

# Union Calendar No. 369

116TH CONGRESS  
2D SESSION

# H. R. 7575

**[Report No. 116–460, Part I]**

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.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2020

Mr. DEFAZIO (for himself, Mr. GRAVES of Missouri, Mrs. NAPOLITANO, and Mr. WESTERMAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JULY 24, 2020

Reported from the Committee on Transportation and Infrastructure with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

JULY 24, 2020

Committee on the Budget discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on July 13, 2020]

# **A BILL**

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 2020”.*

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

*Sec. 102. Funding for navigation.*

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

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

*Sec. 105. Assumption of maintenance of a locally preferred plan.*

*Sec. 106. Coast Guard anchorages.*

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

*Sec. 108. Inland waterway projects.*

*Sec. 109. Implementation of water resources principles and requirements.*

*Sec. 110. Resiliency planning assistance.*

*Sec. 111. Project consultation.*

*Sec. 112. Review of resiliency assessments.*

*Sec. 113. Small flood control projects.*

*Sec. 114. Conforming amendment.*

*Sec. 115. Feasibility studies; review of natural and nature-based features.*

*Sec. 116. Report on corrosion prevention activities.*

*Sec. 117. Quantification of benefits for flood risk management projects in seismic zones.*

*Sec. 118. Federal interest determination.*

*Sec. 119. Economically disadvantaged community flood protection and hurricane and storm damage reduction study pilot program.*

*Sec. 120. Permanent measures to reduce emergency flood fighting needs for communities subject to repetitive flooding.*

*Sec. 121. Emergency response to natural disasters.*

*Sec. 122. Study on natural infrastructure at Corps of Engineers projects.*

*Sec. 123. Review of Corps of Engineers assets.*

*Sec. 124. Sense of Congress on multipurpose projects.*

*Sec. 125. Beneficial reuse of dredged material; dredged material management plans.*

*Sec. 126. Aquatic ecosystem restoration for anadromous fish.*

*Sec. 127. Annual report to Congress.*

*Sec. 128. Harmful algal bloom demonstration program.*

*Sec. 129. Update on Invasive Species Policy Guidance.*

*Sec. 130. Report on debris removal.*

- Sec. 131. Missouri River interception-rearing complex construction.*
- Sec. 132. Cost and benefit feasibility assessment.*
- Sec. 133. Materials, services, and funds for repair, restoration, or rehabilitation of projects.*
- Sec. 134. Levee safety.*
- Sec. 135. National Dam Safety Program.*
- Sec. 136. Rehabilitation of Corps of Engineers constructed pump stations.*
- Sec. 137. Non-Federal Project Implementation Pilot Program.*
- Sec. 138. Definition of economically disadvantaged community.*
- Sec. 139. Cost sharing provisions for territories and Indian Tribes.*
- Sec. 140. Flood control and other purposes.*
- Sec. 141. Review of contracting policies.*
- Sec. 142. Buy America.*
- Sec. 143. Annual report on status of feasibility studies.*

## *TITLE II—STUDIES AND REPORTS*

- Sec. 201. Authorization of proposed feasibility studies.*
- Sec. 202. Expedited completions.*
- Sec. 203. Feasibility study modifications.*
- Sec. 204. Selma, Alabama.*
- Sec. 205. Comprehensive study of the Sacramento River, Yolo Bypass, California.*
- Sec. 206. Lake Okeechobee regulation schedule, Florida.*
- Sec. 207. Great Lakes Coastal Resiliency Study.*
- Sec. 208. Rathbun Lake, Chariton River, Iowa.*
- Sec. 209. Report on the status of restoration in the Louisiana coastal area.*
- Sec. 210. Lower Mississippi River comprehensive study.*
- Sec. 211. Upper Mississippi River Comprehensive Plan.*
- Sec. 212. Lower Missouri Basin Flood Risk and Resiliency Study, Iowa, Kansas, Nebraska, and Missouri.*
- Sec. 213. Portsmouth Harbor and Piscataqua River and Rye Harbor, New Hampshire.*
- Sec. 214. Cougar and Detroit Dams, Willamette River Basin, Oregon.*
- Sec. 215. Port Orford, Oregon.*
- Sec. 216. Wilson Creek and Sloan Creek, Fairview, Texas.*
- Sec. 217. GAO study on mitigation for water resources development projects.*
- Sec. 218. GAO study on application of Harbor Maintenance Trust Fund expenditures.*
- Sec. 219. GAO study on administration of environmental banks.*
- Sec. 220. Study on water supply and water conservation at water resources development projects.*
- Sec. 221. PFAS review and inventory at Corps facilities.*
- Sec. 222. Report on recreational facilities.*

## *TITLE III—DEAUTHORIZATIONS AND MODIFICATIONS*

- Sec. 301. Deauthorization of inactive projects.*
- Sec. 302. Abandoned and inactive noncoal mine restoration.*
- Sec. 303. Tribal partnership program.*
- Sec. 304. Lakes program.*
- Sec. 305. Watercraft inspection stations.*
- Sec. 306. Chesapeake Bay Environmental Restoration and Protection Program.*
- Sec. 307. Upper Mississippi River System Environmental Management Program.*
- Sec. 308. McClellan-Kerr Arkansas River Navigation System.*
- Sec. 309. Ouachita-Black River Navigation Project, Arkansas.*
- Sec. 310. Sacramento River, Glenn-Colusa, California.*

