the meaningful involvement of
20 communities of color in the Corps’ project develop-
21 ment and implementation, enforcement efforts, and
22 other activities;

23 (3) to provide guidance and technical assistance
24 to covered communities to increase understanding of

1 the Corps’ project planning and management activi-
 2 ties, regulations, and policies; and

3 (4) to cooperate with State, Tribal, and local
 4 governments with respect to activities carried out
 5 pursuant to this subsection.

6 (b) DEFINITIONS.—In this section, the following defi-
 7 nitions apply:

8 (1) COMMUNITY OF COLOR.—The term “com-
 9 munity of color” means a community of individuals
 10 who are—

- 11 (A) American Indian or Alaska Native;
- 12 (B) Asian or Pacific Islander;
- 13 (C) Black, not of Hispanic origin; or
- 14 (D) Hispanic.

15 (2) COVERED COMMUNITY.—The term “covered
 16 community” means each of the following:

- 17 (A) A community of color.
- 18 (B) A low-income community.
- 19 (C) A rural community.
- 20 (D) A Tribal and indigenous community.

21 **SEC. 150. OPERATION AND MAINTENANCE OF EXISTING IN-**
 22 **FRASTRUCTURE.**

23 The Secretary of the Army shall prioritize the oper-
 24 ation and maintenance of existing infrastructure, improve

1 its reliability, and, as necessary, improve its resilience to
2 cyber-related threats.

3 **SEC. 151. CLARIFICATION FOR INTEGRAL DETERMINATION.**

4 (a) WRDA 2000.—Section 601(e)(5)(B) of the
5 Water Resources Development Act of 2000 (Public Law
6 106–541) is amended to read as follows:

7 “(B) WORK.—The Secretary may provide
8 credit, including in-kind credit, toward the non-
9 Federal share for the reasonable cost of any
10 work performed in connection with a study,
11 preconstruction engineering and design, or con-
12 struction that is necessary for the implementa-
13 tion of the Plan if—

14 “(i)(I) the credit is provided for work
15 completed during the period of design, as
16 defined in a design agreement between the
17 Secretary and the non-Federal sponsor;

18 “(II) the credit is provided for work
19 completed during the period of construc-
20 tion, as defined in a project cooperation
21 agreement for an authorized project be-
22 tween the Secretary and the non-Federal
23 sponsor;

24 “(III) the credit is provided for work
25 carried out before the date of the partner-

1 ship agreement between the Secretary and
2 the non-Federal sponsor, as defined in an
3 agreement between the Secretary and the
4 non-Federal sponsor providing for such
5 credit; or

6 “(IV) the credit is provided for work
7 carried out by the non-Federal sponsor in
8 the implementation of an authorized
9 project implementation report, and such
10 work was defined in an agreement between
11 the Secretary and the non-Federal sponsor
12 prior to the execution of such work;

13 “(ii) the agreement prescribes the
14 terms and conditions of the credit, includ-
15 ing in the case of credit provided under
16 clause (i)(iii) conditions relating to design
17 and construction; and

18 “(iii) the Secretary determines that
19 the work performed by the non-Federal
20 sponsor is integral to the project.”.

21 (b) TIMING.—Section 601(e)(5) of the Act referred
22 to in subsection (a) is further amended by inserting after
23 subparagraph (B) the following (and redesignating any
24 subparagraphs accordingly):

1 “(C) TIMING.—In any case in which the
2 Secretary approves credit under subparagraph
3 (B), in writing or by electronic agreement with
4 the non-Federal sponsor, the Secretary shall
5 provide such credit for work completed during
6 the period of construction under an agreement
7 that prescribes the terms and conditions for the
8 in-kind contributions not expressly defined.”.

9 **SEC. 152. COST SHARE PAYMENT FOR CERTAIN PROJECTS.**

10 Not later than September 30 of the first fiscal year
11 following the date of enactment of this Act, the Secretary
12 shall pay the outstanding balance of the Federal cost
13 share for any project carried out under section 593 of the
14 Water Resources Development Act of 1999 (113 Stat.
15 380).

16 **SEC. 153. LOCKS ON ALLEGHENY RIVER.**

17 The Corps of Engineers may consider, in making
18 funding determinations with respect to the operation and
19 maintenance of locks on the Allegheny River—

20 (1) recreational boat traffic levels; and

21 (2) related economic benefits.

22 **SEC. 154. ASSISTANCE RELATING TO WATER SUPPLY.**

23 The Secretary may provide assistance to municipali-
24 ties the water supply of which is adversely affected by con-
25 struction carried out by the Corps of Engineers.

1 **SEC. 155. NOISE POLLUTION ABATEMENT AND MITIGATION.**

2 Not later than 180 days after the date of enactment
3 of this section, the Secretary shall submit to Congress a
4 report on the potential opportunity for integrating noise
5 abatement and noise mitigation technologies and practices
6 into improvements and operations in harbors and inland
7 harbors.

8 **SEC. 156. PROPERTY ACQUISITION.**

9 (a) IN GENERAL.—In requiring or acquiring an inter-
10 est in land, the Secretary shall, in accordance with the
11 Uniform Relocation Assistance and Real Property Acquisi-
12 tion Policies Act of 1970, prefer the minimum interest in
13 real property necessary to support a project or action.

14 (b) DETERMINATION.—In determining the proper in-
15 terest in land under subsection (a), the Secretary shall
16 first consider a temporary easement estate or other inter-
17 est designed to reduce the overall cost, reduce the time,
18 and minimize conflict with property owners related to such
19 action or project.

20 (c) PROCEDURES USED IN STATE.—The Secretary
21 shall consider and attempt to replicate, to the maximum
22 extent practicable and consistent with Federal laws, the
23 procedures that a State has used to acquire interests in
24 land, provided that such procedures are generally con-
25 sistent with the goals of a project or action.

1 **SEC. 157. SENSE OF CONGRESS ON NAVIGATION SAFETY.**

2 It is the sense of Congress that—

3 (1) high use Federal navigation projects, in-
4 cluding those with numerous deep draft vessel calls
5 per year, should ensure safe 2-way traffic by design
6 vessels recommended by authorized navigation stud-
7 ies; and

8 (2) the Secretary should consider the benefits of
9 the safety modification or improvement to commer-
10 cial navigation in evaluating such modifications or
11 improvements.

12 **SEC. 158. COST AND BENEFIT FEASIBILITY ASSESSMENT.**

13 (a) COST BENEFIT AND SPECIAL CONDITIONS.—Sec-
14 tion 5(a) of the Act of August 18, 1941 (55 Stat. 650,
15 chapter 377; 33 U.S.C. 701n(a)), as amended by this Act,
16 is further amended by striking paragraph (2) and insert-
17 ing the following:

18 “(2) COST AND BENEFIT FEASIBILITY ASSESS-
19 MENT.—

20 “(A) CONSIDERATION OF BENEFITS.—In
21 preparing a cost and benefit feasibility assess-
22 ment for any emergency project described in
23 paragraph (1), the Chief of Engineers shall con-
24 sider the benefits to be gained by such project
25 for the protection of—

26 “(i) residential establishments;

1 “(ii) commercial establishments, in-
2 cluding the protection of inventory; and

3 “(iii) agricultural establishments, in-
4 cluding the protection of crops.

5 “(B) SPECIAL CONDITIONS.—

6 “(i) The Chief of Engineers may carry
7 out repair or restoration work described in
8 paragraph (1) that does not produce bene-
9 fits greater than cost, if the non-Federal
10 sponsor agrees to pay, or contribute to, an
11 amount sufficient to make the remaining
12 costs of the project equal to the estimated
13 value of the benefits of the repair or res-
14 toration work and the Secretary deter-
15 mines the damage to the structure was not
16 as a result of negligent operation and
17 maintenance, and that repair of the project
18 could benefit other Corps project missions.

19 “(ii) Non-Federal payments pursuant
20 to clause (i) shall be in addition to any
21 non-Federal payments required by the
22 Chief of Engineers which are applicable to
23 the remaining costs of the repair or res-
24 toration work.”.

1 (b) CONTINUED ELIGIBILITY.—Notwithstanding a
2 non-Federal flood control work's status in the Rehabilita-
3 tion and Inspection Program, any unconstructed emer-
4 gency project for the non-Federal flood control work that
5 was formulated during the three fiscal years preceding the
6 fiscal year in which this Act was enacted but that was
7 determined to not produce benefits greater than costs shall
8 remain eligible for assistance under Section 5 of the Act
9 of August 18, 1941 (55 Stat. 650, chapter 377; 33 U.S.C.
10 701n) until the last day of the third fiscal year following
11 the fiscal year in which this Act was enacted if the non-
12 Federal sponsor agrees, in accordance with section 5 as
13 amended by subsection (a) of this section, to pay, or pro-
14 vide contributions equal to, an amount sufficient to make
15 the remaining costs of the project equal to the estimated
16 value of the benefits of the repair or restoration work and
17 the Secretary determines the damage to the structure was
18 not as a result of negligent operation and maintenance,
19 and that repair of the project could benefit other Corps
20 project missions.