- Sec. 311. *Lake Isabella, California.*  
 Sec. 312. *Lower San Joaquin River flood control project.*  
 Sec. 313. *San Diego River and Mission Bay, San Diego County, California.*  
 Sec. 314. *San Francisco, California, Waterfront Area.*  
 Sec. 315. *Western Pacific Interceptor Canal, Sacramento River, California.*  
 Sec. 316. *Rio Grande Environmental Management Program, Colorado, New Mexico, and Texas.*  
 Sec. 317. *New London Harbor Waterfront Channel, Connecticut.*  
 Sec. 318. *Washington Harbor, District of Columbia.*  
 Sec. 319. *Central Everglades, Florida.*  
 Sec. 320. *Miami River, Florida.*  
 Sec. 321. *Taylor Creek Reservoir and Levee L-73 (Section 1), Upper St. Johns River Basin, Florida.*  
 Sec. 322. *Calcasieu River and Pass, Louisiana.*  
 Sec. 323. *San Juan-Chama project; Abiquiu Dam, New Mexico.*  
 Sec. 324. *Pawcatuck River, Little Narragansett Bay and Watch Hill Cove, Rhode Island and Connecticut.*  
 Sec. 325. *Harris County, Texas.*  
 Sec. 326. *Cap Sante Waterway, Washington.*  
 Sec. 327. *Regional sediment management.*  
 Sec. 328. *Additional assistance for critical projects.*  
 Sec. 329. *Project modification authorizations.*  
 Sec. 330. *Application of credit.*  
 Sec. 331. *Project reauthorizations.*  
 Sec. 332. *Conveyances.*  
 Sec. 333. *Repeals.*

#### TITLE IV—WATER RESOURCES INFRASTRUCTURE

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

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

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

## 4 **TITLE I—GENERAL PROVISIONS**

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

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

1       “*SEC. 14003. Section 251(b)(2) of the Balanced Budget*  
 2 *and Emergency Deficit Control Act of 1985 (2 U.S.C.*  
 3 *901(b)(2)) is amended by adding at the end the following:*

4               “‘(H) *HARBOR MAINTENANCE ACTIVI-*  
 5 *TIES.—If, for any fiscal year, appropriations for*  
 6 *the Construction, Mississippi River and Tribu-*  
 7 *taries, and Operation and Maintenance accounts*  
 8 *of the Corps of Engineers are enacted that are*  
 9 *derived from the Harbor Maintenance Trust*  
 10 *Fund established under section 9505(a) of the In-*  
 11 *ternal Revenue Code of 1986 and that the Con-*  
 12 *gress designates in statute as being for harbor*  
 13 *operations and maintenance activities, then the*  
 14 *adjustment for that fiscal year shall be the total*  
 15 *of such appropriations that are derived from*  
 16 *such Fund and designated as being for harbor*  
 17 *operations and maintenance activities.’”.*

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

21 **SEC. 102. FUNDING FOR NAVIGATION.**

22       (a) *FUNDING FOR NAVIGATION.—Section 210 of the*  
 23 *Water Resources Development Act of 1986 (33 U.S.C. 2238)*  
 24 *is amended, in the section heading, by striking “AUTHOR-*

1 **IZATION OF APPROPRIATIONS**” and inserting “**FUND-**  
2 **ING FOR NAVIGATION**”.

3 (b) *OPERATION AND MAINTENANCE OF HARBOR*  
4 *PROJECTS*.—Section 210(c) of the Water Resources Devel-  
5 opment Act of 1986 (33 U.S.C. 2238(c)) is amended—

6 (1) by amending paragraph (1) to read as fol-  
7 lows:

8 “(1) *IN GENERAL*.—For each fiscal year, of the  
9 funds made available under this section (including  
10 funds appropriated from the Harbor Maintenance  
11 Trust Fund), the Secretary shall make expenditures to  
12 pay for operation and maintenance costs of the har-  
13 bors and inland harbors referred to in subsection  
14 (a)(2), using—

15 “(A) not less than 20 percent of such funds  
16 for emerging harbor projects, to the extent there  
17 are identifiable operations and maintenance  
18 needs, including eligible breakwater and jetty  
19 needs, at such harbor projects;

20 “(B) not less than 12 percent of such funds  
21 for projects that are located within the Great  
22 Lakes Navigation System;

23 “(C) 10 percent of such funds for expanded  
24 uses carried out at donor ports, as such term is  
25 defined in section 2106 of the Water Resources

1        *Reform and Development Act of 2014 (33 U.S.C.*  
2        *2238c); and*

3                *“(D) any remaining funds for operation*  
4        *and maintenance costs of any harbor or inland*  
5        *harbor referred to in subsection (a)(2) based on*  
6        *an equitable allocation of such funds among such*  
7        *harbors and inland harbors.”;*

8        *(2) by amending paragraph (3) to read as fol-*  
9        *lows:*

10        *“(3) ADDITIONAL USES AT EMERGING HAR-*  
11        *BORS.—*

12                *“(A) IN GENERAL.—In each fiscal year, the*  
13        *Secretary may use not more than \$5,000,000 of*  
14        *funds designated for emerging harbor projects*  
15        *under paragraph (1)(A) to pay for the costs of*  
16        *up to 10 projects for maintenance dredging of a*  
17        *marina or berthing area, in an emerging harbor,*  
18        *that includes an area that is located adjacent to,*  
19        *or is accessible by, a Federal navigation project,*  
20        *subject to subparagraphs (B) and (C) of this*  
21        *paragraph.*

22                *“(B) ELIGIBLE EMERGING HARBORS.—The*  
23        *Secretary may use funds as authorized under*  
24        *subparagraph (A) at an emerging harbor that—*



1           “(i) supports commercial activities, in-  
2           cluding commercial fishing operations, com-  
3           mercial fish processing operations, rec-  
4           reational and sport fishing, and commercial  
5           boat yards; or

6           “(ii) supports activities of the Sec-  
7           retary of the department in which the Coast  
8           Guard is operating.

9           “(C) *COST-SHARING REQUIREMENTS.*—The  
10          Secretary shall require a non-Federal interest to  
11          contribute not less than 25 percent of the costs  
12          for maintenance dredging of that portion of a  
13          maintenance dredging project described in sub-  
14          paragraph (A) that is located outside of the Fed-  
15          eral navigation project, which may be provided  
16          as an in-kind contribution, including through  
17          the use of dredge equipment owned by non-Fed-  
18          eral interest to carry out such activities.”; and  
19          (3) by adding at the end the following:

20          “(5) *EMERGENCY EXPENDITURES.*—Nothing in  
21          this subsection prohibits the Secretary from making  
22          an expenditure to pay for the operation and mainte-  
23          nance costs of a specific harbor or inland harbor, in-  
24          cluding the transfer of funding from the operation  
25          and maintenance of a separate project, if—

1           “(A) the Secretary determines that the ac-  
 2           tion is necessary to address the navigation needs  
 3           of a harbor or inland harbor where safe naviga-  
 4           tion has been severely restricted due to an un-  
 5           foreseen event; and

6           “(B) the Secretary provides within 90 days  
 7           of the action notice and information on the need  
 8           for the action to the Committee on Environment  
 9           and Public Works and the Committee on Appro-  
 10          priations of the Senate and the Committee on  
 11          Transportation and Infrastructure and the Com-  
 12          mittee on Appropriations of the House of Rep-  
 13          resentatives.”.

14          (c) *PRIORITIZATION*.—Section 210 of the Water Re-  
 15          sources Development Act of 1986 (33 U.S.C. 2238) is  
 16          amended by striking subsection (d) and redesignating sub-  
 17          sections (e) and (f) as subsections (d) and (e), respectively.

18          (d) *ASSESSMENT OF HARBORS AND INLAND HAR-*  
 19          *BORS*.—Section 210(d)(2)(A)(ii) of the Water Resources De-  
 20          velopment Act of 1986 (as so redesignated) is amended by  
 21          striking “expanded uses at eligible harbors or inland har-  
 22          bors referred to in subsection (d)(2)” and inserting “uses  
 23          described in paragraphs (1)(C) and (3) of subsection (c)”.

1       (e) *DEFINITIONS.*—Section 210(e) of the Water Re-  
2 sources Development Act of 1986 (as so redesignated) is  
3 amended—

4           (1) by striking paragraphs (6) through (9);

5           (2) by redesignating paragraphs (3) through (5)  
6 as paragraphs (4) through (6), respectively;

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

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

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

16           (4) in paragraph (4) (as so redesignated), by  
17 adding at the end the following:

18           “(C) An in-water improvement, if the im-  
19 provement—

20           “(i) is for the seismic reinforcement of  
21 a wharf or other berthing structure, or the  
22 repair or replacement of a deteriorating  
23 wharf or other berthing structure, at a port  
24 facility;

1                   “(ii) *benefits commercial navigation at*  
2                   *the harbor; and*

3                   “(iii) *is located in, or adjacent to, a*  
4                   *berth that is accessible to a Federal naviga-*  
5                   *tion project.*

6                   “(D) *An activity to maintain slope stability*  
7                   *at a berth in a harbor that is accessible to a Fed-*  
8                   *eral navigation project if such activity benefits*  
9                   *commercial navigation at the harbor.”.*

10 **SEC. 103. ANNUAL REPORT TO CONGRESS ON THE HARBOR**  
11 **MAINTENANCE TRUST FUND.**

12           *Section 330 of the Water Resources Development Act*  
13 *of 1992 (26 U.S.C. 9505 note; 106 Stat. 4851) is amended—*  
14           *(1) in subsection (a)—*

15                   *(A) by striking “and annually thereafter,”*  
16                   *and inserting “and annually thereafter concur-*  
17                   *rent with the submission of the President’s an-*  
18                   *nual budget request to Congress,”; and*

19                   *(B) by striking “Public Works and Trans-*  
20                   *portation” and inserting “Transportation and*  
21                   *Infrastructure”; and*

22           *(2) in subsection (b)(1) by adding at the end the*  
23 *following:*

24                   “(D) *A description of the expected expendi-*  
25                   *tures from the trust fund to meet the needs of*

1           *navigation for the fiscal year of the budget re-*  
 2           *quest.”.*

3   **SEC. 104. ADDITIONAL MEASURES AT DONOR PORTS AND**  
 4           **ENERGY TRANSFER PORTS.**

5           *(a) DEFINITIONS.—Section 2106(a) of the Water Re-*  
 6           *sources Reform and Development Act of 2014 (33 U.S.C.*  
 7           *2238c(a)) is amended—*

8           *(1) in paragraph (3)(A)—*

9                   *(A) by amending clause (ii) to read as fol-*  
 10           *lows:*

11                           *“(ii) at which the total amount of har-*  
 12                           *bor maintenance taxes collected (including*  
 13                           *the estimated taxes related to domestic cargo*  
 14                           *and cruise passengers) comprise not less*  
 15                           *than \$15,000,000 annually of the total*  
 16                           *funding of the Harbor Maintenance Trust*  
 17                           *Fund in each of the previous 3 fiscal*  
 18                           *years;”;*

19                   *(B) in clause (iii), by inserting “(including*  
 20                   *the estimated taxes related to domestic cargo and*  
 21                   *cruise passengers)” after “taxes collected”; and*

22                   *(C) in clause (iv), by striking “fiscal year*  
 23                   *2012” and inserting “each of the previous 3 fis-*  
 24                   *cal years”;*

1           (2) in paragraph (5)(B), by striking “fiscal year  
2       2012” each place it appears and inserting “each of  
3       the previous 3 fiscal years”;

4           (3) by redesignating paragraph (8) as para-  
5       graph (9) and inserting after paragraph (7) the fol-  
6       lowing:

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

11          (4) in paragraph (9), as so redesignated—

12               (A) by amending subparagraph (B) to read  
13       as follows:

14               “(B) at which the total amount of harbor  
15       maintenance taxes collected (including the esti-  
16       mated taxes related to domestic cargo and cruise  
17       passengers) comprise annually more than  
18       \$5,000,000 but less than \$15,000,000 of the total  
19       funding of the Harbor Maintenance Trust Fund  
20       in each of the previous 3 fiscal years.”;

21               (B) in subparagraph (C), by inserting “(in-  
22       cluding the estimated taxes related to domestic  
23       cargo and cruise passengers)” after “taxes col-  
24       lected”; and

1                   (C) in subparagraph (D), by striking “fis-  
 2                   cal year 2012” and inserting “each of the pre-  
 3                   vious 3 fiscal years”.