21 **SEC. 159. STUDY ON STORMWATER RUNOFF REQUIRE-**
22 **MENTS.**

23 (a) IN GENERAL.—Not later than 180 days after the
24 date of enactment of this Act, the Comptroller General
25 of the United States shall submit to the Committee on

1 Environment and Public Works of the Senate and the
2 Committee on Transportation and Infrastructure of the
3 House of Representatives a study on the compliance of
4 projects and properties constructed or renovated by the
5 Corps of Engineers with stormwater runoff requirements.

6 (b) REQUIREMENTS.—The study under subsection
7 (a) shall include an analysis of—

8 (1) the extent to which the Corps of Engineers
9 has complied with section 439 of the Energy Inde-
10 pendence and Security Act of 2007 (42 U.S.C.
11 17094) for projects and properties constructed or
12 renovated since February 1, 2010;

13 (2) the feasibility of the Corps of Engineers to
14 meet the requirement to restore the predevelopment
15 hydrology of properties under the “maximum extent
16 technically feasible” standard created under the En-
17 ergy Independence and Security Act of 2007;

18 (3) potential changes to the Corps of Engi-
19 neers’ budgeting, planning, design, construction, and
20 maintenance strategies that could increase the agen-
21 cy’s ability to meet the requirement described in
22 paragraph (2);

23 (4) potential changes to the guidance described
24 in the Technical Guidance on Implementing the
25 Stormwater Runoff Requirements for Federal

1 Projects under section 438 of the Energy Independ-
2 ence and Security Act, issued by the Environmental
3 Protection Agency and dated December 2009, that
4 could increase the Corps of Engineers' ability to
5 meet the requirement described in paragraph (2).

6 **SEC. 160. SENSE OF CONGRESS RELATING TO PUERTO**
7 **RICO.**

8 (a) WATER RESOURCE PROJECTS IN PUERTO
9 RICO.—It is the sense of Congress that the Corps of Engi-
10 neers should proceed with a sense of urgency, and viewing
11 requirements in the most favorable light, in evaluating and
12 programming the actions to be taken to complete current
13 phases, initiate pending phases, and prepare the reports
14 necessary to proceed with the water resources projects
15 necessary for flood control, dam repair, beach erosion con-
16 trol, and harbor navigation improvement in Puerto Rico,
17 as well as for repair and mitigation required by hurricane
18 and severe weather event damages that occurred between
19 September 2017 and March 2018.

20 (b) CAÑO MARTIN PEÑA ECOSYSTEM RESTORATION
21 PROJECT.—It is the sense of Congress that the Secretary
22 should advance the project for ecosystem restoration,
23 Caño Martín Peña, San Juan, Puerto Rico.

1 **SEC. 161. DREDGED MATERIAL MANAGEMENT PLANS.**

2 (a) IN GENERAL.—For purposes of dredged material
3 management plans initiated in or after fiscal year 2018,
4 the Secretary shall expedite the dredged material manage-
5 ment plan process in order that studies make maximum
6 use of existing information, studies, and innovative
7 dredged material management practices, and avoid any re-
8 dundant information collection and studies.

9 (b) REPORT.—Not later than 60 days after the date
10 of enactment of this Act, the Secretary shall submit to
11 Congress a report on how the Corps of Engineers intends
12 to meet the requirements of subsection (a).

13 **SEC. 162. FEASIBILITY OF CHICAGO SANITARY AND SHIP**
14 **CANAL DISPERSAL BARRIERS PROJECT, ILLI-**
15 **NOIS.**

16 Section 3061(d) of the Water Resources Development
17 Act of 2007 (Public Law 110–114; 121 Stat. 1121) is
18 amended—

19 (1) by striking “The Secretary” and inserting
20 the following:

21 “(1) IN GENERAL.—The Secretary”; and

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

23 “(2) OPERATION AND MAINTENANCE.—Oper-
24 ation and maintenance of any project authorized to
25 be carried out pursuant to the feasibility study iden-
26 tified in paragraph (1) shall be carried out at 80

1 percent Federal expense and 20 percent non-Federal
2 expense.

3 “(3) CONSULTATION.—After construction of
4 any project authorized to be carried out pursuant to
5 the feasibility study identified in paragraph (1), the
6 Secretary shall consult with the Governor of the
7 State in which the project is constructed and seek
8 Congressional authority to construct any new tech-
9 nologies not included in the Chief’s Report.”.

10 **SEC. 163. SENSE OF CONGRESS ENCOURAGING NON-FED-**
11 **ERAL DREDGED MATERIAL PLACEMENT**
12 **SPONSORS.**

13 It is the sense of Congress that—

14 (1) when a State or subdivision of a State, indi-
15 vidually or in partnership with a private partner, de-
16 velops a reasonable alternative to the Federal stand-
17 ard for dredged material disposal facilities that
18 meets relevant Federal environmental and dredged
19 material placement and disposal requirements in co-
20 ordination with a Corps of Engineers’ District Of-
21 fice, it should receive preferred consideration by the
22 Secretary; and

23 (2) the Secretary is encouraged to consider en-
24 tering into agreements with non-Federal sponsors
25 for the acquisition, design, construction, manage-

1 ment, or operation and maintenance of dredged ma-
2 terial disposal facilities, including port facilities,
3 through section 217 of the Water Resources Devel-
4 opment Act of 1996.

5 **SEC. 164. PROJECT COMPLETION FOR DISASTER AREAS.**

6 The Secretary shall carry out expeditiously projects
7 already authorized by the Army Corps of Engineers to re-
8 duce the risk of future floods and hurricanes in Texas,
9 Florida, Georgia, Louisiana, South Carolina, Puerto Rico,
10 and the United States Virgin Islands.

11 **SEC. 165. INCLUSION OF PROJECT OR FACILITY IN CORPS**
12 **OF ENGINEERS WORKPLAN.**

13 Any project or facility of the Corps of Engineers
14 studied for disposition for which a final report by the Di-
15 rector of Civil Works has been completed shall, to the
16 maximum extent practicable, be included in the future
17 workplan of the Corps.

18 **SEC. 166. MISSISSIPPI RIVER AND TRIBUTARIES PROJECT.**

19 (a) IN GENERAL.—After any flood event requiring
20 operation or activation of any floodway or backwater fea-
21 ture within the Mississippi River and Tributaries Project
22 through natural overtopping of a Federal levee or artificial
23 crevassing of a Federal levee to relieve pressure on the
24 levees elsewhere in the system, the Secretary shall expedi-
25 tiously reset and restore the damaged floodway's levees.

1 (b) MISSISSIPPI RIVER AND TRIBUTARIES
2 PROJECT.—The term “Mississippi River and Tributaries
3 Project” means the Mississippi River and Tributaries
4 project authorized by the Act of May 15, 1928 (Chap.
5 569; 45 Stat. 534).

6 **SEC. 167. MAINTENANCE OF HIGH RISK FLOOD CONTROL**
7 **PROJECTS.**

8 (a) ASSESSMENT.—With respect to each project clas-
9 sified as class III under the Dam Safety Action Classifica-
10 tion of the Corps of Engineers for which the Secretary
11 has assumed responsibility for maintenance, as of the date
12 of enactment of this Act, the Secretary shall assess—

13 (1) the anticipated effects of the Secretary con-
14 tinuing to be responsible for the maintenance of the
15 project during the period that ends 15 years after
16 the date of enactment of this Act, including the ben-
17 efits to the State and local community; and

18 (2) the anticipated effects of the Secretary not
19 continuing to be responsible for the maintenance of
20 the project during such 15-year period, including the
21 costs to the State and local community.

22 (b) REPORT.—Not later than 90 days after comple-
23 tion of the assessment under subsection (a), the Secretary
24 shall submit a report summarizing the results of the as-
25 sessment to the Committee on Transportation and Infra-

1 structure of the House of Representatives and the Com-
 2 mittee on Environment and Public Works of the Senate.

3 **SEC. 168. CONTRIBUTED FUNDS FOR NON-FEDERAL RES-**
 4 **ERVOIR OPERATIONS.**

5 Section 5 of the Act of June 22, 1936 (49 Stat. 1572,
 6 chapter 688; 33 U.S.C. 701h), is amended by inserting
 7 after “authorized purposes of the project:” the following:
 8 “*Provided further*, That the Secretary is authorized to re-
 9 ceive and expend funds, subject to the availability of ap-
 10 propriations, from an owner of a non-Federal reservoir to
 11 formulate, review, or revise operational documents for any
 12 non-Federal reservoir for which the Secretary is author-
 13 ized to prescribe regulations for the use of storage allo-
 14 cated for flood risk management or navigation pursuant
 15 to section 7 of the Act of December 22, 1944 (58 Stat.
 16 890, chapter 665; 33 U.S.C. 709):”.

17 **SEC. 169. CORPS OF ENGINEERS CONTINUING AUTHORI-**
 18 **TIES PROGRAM.**

19 Section 3(c) of the Act of August 13, 1946 (60 Stat.
 20 1056, chapter 960; 33 U.S.C. 426g(c)) is amended—

- 21 (1) in paragraph (1), by striking
 22 “\$30,000,000” and inserting “\$45,000,000”; and
- 23 (2) in paragraph (2)(B), by striking
 24 “\$10,000,000” and inserting “\$15,000,000”.