4           (b) *REPORT TO CONGRESS; AUTHORIZATION OF AP-  
 5 PROPRIATIONS.*—Section 2106 of the Water Resources Re-  
 6 form and Development Act of 2014 (33 U.S.C. 2238c) is  
 7 amended—

8                   (1) by striking subsection (e) and redesignating  
 9                   subsections (f) and (g) as subsections (e) and (f), re-  
 10                  spectively; and

11                  (2) in subsection (e), as so redesignated—

12                               (A) in paragraph (1), by striking “2020”  
 13                               and inserting “2030”; and

14                               (B) by striking paragraph (3).

15 **SEC. 105. ASSUMPTION OF MAINTENANCE OF A LOCALLY**  
 16 **PREFERRED PLAN.**

17           Section 204(f) of the Water Resources Development Act  
 18 of 1986 (33 U.S.C. 2232(f)) is amended to read as follows:

19           “(f) *OPERATION AND MAINTENANCE.*—

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

1           “(A) before construction of the improve-  
2           ments—

3                   “(i) the Secretary determines that the  
4                   improvements are feasible and consistent  
5                   with the purposes of this title; and

6                   “(ii) the Secretary and the non-Federal  
7                   interest execute a written agreement relat-  
8                   ing to operation and maintenance of the  
9                   improvements;

10                  “(B) the Secretary certifies that the project  
11                  or separable element of the project is constructed  
12                  in accordance with applicable permits and ap-  
13                  propriate engineering and design standards; and

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

16                  “(2) *FEDERAL FINANCIAL PARTICIPATION IN THE*  
17                  *COSTS OF A LOCALLY PREFERRED PLAN.*—In the case  
18                  of improvements determined by the Secretary pursu-  
19                  ant to paragraph (1)(A)(i) to deviate from the na-  
20                  tional economic development plan, the Secretary shall  
21                  be responsible for all operation and maintenance costs  
22                  of such improvements, as described in section 101(b),  
23                  including costs in excess of the costs of the national  
24                  economic development plan, if the Secretary deter-



1        *mines that the improvements satisfy the requirements*  
2        *of paragraph (1).”.*

3        **SEC. 106. COAST GUARD ANCHORAGES.**

4        *The Secretary is authorized to perform dredging at*  
5        *Federal expense within and adjacent to anchorages on the*  
6        *Columbia River established by the Coast Guard pursuant*  
7        *to section 7 of the Act of March 14, 1915 (33 U.S.C. 471),*  
8        *to provide safe anchorage for deep draft vessels commensu-*  
9        *rate with the authorized Federal navigation channel depth,*  
10       *including advanced maintenance.*

11       **SEC. 107. STATE CONTRIBUTION OF FUNDS FOR CERTAIN**  
12       **OPERATION AND MAINTENANCE COSTS.**

13       *In carrying out eligible operations and maintenance*  
14       *activities within the Great Lakes Navigation System pursu-*  
15       *ant to section 210 of the Water Resources Development Act*  
16       *of 1986 (33 U.S.C. 2238) in a State that has implemented*  
17       *any additional State limitation on the disposal of dredged*  
18       *material in the open waters of such State, the Secretary*  
19       *may, pursuant to section 5 of the Act of June 22, 1936*  
20       *(33 U.S.C. 701h), receive from such State, and expend, such*  
21       *funds as may be contributed by the State to cover the addi-*  
22       *tional costs for operations and maintenance activities for*  
23       *a harbor or inland harbor within such State that result*  
24       *from such limitation.*

1 **SEC. 108. INLAND WATERWAY PROJECTS.**

2       (a) *IN GENERAL.*—Notwithstanding section 102 of the  
3 *Water Resources Development Act of 1986 (33 U.S.C. 2212),*  
4 *35 percent of the costs of construction of any project for*  
5 *navigation on the inland waterways shall be paid from*  
6 *amounts appropriated from the Inland Waterways Trust*  
7 *Fund—*

8               (1) *during each of fiscal years 2021 through*  
9       *2027; and*

10              (2) *for a project the construction of which is ini-*  
11       *tiated during such period, in each fiscal year until*  
12       *such construction is complete.*

13       (b) *PRIORITIZATION.*—*In selecting projects described*  
14 *in subsection (a) for which to initiate construction during*  
15 *any of fiscal years 2021 through 2027, the Secretary shall*  
16 *prioritize projects that are included in the most recent 20-*  
17 *year program for making capital investments developed*  
18 *under section 302(d) of the Water Resources Development*  
19 *Act of 1986 (33 U.S.C. 2251(d)).*

20 **SEC. 109. IMPLEMENTATION OF WATER RESOURCES PRIN-**  
21 **CIPLES AND REQUIREMENTS.**

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

1       (b) *DEVELOPMENT OF FUTURE WATER RESOURCES*

2 *DEVELOPMENT PROJECTS.*—*The procedures required by*  
 3 *subsection (a) shall ensure that the Secretary, in the formu-*  
 4 *lation of future water resources development projects—*

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

6                   (A) *the guiding principles established by the*  
 7 *principles and requirements; and*

8                   (B) *the national water resources planning*  
 9 *policy established by section 2031(a) of the*  
 10 *Water Resources Development Act of 2007 (42*  
 11 *U.S.C. 1962–3(a)); and*

12           (2) *fully identifies and analyzes national eco-*  
 13 *nomics development benefits, regional economic devel-*  
 14 *opment benefits, environmental quality benefits, and*  
 15 *other societal effects.*

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

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

22           (1) *provide notice to interested non-Federal*  
 23 *stakeholders of the Secretary’s intent to revise the pro-*  
 24 *cedures;*

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

5           (3) *solicit and consider public and expert com-*  
 6           *ments.*

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

8           (1) *INTERAGENCY GUIDELINES.—The term*  
 9           *“interagency guidelines” means the interagency*  
 10           *guidelines contained in the document finalized by the*  
 11           *Council on Environmental Quality pursuant to sec-*  
 12           *tion 2031 of the Water Resources Development Act of*  
 13           *2007 (42 U.S.C. 1962–3) in December 2014, to imple-*  
 14           *ment the principles and requirements.*

15           (2) *PRINCIPLES AND REQUIREMENTS.—The term*  
 16           *“principles and requirements” means the principles*  
 17           *and requirements contained in the document prepared*  
 18           *by the Council on Environmental Quality pursuant*  
 19           *to section 2031 of the Water Resources Development*  
 20           *Act of 2007 (42 U.S.C. 1962–3), entitled “Principles*  
 21           *and Requirements for Federal Investments in Water*  
 22           *Resources”, and dated March 2013.*

23 **SEC. 110. RESILIENCY PLANNING ASSISTANCE.**

24           (a) *IN GENERAL.—Section 206(a) of the Flood Control*  
 25           *Act of 1960 (33 U.S.C. 709a(a)) is amended by inserting*

1 “, to avoid repetitive flooding impacts, to anticipate, pre-  
 2 pare, and adapt to changing climatic conditions and ex-  
 3 treme weather events, and to withstand, respond to, and re-  
 4 cover rapidly from disruption due to the flood hazards”  
 5 after “in planning to ameliorate the flood hazard”.

6 (b) *PRIORITIZING FLOOD RISK RESILIENCY TECH-*  
 7 *NICAL ASSISTANCE FOR ECONOMICALLY DISADVANTAGED*  
 8 *COMMUNITIES.*—In carrying out section 206 of the Flood  
 9 Control Act of 1960 (33 U.S.C. 709a), the Secretary shall  
 10 prioritize the provision of technical assistance to support  
 11 flood risk resiliency planning efforts of an economically dis-  
 12 advantaged community.

13 **SEC. 111. PROJECT CONSULTATION.**

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

17 (1) *The report required under section 1214 of the*  
 18 *Water Resources Development Act of 2018 (132 Stat.*  
 19 *3809).*

20 (2) *The report required under section 1120(a)(3)*  
 21 *of the Water Resources Development Act of 2016 (130*  
 22 *Stat. 1643).*

23 (b) *CONSULTATION.*—

24 (1) *AGENCIES AND TRIBES.*—The Secretary shall  
 25 ensure that all covered community consultation poli-

1 *cies, regulations, and guidance of the Corps of Engi-*  
2 *neers continue to be implemented, and that consulta-*  
3 *tions with Federal and State agencies and Indian*  
4 *Tribes required for a water resources development*  
5 *project are carried out.*

6 (2) *COMMUNITIES.—The Secretary shall ensure*  
7 *that any covered communities, including such com-*  
8 *munities identified in the reports submitted under*  
9 *subsection (a), that are found to be disproportionately*  
10 *or adversely affected are included in consultation*  
11 *policies, regulations, and guidance of the Corps of*  
12 *Engineers.*

13 (3) *PROJECT PLANNING AND CONSTRUCTION.—*  
14 *The Secretary shall ensure that covered communities*  
15 *are consulted in the development of water resources*  
16 *development project planning and construction, for*  
17 *the purposes of achieving environmental justice and*  
18 *addressing any disproportionate or adverse effects on*  
19 *such communities.*

20 (c) *ENVIRONMENTAL JUSTICE UPDATES.—*

21 (1) *IN GENERAL.—Not later than 1 year after*  
22 *the date of enactment of this Act, the Secretary shall*  
23 *update any policies, regulations, and guidance of the*  
24 *Corps of Engineers related to achieving environ-*  
25 *mental justice for covered communities.*

1           (2) *RECOMMENDATIONS AND CONSULTATION.*—*In*  
 2           *carrying out paragraph (1), the Secretary shall—*

3                     *(A) consult with a wide array of representa-*  
 4                     *tives of covered communities; and*

5                     *(B) use the recommendations from the re-*  
 6                     *ports submitted under subsection (a).*

7           *(d) COMMUNITY ENGAGEMENT.*—*The Secretary shall*  
 8           *ensure that in carrying out authorized water resources de-*  
 9           *velopment projects in, and all other activities of the Corps*  
 10           *of Engineers related to, covered communities, the Corps of*  
 11           *Engineers—*

12                    *(1) promotes the meaningful involvement of such*  
 13                    *communities in the project development and imple-*  
 14                    *mentation, enforcement efforts, and other activities of*  
 15                    *the Corps of Engineers;*

16                    *(2) provides guidance and technical assistance to*  
 17                    *such communities to increase understanding of the*  
 18                    *project development and implementation activities,*  
 19                    *regulations, and policies of the Corps of Engineers;*  
 20                    *and*

21                    *(3) cooperates with State, Tribal, and local gov-*  
 22                    *ernments with respect to activities carried out pursu-*  
 23                    *ant to this subsection.*

24           *(e) TRIBAL LANDS AND CONSULTATION.*—*The Sec-*  
 25           *retary shall ensure that in carrying out authorized water*

1 *resources development projects and in all other activities of*  
 2 *the Corps of Engineers, that the Corps of Engineers—*

3 *(1)(A) consults with Indian Tribes specifically*  
 4 *on any Tribal lands near or adjacent to any activi-*  
 5 *ties of the Corps of Engineers, for purposes of identi-*  
 6 *fying lands of ancestral, cultural, or religious impor-*  
 7 *tance; and*