TITLE II—STUDIES

SEC. 201. AUTHORIZATION OF PROPOSED FEASIBILITY STUDIES.

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 on March 17, 2017, and February 5, 2018, respectively, 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) CAVE BUTTES DAM, ARIZONA.—Project for flood risk management, Phoenix, Arizona.

(2) SAN DIEGO RIVER, CALIFORNIA.—Project for flood risk management, navigation, and ecosystem restoration, San Diego, California.

(3) J. BENNETT JOHNSTON WATERWAY, LOUISIANA.—Project for navigation, J. Bennett Johnston Waterway, Louisiana.

(4) NORTHSORE, LOUISIANA.—Project for flood risk management, St. Tammany Parish, Louisiana.

(5) OUACHITA-BLACK RIVERS, LOUISIANA.—Project for navigation, Little River, Louisiana.

1 (6) CHAUTAUQUA LAKE, NEW YORK.—Project
2 for ecosystem restoration and flood risk manage-
3 ment, Chautauqua, New York.

4 (7) TRINITY RIVER AND TRIBUTARIES,
5 TEXAS.—Project for navigation, Liberty, Texas.

6 (8) WEST CELL LEVEE, TEXAS.—Project for
7 flood risk management, Irving, Texas.

8 (9) COASTAL VIRGINIA, VIRGINIA.—Project for
9 flood risk management, ecosystem restoration, and
10 navigation, Coastal Virginia.

11 (10) TANGIER ISLAND, VIRGINIA.—Project for
12 flood risk management and ecosystem restoration,
13 Tangier Island, Virginia.

14 **SEC. 202. ADDITIONAL STUDIES.**

15 (a) LOWER MISSISSIPPI RIVER; MISSOURI, KEN-
16 TUCKY, TENNESSEE, ARKANSAS, MISSISSIPPI, AND LOU-
17 ISIANA.—

18 (1) IN GENERAL.—The Secretary is authorized
19 to carry out studies to determine the feasibility of
20 habitat restoration for each of the eight reaches
21 identified as priorities in the report prepared by the
22 Secretary pursuant to section 402 of the Water Re-
23 sources Development Act of 2000, titled “Lower
24 Mississippi River Resource Assessment; Final As-

1 sessment In Response to Section 402 of WRDA
2 2000” and dated July 2015.

3 (2) CONSULTATION.—The Secretary shall con-
4 sult with the Lower Mississippi River Conservation
5 Committee during each feasibility study carried out
6 under paragraph (1).

7 (b) ST. LOUIS RIVERFRONT, MERAMEC RIVER
8 BASIN, MISSOURI AND ILLINOIS.—

9 (1) IN GENERAL.—The Secretary is authorized
10 to carry out studies to determine the feasibility of a
11 project for ecosystem restoration and flood risk man-
12 agement in Madison, St. Clair, and Monroe Coun-
13 ties, Illinois, St. Louis City, and St. Louis, Jeffer-
14 son, Franklin, Gasconade, Maries, Phelps, Crawford,
15 Dent, Washington, Iron, St. Francois, St. Genevieve,
16 Osage, Reynolds, and Texas Counties, Missouri.

17 (2) CONTINUATION OF EXISTING STUDY.—Any
18 study carried out under paragraph (1) shall be con-
19 sidered a continuation of the study being carried out
20 under Committee Resolution 2642 of the Committee
21 on Transportation and Infrastructure of the House
22 of Representatives, adopted June 21, 2000.

1 **SEC. 203. EXPEDITED COMPLETION OF REPORTS FOR CER-**
2 **TAIN PROJECTS.**

3 (a) FEASIBILITY REPORTS.—The Secretary shall ex-
4 pedite the completion of a feasibility study for each of the
5 following projects, and if the Secretary determines that
6 the project is justified in a completed report, may proceed
7 directly to preconstruction planning, engineering, and de-
8 sign of the project:

9 (1) Project for riverbank stabilization, Selma,
10 Alabama.

11 (2) Project for ecosystem restoration, Three
12 Mile Creek, Alabama.

13 (3) Project for navigation, Nome, Alaska.

14 (4) Project for flood diversion, Seward, Alaska.

15 (5) Project for navigation, Three Rivers, Arkan-
16 sas.

17 (6) Project for flood control, water conserva-
18 tion, and related purposes, Coyote Valley Dam, Cali-
19 fornia.

20 (7) Project for flood risk management, Lower
21 Cache Creek, California.

22 (8) Project for flood risk management, Lower
23 San Joaquin River, California, as described in sec-
24 tion 1322(b)(2)(F) of the Water Resources Develop-
25 ment Act of 2016 (130 Stat. 1707) (second phase
26 of feasibility study).

1 (9) Project for flood risk management, South
2 San Francisco, California.

3 (10) Project for flood risk management and
4 ecosystem restoration, Tijuana River, California.

5 (11) Project for flood risk management in East
6 Hartford, Connecticut.

7 (12) Project for flood risk management in
8 Hartford, Connecticut.

9 (13) Projects under the Comprehensive Flood
10 Mitigation Study for the Delaware River Basin.

11 (14) Project for ecosystem restoration, Lake
12 Apopka, Florida.

13 (15) Project for ecosystem restoration, Kansas
14 River Weir, Kansas.

15 (16) Project for water resource improvements,
16 Willamette River Basin, Fern Ridge, Oregon.

17 (17) Project for navigation, San Juan Harbor,
18 Puerto Rico.

19 (18) Project for ecosystem restoration, Resacas
20 at Brownsville, Texas.

21 (19) Project for navigation, Norfolk Harbor,
22 Virginia.

23 (20) Project for coastal storm risk manage-
24 ment, Norfolk, Virginia.

1 (21) Project for navigation, Tacoma Harbor,
2 Washington.

3 (22) Project for flood damage reduction, West-
4 minster-East Garden Grove, California.

5 (23) Project for hurricane and storm damage
6 risk reduction and ecosystem restoration, Southwest
7 Coastal Louisiana, Louisiana, authorized by section
8 1401(8) of the Water Resources Development Act of
9 2016 (130 Stat. 1715).

10 (24) Project for navigation and channel deep-
11 ening, Baptiste Collette Bayou, Louisiana, under
12 section 203 of the Water Resources Development
13 Act of 1986 (33 U.S.C. 2231).

14 (25) Project for navigation and channel deep-
15 ening, Houma Navigation Canal, Louisiana, under
16 section 203 of the Water Resources Development
17 Act of 1986 (33 U.S.C. 2231).

18 (26) Project for navigation and channel deep-
19 ening, Bayou Lafourche, Louisiana, under section
20 203 of the Water Resources Development Act of
21 1986 (33 U.S.C. 2231).

22 (27) Projects under the Great Lakes Mis-
23 sissippi River Interbasin Study Brandon Road
24 Study.

1 (28) Project for ecosystem restoration, Warren
2 Glen Dam Removal, Musconetcong River, New Jer-
3 sey.

4 (29) Project for flood control and water supply,
5 Abiquiu Dam, New Mexico.

6 (30) Project for reformulation, East Rockaway
7 Inlet to Rockaway Inlet and Jamaica Bay, Queens,
8 New York.

9 (b) LOWER SAN JOAQUIN RIVER, CALIFORNIA.—In
10 expediting completion of the second phase of the Lower
11 San Joaquin River feasibility study under subsection
12 (a)(8), the Secretary shall review and give priority to any
13 plans and designs requested by non-Federal interests and
14 incorporate such plans and designs into the Federal study
15 if the Secretary determines that such plans and designs
16 are consistent with Federal standards.

17 (c) 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 flood risk management, San
21 Luis Rey River Flood Control Protection Project,
22 California.

23 (2) Project for flood risk management, Success
24 Reservoir Enlargement Project, California.

1 (3) Everglades Agricultural Area Reservoir,
2 Central Everglades Planning Project, Florida.

3 (4) Project for navigation, Sault Sainte Marie,
4 Michigan.

5 (d) UPPER MISSISSIPPI RIVER PROTECTION.—Sec-
6 tion 2010 of the Water Resources Reform and Develop-
7 ment Act of 2014 (128 Stat. 1270) is amended by adding
8 at the end the following:

9 “(d) CONSIDERATIONS.—In carrying out a disposi-
10 tion study with respect to the Upper St. Anthony Falls
11 Lock and Dam, including a disposition study under sec-
12 tion 216 of the Flood Control Act of 1970 (33 U.S.C.
13 549a), the Secretary shall expedite completion of such
14 study and shall produce a report on the Upper St. An-
15 thony Falls Lock and Dam that is separate from any re-
16 port on any other lock or dam included in such study that
17 includes plans for—

18 “(1) carrying out modifications to the Upper
19 St. Anthony Falls Lock and Dam to—

20 “(A) preserve and enhance recreational op-
21 portunities and the health of the ecosystem; and

22 “(B) maintain the benefits to the natural
23 ecosystem and human environment;

24 “(2) a partial disposition of the Upper St. An-
25 thony Falls Lock and Dam facility and surrounding

1 real property that preserves any portion of the
2 Upper St. Anthony Falls Lock and Dam necessary
3 to maintain flood control; and

4 “(3) expediting the disposition described in this
5 subsection (d).”.