8 *(B) cooperates with Indian Tribes to avoid, or*  
 9 *otherwise find alternate solutions with respect to, such*  
 10 *lands; and*

11 *(2)(A) consults with Indian Tribes specifically*  
 12 *on any Tribal areas near or adjacent to any activi-*  
 13 *ties of the Corps of Engineers, for purposes of identi-*  
 14 *fying lands, waters, and other resources critical to the*  
 15 *livelihood of the Indian Tribes; and*

16 *(B) cooperates with Indian Tribes to avoid, or*  
 17 *otherwise find alternate solutions with respect to, such*  
 18 *areas.*

19 *(f) DEFINITIONS.—In this section:*

20 *(1) COMMUNITY OF COLOR.—The term “commu-*  
 21 *nity of color” means a community of individuals who*  
 22 *are—*

23 *(A) American Indian or Alaska Native;*

24 *(B) Asian or Pacific Islander;*

25 *(C) Black, not of Hispanic origin; or*



1 (D) *Hispanic.*

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

4 (A) *A community of color.*

5 (B) *An economically disadvantaged commu-*  
6 *nity.*

7 (C) *A rural community.*

8 (D) *A Tribal or indigenous community.*

9 (3) *STATE.*—*The term “State” means each of the*  
10 *several States, the District of Columbia, and each of*  
11 *the commonwealths, territories, and possessions of the*  
12 *United States.*

13 **SEC. 112. REVIEW OF RESILIENCY ASSESSMENTS.**

14 (a) *RESILIENCY ASSESSMENT.*—

15 (1) *IN GENERAL.*—*Not later than 180 days after*  
16 *the date of enactment of this section, and in conjunc-*  
17 *tion with the development of procedures under section*  
18 *109 of this Act, the Secretary is directed to review,*  
19 *and where appropriate, revise the existing planning*  
20 *guidance documents and regulations on the assess-*  
21 *ment of the effects of sea level rise on future water re-*  
22 *sources development projects to ensure that such guid-*  
23 *ance documents and regulations are based on the best*  
24 *available, peer-reviewed science and data on the cur-*

1        *rent and future effects of sea level rise on coastal com-*  
 2        *munities.*

3                (2) *COORDINATION.—In carrying out this sub-*  
 4        *section, the Secretary shall—*

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

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

12        (b) *ASSESSMENT OF BENEFITS OF SEA LEVEL RISE*  
 13        *RESILIENCY IN FEASIBILITY REPORTS.—*

14                (1) *IN GENERAL.—Upon the request of a non-*  
 15        *Federal interest, in carrying out a feasibility study*  
 16        *for a project for flood risk mitigation, hurricane and*  
 17        *storm damage risk reduction, or ecosystem restoration*  
 18        *under section 905 of the Water Resources Development*  
 19        *Act of 1986 (33 U.S.C. 2282), the Secretary shall con-*  
 20        *sider whether the need for the project is predicated*  
 21        *upon or exacerbated by conditions related to sea level*  
 22        *rise.*

23                (2) *SEA LEVEL RISE RESILIENCY BENEFITS.—To*  
 24        *the maximum extent practicable, in carrying out a*  
 25        *study pursuant to paragraph (1), the Secretary shall*

1        *document the potential effects of sea level rise on the*  
 2        *project, and benefits of the project relating to sea level*  
 3        *rise, during the 50-year period after the date of com-*  
 4        *pletion of the project.*

5    **SEC. 113. SMALL FLOOD CONTROL PROJECTS.**

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

12   **SEC. 114. CONFORMING AMENDMENT.**

13       *Section 103(b) of the Water Resources Development Act*  
 14       *of 1986 (33 U.S.C. 2213) is amended—*

15            *(1) in the subsection heading, by striking “NON-*  
 16            *STRUCTURAL FLOOD CONTROL PROJECTS” and in-*  
 17            *serting “PROJECTS USING NONSTRUCTURAL, NAT-*  
 18            *URAL, OR NATURE-BASED FEATURES”; and*

19            *(2) in paragraph (1)—*

20                    *(A) by striking “nonstructural flood control*  
 21                    *measures” and inserting “a flood risk manage-*  
 22                    *ment or hurricane and storm damage risk reduc-*  
 23                    *tion measure using a nonstructural feature, or a*  
 24                    *natural feature or nature-based feature (as those*  
 25                    *terms are defined in section 1184(a) of the Water*

1           *Resources Development Act of 2016 (33 U.S.C.*  
 2           *2289a(a))),”;* and

3                     *(B) by striking “cash during construction of*  
 4           *the project” and inserting “cash during construc-*  
 5           *tion for a nonstructural feature if the costs of*  
 6           *land, easements, rights-of-way, dredged material*  
 7           *disposal areas, and relocations for such feature*  
 8           *are estimated to exceed 35 percent”.*

9   **SEC. 115. FEASIBILITY STUDIES; REVIEW OF NATURAL AND**  
 10                   **NATURE-BASED FEATURES.**

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

18           *(b) SUMMARY OF ANALYSIS.—To the maximum extent*  
 19   *practicable, the Secretary shall include in each feasibility*  
 20   *report developed under section 905 of the Water Resources*  
 21   *Development Act of 1986 (33 U.S.C. 2282) for a project that*  
 22   *contains a flood risk management or hurricane and storm*  
 23   *damage risk reduction element, a summary of the natural*  
 24   *feature or nature-based feature alternatives that were evalu-*  
 25   *ated in the development of the feasibility report, and, if such*

1 *alternatives were not included in the recommended plan,*  
2 *an explanation of why such alternatives were not included*  
3 *into the recommended plan.*

4 **SEC. 116. REPORT ON CORROSION PREVENTION ACTIVITIES.**  
5

6 *Not later than 180 days after the date of enactment*  
7 *of this Act, the Secretary shall submit to the Committee on*  
8 *Transportation and Infrastructure of the House of Rep-*  
9 *resentatives and the Committee on Environment and Public*  
10 *Works of the Senate, and make publicly available, a report*  
11 *that describes—*

12 *(1) the extent to which the Secretary has carried*  
13 *out section 1033 of the Water Resources Reform and*  
14 *Development Act of 2014 (33 U.S.C. 2350);*

15 *(2) the extent to which the Secretary has incor-*  
16 *porated corrosion prevention activities (as defined in*  
17 *such section) at water resources development projects*  
18 *constructed or maintained by the Secretary since the*  
19 *date of enactment of such section; and*

20 *(3) in instances where the Secretary has not in-*  
21 *corporated corrosion prevention activities at such*  
22 *water resources development projects since such date,*  
23 *an explanation as to why such corrosion prevention*  
24 *activities have not been incorporated.*

1 **SEC. 117. QUANTIFICATION OF BENEFITS FOR FLOOD RISK**  
 2 **MANAGEMENT PROJECTS IN SEISMIC ZONES.**

3 (a) *IN GENERAL.*—Upon the request of the non-Federal  
 4 interest for a flood risk management project in a seismic  
 5 zone, the Secretary shall quantify the seismic hazard risk  
 6 reduction benefits for the project if the non-Federal interest  
 7 identifies, and the Secretary approves, an acceptable meth-  
 8 odology to quantify such benefits.

9 (b) *APPLICABILITY.*—The Secretary shall—

10 (1) include all associated seismic hazard risk re-  
 11 duction benefits approved by the Secretary in the cal-  
 12 culation of the national economic development benefit-  
 13 cost ratio for a flood risk management project in a  
 14 seismic hazard zone for purposes of plan formulation  
 15 pursuant to section 905 of the Water Resources Devel-  
 16 opment Act of 1986; and

17 (2) seek to maximize the combination of flood  
 18 risk reduction and seismic hazard risk reduction ben-  
 19 efits in the formulation of the national economic de-  
 20 velopment alternative for such project.

21 **SEC. 118. FEDERAL INTEREST DETERMINATION.**

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

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

1           “(1) *IN GENERAL.*—*In preparing a feasibility*  
 2           *report under subsection (a) for a study that will ben-*  
 3           *efit an economically disadvantaged community, upon*  
 4           *request by the non-Federal interest for the study, the*  
 5           *Secretary shall first determine the Federal interest in*  
 6           *carrying out the study and the projects that may be*  
 7           *proposed in the study.*

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

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

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

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

16           “(4) *TREATMENT.*—

17                   “(A) *TIMING.*—*The period during which a*  
 18                   *determination is being completed under para-*  
 19                   *graph (1) for a study shall not be included for*  
 20                   *purposes of the deadline to complete a final fea-*  
 21                   *sibility report under section 1001(a)(1) of the*  
 22                   *Water Resources Reform and Development Act of*  
 23                   *2014 (33 U.S.C. 2282c(a)(1)).*

24                   “(B) *COST.*—*The cost of a determination*  
 25                   *under paragraph (1) shall not be included for*

purposes of the maximum Federal cost under section 1001(a)(2) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c(a)(2)).

“(5) *REPORT TO NON-FEDERAL INTEREST.*—If, based on a determination under paragraph (1), the Secretary determines that a study or project is not in the Federal interest because the project will not result, or is unlikely to result, in a recommended plan that will produce national economic development benefits greater than cost, but may result in a technically sound and environmentally acceptable plan that is otherwise consistent with section 904 of the Water Resources Development Act of 1986 (33 U.S.C. 2281), the Secretary shall issue a report to the non-Federal interest with recommendations on how the non-Federal interest might modify the proposal such that the project could be in the Federal interest and feasible.”.

**SEC. 119. ECONOMICALLY DISADVANTAGED COMMUNITY  
FLOOD PROTECTION AND HURRICANE AND  
STORM DAMAGE REDUCTION STUDY PILOT  
PROGRAM.**

(a) *IN GENERAL.*—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish and implement a pilot program to evaluate opportunities



1 *to address the flood risk management and hurricane and*  
2 *storm damage risk reduction needs of economically dis-*  
3 *advantaged communities.*

4 *(b) PARTICIPATION IN PILOT PROGRAM.—In carrying*  
5 *out subsection (a), the Secretary shall—*

6 *(1) publish a notice in the Federal Register that*  
7 *requests from non-Federal interests proposals for the*  
8 *potential feasibility study of a flood risk management*  
9 *project or hurricane and storm damage risk reduction*  
10 *project for an economically disadvantaged commu-*  
11 *nity;*

12 *(2) upon request of a non-Federal interest for*  
13 *such a project, provide technical assistance to such*  
14 *non-Federal interest in the formulation of a proposal*  
15 *for a potential feasibility study to be submitted to the*  
16 *Secretary under the pilot program; and*

17 *(3) review such proposals and select 10 feasi-*  
18 *bility studies for such projects to be carried out by the*  
19 *Secretary, in coordination with the non-Federal in-*  
20 *terest, under this pilot program.*

21 *(c) SELECTION CRITERIA.—In selecting a feasibility*  
22 *study under subsection (b)(3), the Secretary shall consider*  
23 *whether—*

24 *(1) the percentage of people living in poverty in*  
25 *the county or counties (or county-equivalent entity or*

1        *entities) in which the project is located is above the*  
 2        *percentage of people living in poverty in the State,*  
 3        *based on census bureau data;*

4            *(2) the percentage of families with income above*  
 5        *the poverty threshold but below the average household*  
 6        *income in the county or counties (or county-equiva-*  
 7        *lent entity or entities) in which the project is located*  
 8        *is above the percentage of the same for the State,*  
 9        *based on census bureau data;*