6 **SEC. 204. PLYMOUTH HARBOR, MASSACHUSETTS.**

7 Not later than December 31, 2019, the Secretary
8 shall expedite and complete the dredging of Plymouth
9 Harbor, Massachusetts, as authorized by the Act of March
10 4, 1913 (37 Stat. 802, chapter 144) and the Act of Sep-
11 tember 22, 1922 (42 Stat. 1038, chapter 427).

12 **SEC. 205. BRANDON ROAD STUDY.**

13 The Secretary shall complete a final feasibility report
14 for the Great Lakes Mississippi River Interbasin Study
15 Brandon Road Study, authorized under section 3061(d)
16 of the Water Resources Development Act of 2007 (121
17 Stat. 1121) and section 1538(b)(1) of MAP-21 (Public
18 Law 112-141; 126 Stat. 586) by the original deadline of
19 February 2019.

20 **SEC. 206. HOUSTON AND COASTAL TEXAS.**

21 The Secretary shall expeditiously carry out flood and
22 storm damage reduction studies to reduce the risk of dam-
23 age from future floods and hurricanes in the Houston and
24 Coastal Texas areas. In carrying out the studies, the Sec-
25 retary shall leverage existing information and resources.

1 **TITLE III—DEAUTHORIZATIONS,**
2 **MODIFICATIONS, AND RE-**
3 **LATED PROVISIONS**

4 **SEC. 301. DEAUTHORIZATION OF INACTIVE PROJECTS.**

5 (a) PURPOSES.—The purposes of this section are—

6 (1) to identify \$3,150,000,000 in water re-
7 sources development projects authorized by Congress
8 that are no longer viable for construction due to—

9 (A) a lack of local support;

10 (B) a lack of available Federal or non-Fed-
11 eral resources; or

12 (C) an authorizing purpose that is no
13 longer relevant or feasible;

14 (2) to create an expedited and definitive process
15 for Congress to deauthorize water resources develop-
16 ment projects that are no longer viable for construc-
17 tion; and

18 (3) to allow the continued authorization of
19 water resources development projects that are viable
20 for construction.

21 (b) INTERIM DEAUTHORIZATION LIST.—

22 (1) IN GENERAL.—The Secretary shall develop
23 an interim deauthorization list that identifies—

24 (A) each water resources development
25 project, or separable element of a project, au-

1 thorized for construction before November 8,
2 2007, for which—

3 (i) planning, design, or construction
4 was not initiated before the date of enact-
5 ment of this Act; or

6 (ii) planning, design, or construction
7 was initiated before the date of enactment
8 of this Act, but for which no funds, Fed-
9 eral or non-Federal, were obligated for
10 planning, design, or construction of the
11 project or separable element of the project
12 during the current fiscal year or any of the
13 6 preceding fiscal years;

14 (B) each project or separable element iden-
15 tified and included on a list to Congress for de-
16 authorization pursuant to section 1001(b)(2) of
17 the Water Resources Development Act of 1986
18 (33 U.S.C. 579a(b)(2)); and

19 (C) any project or separable element for
20 which the non-Federal sponsor of such project
21 or separable element submits a request for in-
22 clusion on the list.

23 (2) PUBLIC COMMENT AND CONSULTATION.—

24 (A) IN GENERAL.—The Secretary shall so-
25 licit comments from the public and the Gov-

1 errors of each applicable State on the interim
2 deauthorization list developed under paragraph
3 (1).

4 (B) COMMENT PERIOD.—The public com-
5 ment period shall be 90 days.

6 (3) SUBMISSION TO CONGRESS; PUBLICA-
7 TION.—Not later than 90 days after the date of the
8 close of the comment period under paragraph (2),
9 the Secretary shall—

10 (A) submit a revised interim deauthoriza-
11 tion list to the Committee on Environment and
12 Public Works of the Senate and the Committee
13 on Transportation and Infrastructure of the
14 House of Representatives; and

15 (B) publish the revised interim deauthor-
16 ization list in the Federal Register.

17 (c) FINAL DEAUTHORIZATION LIST.—

18 (1) IN GENERAL.—The Secretary shall develop
19 a final deauthorization list of water resources devel-
20 opment projects, or separable elements of projects,
21 from the revised interim deauthorization list de-
22 scribed in subsection (b)(3).

23 (2) DEAUTHORIZATION AMOUNT.—

24 (A) PROPOSED FINAL LIST.—The Sec-
25 retary shall prepare a proposed final deauthor-

1 ization list of projects and separable elements of
2 projects that have, in the aggregate, an esti-
3 mated Federal cost to complete that is at least
4 \$3,150,000,000.

5 (B) DETERMINATION OF FEDERAL COST
6 TO COMPLETE.—For purposes of subparagraph
7 (A), the Federal cost to complete shall take into
8 account any allowances authorized by section
9 902 of the Water Resources Development Act
10 of 1986 (33 U.S.C. 2280), as applied to the
11 most recent project schedule and cost estimate.

12 (3) IDENTIFICATION OF PROJECTS.—

13 (A) SEQUENCING OF PROJECTS.—

14 (i) IN GENERAL.—The Secretary shall
15 identify projects and separable elements of
16 projects for inclusion on the proposed final
17 deauthorization list according to the order
18 in which the projects and separable ele-
19 ments of the projects were authorized, be-
20 ginning with the earliest authorized
21 projects and separable elements of projects
22 and ending with the latest project or sepa-
23 rable element of a project necessary to
24 meet the aggregate amount under para-
25 graph (2)(A).

1 (ii) FACTORS TO CONSIDER.—The
2 Secretary may identify projects and sepa-
3 rable elements of projects in an order other
4 than that established by clause (i) if the
5 Secretary determines, on a case-by-case
6 basis, that a project or separable element
7 of a project is critical for interests of the
8 United States, based on the possible im-
9 pact of the project or separable element of
10 the project on public health and safety, the
11 national economy, or the environment.

12 (iii) CONSIDERATION OF PUBLIC COM-
13 MENTS.—In making determinations under
14 clause (ii), the Secretary shall consider any
15 comments received under subsection (b)(2).

16 (B) APPENDIX.—The Secretary shall in-
17 clude as part of the proposed final deauthoriza-
18 tion list an appendix that—

19 (i) identifies each project or separable
20 element of a project on the interim de-
21 authorization list developed under sub-
22 section (b) that is not included on the pro-
23 posed final deauthorization list; and

1 (ii) describes the reasons why the
2 project or separable element is not in-
3 cluded on the proposed final list.

4 (4) PUBLIC COMMENT AND CONSULTATION.—

5 (A) IN GENERAL.—The Secretary shall so-
6 licit comments from the public and the Gov-
7 ernor of each applicable State on the proposed
8 final deauthorization list and appendix devel-
9 oped under paragraphs (2) and (3).

10 (B) COMMENT PERIOD.—The public com-
11 ment period shall be 90 days.

12 (5) SUBMISSION OF FINAL LIST TO CONGRESS;
13 PUBLICATION.—Not later than 120 days after the
14 date of the close of the comment period under para-
15 graph (4), the Secretary shall—

16 (A) submit a final deauthorization list and
17 an appendix to the final deauthorization list in
18 a report to the Committee on Environment and
19 Public Works of the Senate and the Committee
20 on Transportation and Infrastructure of the
21 House of Representatives; and

22 (B) publish the final deauthorization list
23 and the appendix to the final deauthorization
24 list in the Federal Register.

25 (d) DEAUTHORIZATION; CONGRESSIONAL REVIEW.—

1 (1) IN GENERAL.—After the expiration of the
2 180-day period beginning on the date of submission
3 of the final deauthorization list and appendix under
4 subsection (c), a project or separable element of a
5 project identified in the final deauthorization list is
6 hereby deauthorized, unless Congress passes a joint
7 resolution disapproving the final deauthorization list
8 prior to the end of such period.

9 (2) NON-FEDERAL CONTRIBUTIONS.—

10 (A) IN GENERAL.—A project or separable
11 element of a project identified in the final de-
12 authorization list under subsection (c) shall not
13 be deauthorized under this subsection if, before
14 the expiration of the 180-day period referred to
15 in paragraph (1), the non-Federal interest for
16 the project or separable element of the project
17 provides sufficient funds to complete the project
18 or separable element of the project.

19 (B) TREATMENT OF PROJECTS.—Notwith-
20 standing subparagraph (A), each project and
21 separable element of a project identified in the
22 final deauthorization list shall be treated as de-
23 authorized for purposes of the aggregate de-
24 authorization amount specified in subsection
25 (c)(2)(A).

1 (3) PROJECTS IDENTIFIED IN APPENDIX.—A
2 project or separable element of a project identified
3 in the appendix to the final deauthorization list shall
4 remain subject to future deauthorization by Con-
5 gress.

6 (e) SPECIAL RULE FOR PROJECTS RECEIVING
7 FUNDS FOR POST-AUTHORIZATION STUDY.—A project or
8 separable element of a project may not be identified on
9 the interim deauthorization list developed under sub-
10 section (b), or the final deauthorization list developed
11 under subsection (c), if the project or separable element
12 received funding for a post-authorization study during the
13 current fiscal year or any of the 6 preceding fiscal years.

14 (f) GENERAL PROVISIONS.—

15 (1) DEFINITIONS.—In this section, the fol-
16 lowing definitions apply:

17 (A) POST-AUTHORIZATION STUDY.—The
18 term “post-authorization study” means—

19 (i) a feasibility report developed under
20 section 905 of the Water Resources Devel-
21 opment Act of 1986 (33 U.S.C. 2282);

22 (ii) a feasibility study, as defined in
23 section 105(d) of the Water Resources De-
24 velopment Act of 1986 (33 U.S.C.
25 2215(d)); or

(iii) a review conducted under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a), including an initial appraisal that—

(I) demonstrates a Federal interest; and

(II) requires additional analysis for the project or separable element.

(B) WATER RESOURCES DEVELOPMENT PROJECT.—The term “water resources development project” includes an environmental infrastructure assistance project or program of the Corps of Engineers.

(2) TREATMENT OF PROJECT MODIFICATIONS.—For purposes of this section, if an authorized water resources development project or separable element of the project has been modified by an Act of Congress, the date of the authorization of the project or separable element shall be deemed to be the date of the most recent modification.

SEC. 302. BACKLOG PREVENTION.

(a) PROJECT DEAUTHORIZATION.—

(1) IN GENERAL.—A water resources development project, or separable element of such a project, authorized for construction by this Act shall not be

1 authorized after the last day of the 10-year period
2 beginning on the date of enactment of this Act un-
3 less—

4 (A) funds have been obligated for construc-
5 tion of, or a post-authorization study for, such
6 project or separable element during that period;
7 or

8 (B) the authorization contained in this Act
9 has been modified by a subsequent Act of Con-
10 gress.

11 (2) IDENTIFICATION OF PROJECTS.—Not later
12 than 60 days after the expiration of the 10-year pe-
13 riod referred to in paragraph (1), the Secretary shall
14 submit to the Committee on Environment and Pub-
15 lic Works of the Senate and the Committee on
16 Transportation and Infrastructure of the House of
17 Representatives a report that identifies the projects
18 deauthorized under paragraph (1).

19 (b) REPORT TO CONGRESS.—Not later than 60 days
20 after the expiration of the 12-year period beginning on the
21 date of enactment of this Act, the Secretary shall submit
22 to the Committee on Environment and Public Works of
23 the Senate and the Committee on Transportation and In-
24 frastructure of the House of Representatives, and make
25 available to the public, a report that contains—

1 (1) a list of any water resources development
2 projects authorized by this Act for which construc-
3 tion has not been completed during that period;

4 (2) a description of the reasons the projects
5 were not completed;

6 (3) a schedule for the completion of the projects
7 based on expected levels of appropriations; and

8 (4) a 5-year and 10-year projection of construc-
9 tion backlog and any recommendations to Congress
10 regarding how to mitigate current problems and the
11 backlog.

12 (c) CLARIFICATION.—Section 6003(a) of the Water
13 Resources Reform and Development Act of 2014 (33
14 U.S.C. 579c(a)) is amended by striking “7-year” each
15 place it appears and inserting “10-year”.

16 **SEC. 303. PROJECT MODIFICATIONS.**

17 (a) CONSISTENCY WITH REPORTS.—Congress finds
18 that the project modifications described in this section are
19 in accordance with the reports submitted to Congress by
20 the Secretary under section 7001 of the Water Resources
21 Reform and Development Act of 2014 (33 U.S.C. 2282d),
22 titled “Report to Congress on Future Water Resources
23 Development”, or have otherwise been reviewed by Con-
24 gress.

25 (b) MODIFICATIONS.—

1 (1) HARBOR/SOUTH BAY, CALIFORNIA.—Sec-
 2 tion 219(f)(43) of the Water Resources Development
 3 Act of 1992 (113 Stat. 337; 114 Stat. 2763A–220)
 4 is amended by striking “\$35,000,000” and inserting
 5 “\$70,000,000”.

6 (2) LAKES MARION AND MOULTRIE, SOUTH
 7 CAROLINA.—Section 219(f)(25) of the Water Re-
 8 sources Development Act of 1992 (113 Stat. 336;
 9 114 Stat. 2763A–220; 117 Stat. 1838; 130 Stat.
 10 1677) is amended by striking “\$60,000,000” and in-
 11 serting “\$89,550,000”.

12 **SEC. 304. MILWAUKEE HARBOR, MILWAUKEE, WISCONSIN.**

13 The portion of the project for navigation, Milwaukee
 14 Harbor, Milwaukee, Wisconsin, authorized by the first sec-
 15 tion of the Act of March 3, 1843 (5 Stat. 619; chapter
 16 85), consisting of the navigation channel within the
 17 Menomonee River that extends from the 16th Street
 18 Bridge upstream to the upper limit of the authorized navi-
 19 gation channel and described as follows is no longer au-
 20 thorized beginning on the date of enactment of this Act:

21 (1) Beginning at a point in the channel just
 22 downstream of the 16th Street Bridge,
 23 N383219.703, E2521152.527.

1 (2) Thence running westerly along the channel
2 about 2,530.2 feet to a point, N383161.314,
3 E2518620.712.

4 (3) Thence running westerly by southwesterly
5 along the channel about 591.7 feet to a point at the
6 upstream limit of the existing project, N383080.126,
7 E2518036.371.

8 (4) Thence running northerly along the up-
9 stream limit of the existing project about 80.5 feet
10 to a point, N383159.359, E2518025.363.

11 (5) Thence running easterly by northeasterly
12 along the channel about 551.2 feet to a point,
13 N383235.185, E2518571.108.

14 (6) Thence running easterly along the channel
15 about 2,578.9 feet to a point, N383294.677,
16 E2521150.798.

17 (7) Thence running southerly across the chan-
18 nel about 74.3 feet to the point of origin.

19 **SEC. 305. BRIDGEPORT HARBOR, CONNECTICUT.**

20 That portion of the project for navigation, Bridgeport
21 Harbor, Connecticut, authorized by the Act of June 18,
22 1878 (20 Stat. 158), and modified by the Act of August
23 11, 1888 (25 Stat. 401), the Act of March 3, 1899 (30
24 Stat. 1122), the Act of June 25, 1910 (36 Stat. 633),
25 and the Act of July 3, 1930 (46 Stat. 919), and lying

1 upstream of a line commencing at point N627942.09,
2 E879709.18 thence running southwesterly about 125 feet
3 to a point N627832.03, E879649.91 is no longer author-
4 ized beginning on the date of enactment of this Act.

5 **SEC. 306. CONVEYANCES.**

6 (a) CHEATHAM COUNTY, TENNESSEE.—

7 (1) CONVEYANCE AUTHORIZED.—The Secretary
8 may convey to Cheatham County, Tennessee (in this
9 subsection referred to as the “Grantee”), all right,
10 title, and interest of the United States in and to the
11 real property in Cheatham County, Tennessee, con-
12 sisting of approximately 9.19 acres, identified as
13 portions of tracts E-514-1, E-514-2, E-518-1, E-
14 518-2, E-519-1, E-537-1, and E-538, all being
15 part of the Cheatham Lock and Dam project at
16 CRM 158.5, including any improvements thereon.

17 (2) DEED.—The conveyance of property under
18 this subsection shall be accomplished using a quit-
19 claim deed and upon such terms and conditions as
20 the Secretary determines appropriate to protect the
21 interests of the United States, to include retaining
22 the right to inundate with water any land trans-
23 ferred under this subsection.

24 (3) CONSIDERATION.—The Grantee shall pay to
25 the Secretary an amount that is not less than the

1 fair market value of the land conveyed under this
2 subsection, as determined by the Secretary.

3 (4) SUBJECT TO EXISTING EASEMENTS AND
4 OTHER INTERESTS.—The conveyance of property
5 under this section shall be subject to all existing
6 easements, rights-of-way, and leases that are in ef-
7 fect as of the date of the conveyance.

8 (b) NASHVILLE, TENNESSEE.—

9 (1) CONVEYANCE AUTHORIZED.—The Secretary
10 may convey, without consideration, to the City of
11 Nashville, Tennessee (in this subsection referred to
12 as the “City”), all right, title, and interest of the
13 United States in and to the real property covered by
14 Lease No. DACW62–1–84–149, including any im-
15 provements thereon, at the Riverfront Park Rec-
16 reational Development, consisting of approximately 5
17 acres, subject to the right of the Secretary to retain
18 any required easements in the property.

19 (2) CONVEYANCE AGREEMENT.—A quit claim
20 deed shall be used to convey real property under this
21 subsection upon the terms and conditions mutually
22 satisfactory to the Secretary and the City. The deed
23 shall provide that in the event the City, its succes-
24 sors, or assigns cease to maintain improvements for
25 recreation included in the conveyance or otherwise

1 utilize the real property conveyed for purposes other
2 than recreation and compatible flood risk manage-
3 ment, the City, its successor, or assign shall repay
4 to the United States the Federal share of the cost
5 of constructing the improvements for recreation
6 under the agreement between the United States and
7 the City dated December 8, 1981, increased as nec-
8 essary to account for inflation.

9 (c) GENERALLY APPLICABLE PROVISIONS.—

10 (1) SURVEY TO OBTAIN LEGAL DESCRIPTION.—

11 The exact acreage and the legal description of any
12 real property to be conveyed under this section shall
13 be determined by a survey that is satisfactory to the
14 Secretary.

15 (2) APPLICABILITY OF PROPERTY SCREENING

16 PROVISIONS.—Section 2696 of title 10, United
17 States Code, shall not apply to any conveyance
18 under this section.

19 (3) ADDITIONAL TERMS AND CONDITIONS.—

20 The Secretary may require that any conveyance
21 under this section be subject to such additional
22 terms and conditions as the Secretary considers nec-
23 essary and appropriate to protect the interests of the
24 United States.

1 (4) COSTS OF CONVEYANCE.—An entity to
2 which a conveyance is made under this section shall
3 be responsible for all reasonable and necessary costs,
4 including real estate transaction and environmental
5 documentation costs, associated with the conveyance.

6 (5) LIABILITY.—An entity to which a convey-
7 ance is made under this section shall hold the
8 United States harmless from any liability with re-
9 spect to activities carried out, on or after the date
10 of the conveyance, on real property conveyed. The
11 United States shall remain responsible for any liabil-
12 ity with respect to activities carried out, before such
13 date, on the real property conveyed.

14 **SEC. 307. CLATSOP COUNTY, OREGON.**

15 The portions of the project for raising and improving
16 existing levees of Clatsop County Diking District No. 13,
17 in Clatsop County, Oregon, authorized by section 5 of the
18 Act of June 22, 1936 (49 Stat. 1590), that are referred
19 to as Christensen No. 1 Dike No. 42 and Christensen No.
20 2 Levee No. 43 are no longer authorized beginning on the
21 date of enactment of this Act.

22 **SEC. 308. KISSIMMEE RIVER RESTORATION, CENTRAL AND**
23 **SOUTHERN FLORIDA.**

24 Not later than 30 days after the date of enactment
25 of this Act, the Secretary shall submit to the Committee

1 on Transportation and Infrastructure of the House of
2 Representatives and the Committee on Environment and
3 Public Works of the Senate a report on the total estimated
4 value of in-kind contributions made by the non-Federal
5 interest with respect to the following six actions, as de-
6 scribed in the final report of the Director of Civil Works
7 on the Central and Southern Florida Project, Kissimmee
8 River Restoration Project, dated April 27, 2018:

9 (1) Shady Oaks Fish Camp land preparation.

10 (2) Rocks Fish Camp land preparation.

11 (3) Levee breaching of Sparks Candler and
12 Bronson Levees.

13 (4) Packingham Slough construction related to
14 land acquisition.

15 (5) Engineering analysis of River Acres engi-
16 neering solution.

17 (6) Small local levee modifications.

18 **SEC. 309. LYTLE AND CAJON CREEKS, CALIFORNIA.**

19 That portion of the channel improvement project,
20 Lytle and Cajon Creeks, California, authorized to be car-
21 ried out as a part of the project for the Santa Ana River
22 Basin, California, by the Act of December 22, 1944
23 (Chapter 665; 58 Stat. 900) that consists of five earth-
24 filled groins commonly referred to as “the Riverside Ave-

1 nue groins” is no longer authorized as a Federal project
2 beginning on the date of enactment of this Act.

3 **SEC. 310. YUBA RIVER BASIN, CALIFORNIA.**

4 (a) IN GENERAL.—The project for flood damage re-
5 duction, Yuba River Basin, California, authorized by sec-
6 tion 101(a)(10) of the Water Resources Development Act
7 of 1999 (113 Stat. 275) is modified to allow a non-Federal
8 interest to construct a new levee to connect the existing
9 levee with high ground.

10 (b) PROJECT DESCRIPTION.—The levee to be con-
11 structed shall tie into the existing levee at a point
12 Northing 2186189.2438, Easting 6703908.8657, thence
13 running east and south along a path to be determined to
14 a point Northing 2187849.4328, Easting 6719262.0164.

15 (c) COOPERATION AGREEMENT.—The Secretary shall
16 execute a conforming amendment to the Memorandum of
17 Understanding Respecting the Sacramento River Flood
18 Control Project with the State of California dated Novem-
19 ber 30, 1953, that is limited to changing the description
20 of the project to reflect the modification.

21 (d) NO FEDERAL COST.—

22 (1) REVIEW COSTS.—Before construction of the
23 levee described in subsection (b), the Secretary may
24 accept and expend funds received from a non-Fed-
25 eral interest to review the planning, engineering, and

design of the levee described in subsection (b) to ensure that such planning, engineering, and design complies with Federal standards.

(2) NON-FEDERAL SHARE.—The non-Federal share of the cost of constructing the levee shall be 100 percent.

**SEC. 311. BOSTON HARBOR RESERVED CHANNEL
DEAUTHORIZATIONS.**

(a) 40-FOOT RESERVED CHANNEL.—

(1) IN GENERAL.—The portions of the project for navigation, Boston Harbor, Massachusetts, authorized by the first section of the Act of October 17, 1940 (54 Stat. 1198, chapter 895) and modified by section 101 of the River and Harbor Act of 1958 (72 Stat. 297), section 101(a)(13) of the Water Resources Development Act of 1990 (104 Stat. 4607), and section 7002(1) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1365) described in paragraph (2) are no longer authorized beginning on the date of enactment of this Act.

(2) AREAS DESCRIBED.—

(A) FIRST AREA.—The first areas described in this paragraph are—

(i) beginning at a point N.
2950154.45, E. 785995.64;

1 (ii) running southwesterly about
2 1451.63 feet to a point N. 2950113.83, E.
3 784544.58;

4 (iii) running southeasterly about
5 54.00 feet to a point N. 2950059.85, E.
6 784546.09;

7 (iv) running southwesterly about
8 1335.82 feet to a point N. 2950022.48, E.
9 783210.79;

10 (v) running northwesterly about 83.00
11 feet to a point N. 2950105.44, E.
12 783208.47;

13 (vi) running northeasterly about
14 2787.45 feet to a point N. 2950183.44, E.
15 785994.83; and

16 (vii) running southeasterly about
17 29.00 feet to the point described in clause
18 (i).

19 (B) SECOND AREA.—The second areas de-
20 scribed in this paragraph are—

21 (i) beginning at a point N.
22 2950502.86, E. 785540.84;

23 (ii) running northeasterly about 46.11
24 feet to a point N2950504.16, E785586.94;

1 (iii) running southwesterly about
 2 25.67 feet to a point N. 2950480.84, E.
 3 785576.18;

4 (iv) running southwesterly to a point
 5 N. 2950414.32, E. 783199.83;

6 (v) running northwesterly about 8.00
 7 feet to a point N. 2950422.32, E.
 8 783199.60;

9 (vi) running northeasterly about
 10 2342.58 feet to a point N. 2950487.87, E.
 11 785541.26; and

12 (vii) running northwesterly about
 13 15.00 feet to the point described in clause
 14 (i).

15 (b) 35-FOOT RESERVED CHANNEL.—

16 (1) IN GENERAL.—The portions of the project
 17 for navigation, Boston Harbor, Massachusetts, au-
 18 thorized by the first section of the Act of October
 19 17, 1940 (54 Stat. 1198, chapter 895) and modified
 20 by section 101 of the River and Harbor Act of 1958
 21 (72 Stat. 297) described in paragraph (2) are no
 22 longer authorized beginning on the date of enact-
 23 ment of this Act.

24 (2) AREAS DESCRIBED.—

1 (A) FIRST AREA.—The first areas de-
2 scribed in this paragraph are—

3 (i) beginning at a point N.
4 2950143.44, E. 787532.14;

5 (ii) running southeasterly about 22.21
6 feet to a point N. 2950128.91, E.
7 787548.93;

8 (iii) running southwesterly about
9 4,339.42 feet to a point N. 2950007.48, E.
10 783211.21;

11 (iv) running northwesterly about
12 15.00 feet to a point N. 2950022.48, E.
13 783210.79; and

14 (v) running northeasterly about
15 4,323.05 feet to the point described in
16 clause (i).

17 (B) SECOND AREA.—The second areas de-
18 scribed in this paragraph are—

19 (i) beginning at a point N.
20 2950502.86, E. 785540.84;

21 (ii) running southeasterly about 15.00
22 feet to a point N. 2950487.87, E.
23 785541.26;

1 (iii) running southwesterly about
2 2342.58 feet to a point N. 2950422.32, E.
3 783199.60;

4 (iv) running southeasterly about 8.00
5 feet to a point N. 2950414.32, E.
6 783199.83;

7 (v) running southwesterly about
8 1339.12 feet to a point N. 2950376.85, E.
9 781861.23;

10 (vi) running northwesterly about
11 23.00 feet to a point N. 2950399.84, E.
12 781860.59; and

13 (vii) running northeasterly about
14 3681.70 feet to the point described in
15 clause (i).

16 **SEC. 312. CONTINUED AUTHORIZATION OF CERTAIN**
17 **PROJECTS.**

18 Notwithstanding the third sentence of section
19 1001(b)(2) of the Water Resources Development Act of
20 1986 (33 U.S.C. 579a(b)(2)), projects and separable ele-
21 ments of projects identified in the fiscal year 2017 report
22 prepared in accordance with such section and submitted
23 to Congress on December 15, 2016, shall not be deauthor-
24 ized unless such projects and separable elements meet the

1 requirements of section 1301(b)(1)(A) of the Water Re-
2 sources Development Act of 2016 (130 Stat. 1687).

3 **SEC. 313. PUGET SOUND NEARSHORE ECOSYSTEM RES-**
4 **TORATION.**

5 Section 544(f) of the Water Resources Development
6 Act of 2000 (Public Law 106–541; 114 Stat. 2675) is
7 amended—

8 (1) by striking “\$40,000,000” and inserting
9 “\$60,000,000”; and

10 (2) by striking “\$5,000,000” and inserting
11 “\$10,000,000”.

12 **SEC. 314. LAND CONVEYANCE.**

13 (a) IN GENERAL.—On the date of enactment of this
14 Act, the Secretary of the Army shall convey to the City
15 of Bainbridge, Georgia, without monetary consideration
16 and subject to subsection (b), all right, title, and interest
17 in and to real property described in subsection (c).

18 (b) TERMS AND CONDITIONS.—

19 (1) IN GENERAL.—The conveyance by the
20 United States under this subsection shall be subject
21 to—

22 (A) the condition that the City of Bain-
23 bridge agree to operate, maintain, and manage
24 the property for fish and wildlife, recreation,

1 and environmental purposes at no cost or ex-
2 pense to the United States; and

3 (B) such other terms and conditions as the
4 Secretary determines to be in the interest of the
5 United States.

6 (2) REVERSION.—If the Secretary determines
7 that the real property conveyed under paragraph (1)
8 ceases to be held in public ownership or the city
9 ceases to operate, maintain, and manage the real
10 property in accordance with this subsection, all
11 right, title, and interest in and to the property shall
12 revert to the United States, at the option of the Sec-
13 retary.

14 (c) PROPERTY.—The property to be conveyed is com-
15 posed of the following 3 parcels of land:

16 (1) PARCEL 1.—All that tract or parcel of land
17 lying and being in Land Lots 226. and 228, Fif-
18 teenth Land District, and Land Lots 319, 320, 321,
19 322, 323 and 358, Twentieth Land District, Deca-
20 tur County, Georgia, more particularly described as
21 follows:

22 Beginning at a concrete monument
23 stamped “358” which is 950 feet, more or less,
24 North of the South line and 600 feet, more or
25 less, West of the East line of said Land Lot

1 358, at a corner of a tract of land owned by the
2 United States of America at Lake Seminole and
3 at plane coordinate position North 318,698.72
4 feet and East 360,033.38 feet based on Trans-
5 verse Mercator Projection, Georgia West Zone;

6 Thence Due West 75 feet, more or less, to
7 the contour at elevation 77.0 feet above Mean
8 Sea Level;

9 Thence Northeasterly along the meanders
10 of said 77.0 foot contour a distance of 20,600
11 feet, more or less, to the mouth of the entrance
12 channel to the arena and boat basin;

13 Thence N 75° E 150 feet, more or less, to
14 another point on said 77.0 foot contour;

15 Thence Northeasterly along the meanders
16 of said 77.0 foot contour a distance of 3,300
17 feet, more or less, to a point which is on the
18 boundary of said United States tract and on
19 the boundary of a tract of land now or formerly
20 owned by the City of Bainbridge, Georgia;

21 Thence along the boundary of said United
22 States tract the following courses:

23 S 10° 52' E along the boundary of
24 said City of Bainbridge tract 830 feet,
25 more or less, to a corner of said tract;

1 S 89° 45' E along the boundary of
2 said City of Bainbridge tract 700 feet,
3 more or less, to a concrete monument
4 stamped "J1A", coordinates of said monu-
5 ment being North 328,902.34 feet and
6 East 369,302.33 feet;

7 S 22° 25' W 62 feet, more or less, to
8 a corner of another tract of land owned by
9 the City of Bainbridge, Georgia;

10 S 88° 07' W along the boundary of
11 said City of Bainbridge tract 350 feet,
12 more or less to a corner of said tract;

13 N 84° 00' W along the boundary of
14 said City of Bainbridge tract 100.5 feet to
15 a corner said tract;

16 S 88° 07' W along the boundary of
17 said City of Bainbridge tract 300.0 feet to
18 a corner of said tract;

19 S 14° 16' W along boundary of said
20 City of Bainbridge tract 89.3 feet to a cor-
21 ner of said tract;

22 Southwesterly along the boundary of
23 said City of Bainbridge tract which is
24 along a curve to the right with a radius of

1 684.69 feet an arc distance of 361.8 feet
2 to a corner of said tract;

3 S 30° 00' W along the boundary of
4 said City of Bainbridge tract 294.0 feet to
5 a corner of said tract;

6 S 10° 27.' W along the boundary of
7 said City of Bainbridge tract 385.0 feet to
8 a corner of said tract;

9 N 73° 31' W 38 feet, more or less, to
10 a concrete monument;

11 S 16° 25' W 563.7 feet to a concrete
12 monument stamped "J7A";

13 S 68° 28' W 719.5 feet to a concrete
14 monument stamped "J9A";

15 S 68° 28' W 831.3 feet to a concrete
16 monument stamped "J12A";

17 S 89° 39'·E 746.7 feet to a concrete
18 monument stamped "J11A";

19 S 01° 22' w 80.0 feet to a concrete
20 monument stamped "J11B";

21 N 89° 39' W 980.9 feet to a concrete
22 monument stamped "J13A";

23 S 01° 21' W 560.0 feet to a concrete
24 monument stamped "J15A";

25 S 37° 14' W 1,213.0 feet;

1 N 52° 46' W 600.0 feet;
 2 S 37° 14' W 1,000.0 feet;
 3 S 52° 46' E 600.0 feet;
 4 S 37° 14' W 117.0 feet to a concrete
 5 monument stamped "320/319";
 6 S 37° 13' W 1,403.8 feet to a con-
 7 crete monument stamped "322/319";
 8 S 37° 13' W 2,771.4 feet to a con-
 9 crete monument stamped "322/323";
 10 S 37° 13' W 1,459.2 feet;
 11 N 89° 04' W 578.9 feet;
 12 S 53° 42' W 367.7 feet;
 13 S 43° 42' W 315.3 feet;
 14 S 26° 13' W 654.9 feet, more or less,
 15 to the point of beginning.

16 Containing 550.00 acres, more or less, and
 17 being a part of Tracts L-1105 and L-1106 of
 18 Lake Seminole.

19 (2) PARCEL 2.—All that tract or parcel of land
 20 lying and lying and being in Land Lot 226, Fif-
 21 teenth Land District, Decatur County, Georgia,
 22 more particularly described as follows:

23 Beginning at a point which is on the East
 24 right-of-way line of the Seaboard Airline Rail-
 25 road, 215 feet North of the South end of the

1 trestle over the Flint River, and at a corner of
2 a tract of land owned by the United States of
3 America at Lake Seminole;

4 Thence Southeasterly along the boundary
5 of said United States tract which is along a
6 curve to the right a distance of 485 feet, more
7 or less, to a point which is 340 feet, more or
8 less, S 67° 00' E from the South end of said
9 trestle, and at a corner of said United States
10 tract;

11 Thence N 70° 00' E along the boundary of
12 said United States tract 60.0 feet to a corner
13 of said tract;

14 Thence Northerly along the boundary of
15 said United States tract which is along a curve
16 to the right a distance of 525 feet, more or less,
17 to a corner of said tract;

18 Thence S 05° 00' W along the boundary of
19 said United States tract 500.0 feet to a corner
20 of said tract;

21 Thence Due West along the boundary of
22 said United States tract 370 feet, more or less,
23 to a point which is on the East right-of-way line
24 of said railroad and at a corner of said United
25 States tract;

1 Thence N 13° 30' W along the boundary
2 of said United States tract which is along the
3 East right-of-way line of said railroad a dis-
4 tance of 310 feet, more or less, to the point of
5 beginning.

6 Containing 3.67 acres, more or less, and
7 being all of Tract L-1124 of Lake Seminole.

8 Parcels 1 and 2 contain in the aggregate
9 553.67 acres, more or less.

10 (3) PARCEL 3.—All that tract or panel of land
11 lying and being in Land Lot 225, Fifteenth Land
12 District, Decatur County, Georgia, more particularly
13 described as follows:

14 Beginning at an iron marker designated
15 “225/226/”, which is on the South line and 500
16 feet, more or less, West of the Southeast corner
17 of said Land Lot 225 at a corner of a tract of
18 land owned by the United States of America at
19 Lake Seminole and at plane coordinate position
20 North 330,475.82 feet and East 370,429.36
21 feet, based on Transverse Mercator Projection,
22 Georgia West Zone;

23 Thence Due West along the boundary of
24 said United States tract a distance of 53.0 feet
25 to a monument stamped “225/226-A”;

1 Thence continue Due West along the
2 boundary of said United States tract a distance
3 of 56 feet, more or less, to a point on the East
4 bank of the Flint River;

5 Thence Northerly, upstream, along the me-
6 anders of the East bank of said river a distance
7 of 1,200 feet, more or less, to a point which is
8 on the Southern right-of-way line of U.S. High-
9 way No. 84 and at a corner of said United
10 States tract;

11 Thence Easterly and Southeasterly along
12 the Southern right-of-way line of said highway,
13 which is along the boundary of said United
14 States tract a distance of 285 feet, more or
15 less, to a monument stamped “L-23-1”, the co-
16 ordinates of said monument being North
17 331,410.90 and East 370,574.96;

18 Thence S 02° 25′ E along the boundary of
19 said United States tract a distance of 650.2
20 feet to a monument stamped “225-A”;

21 Thence S 42° 13′ E along the boundary of
22 said United States tract a distance of 99.8 feet
23 to a monument stamped “225”;

1 Thence S 48° 37' W along the boundary of
2 said United States tract a distance of 319.9
3 feet, more or less, to the point of beginning.

4 Containing 4.14 acres, more or less, and
5 being all of Tract L-1123 of the Lake Seminole
6 Project.

7 **SEC. 315. CEDAR RIVER, CEDAR RAPIDS, IOWA.**

8 The Secretary shall expedite completion of the project
9 for flood risk management, Cedar River, Cedar Rapids,
10 Iowa, authorized by section 7002(2) of the Water Re-
11 sources Development Act of 2014 (128 Stat. 1366).

12 **SEC. 316. CORPS OF ENGINEERS BRIDGE REPAIR AND DI-**
13 **VESTITURE PROGRAM FOR NEW ENGLAND**
14 **EVACUATION ROUTES.**

15 Subject to the availability of appropriations, the Sec-
16 retary may repair or replace, as necessary, any bridge
17 owned and operated by the Secretary that is—

18 (1) located in any of the States of Connecticut,
19 Maine, Massachusetts, New Hampshire, Rhode Is-
20 land, and Vermont; and

21 (2) necessary for evacuation during an extreme
22 weather event.

23 **SEC. 317. PORT OF WHITMAN COUNTY.**

24 (a) DEFINITIONS.—In this section:

1 (1) FEDERAL LAND.—The term “Federal land”
2 means the approximately 288 acres of land situated
3 in Whitman County, Washington, contained within
4 Tract D of Little Goose Lock and Dam.

5 (2) NON-FEDERAL LAND.—The term “non-Fed-
6 eral land” means a tract or tracts of land owned by
7 the Port of Whitman County, Washington, that the
8 Secretary determines, with approval of the Wash-
9 ington Department of Fish and Wildlife and the
10 Secretary of the Interior acting through the Director
11 of the United States Fish and Wildlife Service,
12 equals or exceeds the value of the Federal land both
13 as habitat for fish and wildlife and for recreational
14 opportunities related to fish and wildlife.

15 (b) LAND EXCHANGE.—On conveyance by the Port
16 of Whitman County to the United States of all right, title,
17 and interest in and to the non-Federal land, the Secretary
18 of the Army shall convey to the Port of Whitman County
19 all right, title, and interest of the United States in and
20 to the Federal land.

21 (c) DEEDS.—

22 (1) DEED TO NON-FEDERAL LAND.—The Sec-
23 retary may only accept conveyance of the non-Fed-
24 eral land by warranty deed, as determined accept-
25 able by the Secretary.

1 (2) DEED TO FEDERAL LAND.—The Secretary
2 shall convey the Federal land to the Port of Whit-
3 man County by quitclaim deed and subject to any
4 reservations, terms, and conditions the Secretary de-
5 termines necessary to allow the United States to op-
6 erate and maintain the Lower Snake River Project
7 and to protect the interests of the United States.

8 (d) CASH PAYMENT.—If the appraised fair market
9 value of the Federal land, as determined by the Secretary,
10 exceeds the appraised fair market value of the non-Federal
11 land, as determined by the Secretary, the Port of Whitman
12 County shall make a cash payment to the United States
13 reflecting the difference in the appraised fair market val-
14 ues.

15 (e) ADMINISTRATIVE EXPENSES.—The Port of Whit-
16 man County shall be responsible for the administrative
17 costs of the transaction in accordance with section 2695
18 of title 10, United States Code.

19 (f) LIABILITY.—The Port of Whitman County shall
20 hold the United States harmless from any liability with
21 respect to activities carried out on the Federal land on
22 or after the date of the conveyance.

23 (g) APPLICABILITY OF REAL PROPERTY SCREENING
24 PROVISIONS.—Section 2696 of title 10, United States

1 Code, shall not apply to the conveyance of the Federal
2 land under this section.

3 (h) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The
4 exact acreage and legal description of the Federal land
5 and non-Federal land shall be determined by a survey that
6 is satisfactory to the Secretary.

7 **SEC. 318. HAMPTON HARBOR, NEW HAMPSHIRE, NAVIGA-**
8 **TION IMPROVEMENT PROJECT.**

9 In carrying out the project for navigation, Hampton
10 Harbor, New Hampshire, under section 107 of the River
11 and Harbor Act of 1960 (33 U.S.C. 577), the Secretary
12 shall use all existing authorities of the Secretary to miti-
13 gate severe shoaling.

14 **SEC. 319. PORTSMOUTH HARBOR AND PISCATAQUA RIVER.**

15 The Secretary shall expedite the project for naviga-
16 tion for Portsmouth Harbor and the Piscataqua River au-
17 thorized by section 101 of the River and Harbor Act of
18 1962 (76 Stat. 1173).

19 **TITLE IV—WATER RESOURCES**
20 **INFRASTRUCTURE**

21 **SEC. 401. PROJECT AUTHORIZATIONS.**

22 The following projects for water resources develop-
23 ment and conservation and other purposes, as identified
24 in the reports titled “Report to Congress on Future Water
25 Resources Development” submitted to Congress on March

1 17, 2017, and February 5, 2018, respectively, pursuant
 2 to section 7001 of the Water Resources Reform and Devel-
 3 opment Act of 2014 (33 U.S.C. 2282d) or otherwise re-
 4 viewed by Congress are authorized to be carried out by
 5 the Secretary substantially in accordance with the plans,
 6 and subject to the conditions, described in the respective
 7 reports or decision documents designated in this section:

8 (1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Galveston Harbor Channel Exten- sion Project, Houston-Gal- veston Naviga- tion Channels	Aug. 8, 2017	Federal: \$10,046,000 Non-Federal: \$3,349,000 Total: \$13,395,000

9 (2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. NY	Mamaroneck- Sheldrake Riv- ers	Dec. 14, 2017	Federal: \$53,500,000 Non-Federal: \$28,750,000 Total: \$82,250,000
2. HI	Ala Wai Canal	Dec. 21, 2017	Federal: \$198,962,000; Non-Federal: \$107,133,000 Total: \$306,095,000

1 (3) HURRICANE AND STORM DAMAGE RISK RE-
2 DUCTON.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
1. FL	St. Johns County	Aug. 8, 2017	Initial Federal: \$5,712,000 Initial Non-Federal: \$19,122,000 Initial Total: \$24,834,000 Renourishment Federal: \$9,484,000 Renourishment Non-Federal: \$44,099,000 Renourishment Total: \$53,583,000
2. TX	Sabine Pass to Galveston Bay	Dec. 7, 2017	Initial Federal: \$2,157,202,000 Initial Non-Federal: \$1,161,570,000 Initial Total: \$3,318,772,000
3. FL	St. Lucie County	Dec. 15, 2017	Initial Federal: \$7,097,000 Initial Non-Federal: \$13,179,000 Initial Total: \$20,276,000 Renourishment Federal: \$8,915,000 Renourishment Non-Federal: \$24,105,000 Renourishment Total: \$33,020,000

3 (4) FLOOD RISK MANAGEMENT AND ECO-
4 SYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. NM	Española Valley, Rio Grande	May 11, 2018	Federal: \$40,117,000 Non-Federal: \$21,601,000 Total: \$61,718,000

1 (5) MODIFICATIONS AND OTHER PROJECTS.—

A. State	B. Name	C. Date of Decision Document	D. Estimated Costs
1. GA	Savannah Harbor Expansion Project	Dec. 5, 2016	Federal: \$677,613,600 Non-Federal: \$295,829,400 Total: \$973,443,000
2. KY	Kentucky River Locks and Dams - 1, 2, 3, and 4	April 20, 2018	Federal: \$0 Non-Federal: \$0 Total: \$0

Passed the House of Representatives June 6, 2018.

Attest:

KAREN L. HAAS,
Clerk.

Calendar No. 488

115TH CONGRESS
2D Session

H. R. 8

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.

JUNE 26, 2018

Read twice and placed on the calendar