10           *(3) the percentage of the population that identi-*  
 11        *fies as belonging to a minority or indigenous group*  
 12        *in the county or counties (or county-equivalent entity*  
 13        *or entities) in which the project is located is above the*  
 14        *average percentage in the State, based on census bu-*  
 15        *reau data; and*

16           *(4) the project is addressing flooding or hurri-*  
 17        *cane or storm damage effects that have a dispropor-*  
 18        *tionate impact on a rural community or a commu-*  
 19        *nity of color (as such term is defined in section 111*  
 20        *of this Act), including Tribal or indigenous peoples.*

21        *(d) ADMINISTRATION.—Notwithstanding the require-*  
 22        *ments of section 105(a)(1)(A) of the Water Resources Devel-*  
 23        *opment Act of 1986 (33 U.S.C. 2215), the Federal share*  
 24        *of the cost of a feasibility study carried out under the pilot*  
 25        *program shall be 100 percent.*

1       (e) *GEOGRAPHIC DIVERSITY.*—When selecting feasi-  
2       bility studies under subsection (b)(3), the Secretary shall  
3       consider the geographic diversity among proposed projects.

4       (f) *STUDY REQUIREMENTS.*—Feasibility studies car-  
5       ried out under this subsection shall, to the maximum extent  
6       practical, incorporate natural features or nature-based fea-  
7       tures (as such terms are defined in section 1184 of the Water  
8       Resources Development Act of 2016 (33 U.S.C. 2289a)), or  
9       a combination of such features and nonstructural features,  
10      that avoid or reduce at least 50 percent of flood or storm  
11      damages in one or more of the alternatives included in the  
12      final alternatives evaluated.

13      (g) *NOTIFICATION.*—The Secretary shall notify the  
14      Committee on Transportation and Infrastructure of the  
15      House of Representatives and the Committee on Environ-  
16      ment and Public Works of the Senate of the selection of each  
17      feasibility study under the pilot program.

18      (h) *COMPLETION.*—Upon completion of a feasibility  
19      report for a feasibility study selected to be carried out under  
20      this section, the Secretary shall transmit the report to Con-  
21      gress for authorization, and shall include the report in the  
22      next annual report submitted under section 7001 of the  
23      Water Resources Reform and Development Act of 2014 (33  
24      U.S.C. 2282d).

1       (i) *SUNSET.*—*The authority to commence a feasibility*  
 2 *study under this section shall terminate on the date that*  
 3 *is 10 years after the date of enactment of this Act.*

4       (j) *REPORT.*—*Not later than 5 years and 10 years*  
 5 *after the date of enactment of this Act, the Secretary shall*  
 6 *submit to the Committee on Transportation and Infrastruc-*  
 7 *ture of the House of Representatives and the Committee on*  
 8 *Environment and Public Works of the Senate, and make*  
 9 *publicly available, a report detailing the results of the pilot*  
 10 *program carried out under this section, including—*

11               (1) *a description of proposals received from non-*  
 12 *Federal interests pursuant to subsection (b)(1);*

13               (2) *a description of technical assistance provided*  
 14 *to non-Federal interests under subsection (b)(2); and*

15               (3) *a description of proposals selected under sub-*  
 16 *section (b)(3) and criteria used to select such pro-*  
 17 *posals.*

18       (k) *STATE DEFINED.*—*In this section, the term*  
 19 *“State” means each of the several States, the District of Co-*  
 20 *lumbia, and each of the commonwealths, territories, and*  
 21 *possessions of the United States.*

22 **SEC. 120. PERMANENT MEASURES TO REDUCE EMERGENCY**  
 23 **FLOOD FIGHTING NEEDS FOR COMMUNITIES**  
 24 **SUBJECT TO REPETITIVE FLOODING.**

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

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

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

8                     *(B) that has received emergency flood-fight-*  
 9                     *ing assistance, including construction of tem-*  
 10                    *porary barriers by the Secretary, under section*  
 11                    *5 of the Act of August 18, 1941 (33 U.S.C. 701n)*  
 12                    *with respect to such flood events.*

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

18           (b) *PROGRAM.*—

19                    (1) *IN GENERAL.*—*The Secretary is authorized to*  
 20                    *carry out a program to study, design, and construct*  
 21                    *water resources development projects through meas-*  
 22                    *ures involving, among other things, strengthening,*  
 23                    *raising, extending, realigning, or otherwise modifying*  
 24                    *existing flood control works, designing new works,*  
 25                    *and incorporating natural features, nature-based fea-*

1        *tures, or nonstructural features, as appropriate to*  
 2        *provide flood and coastal storm risk management to*  
 3        *affected communities.*

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

12           (3) *CONSTRUCTION.—*

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

16            (i) *the Secretary determines that the*  
 17        *project—*

18            (I) *is advisable to reduce the risk*  
 19        *of flooding for an affected community;*  
 20        *and*

21            (II) *produces benefits that are in*  
 22        *excess of the estimated costs; and*

23            (ii) *the Federal share of the cost of the*  
 24        *construction does not exceed \$15,000,000.*

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

10          (C) *FINANCING.*—

11           (i) *CONTRIBUTIONS.*—*If, based on a*  
12           *study carried out pursuant to paragraph*  
13           *(1), the Secretary determines that a project*  
14           *described in paragraph (1) will not produce*  
15           *benefits greater than cost, the Secretary*  
16           *shall allow the affected community to pay,*  
17           *or provide contributions equal to, an*  
18           *amount sufficient to make the remaining*  
19           *costs of design and construction of the*  
20           *project equal to the estimated value of the*  
21           *benefits of the project.*

22           (ii) *EFFECT ON NON-FEDERAL*  
23           *SHARE.*—*Amounts provided by an affected*  
24           *community under clause (i) shall be in ad-*  
25           *dition to any payments or contributions the*

1           *affected community is required to provide*  
 2           *toward the remaining costs of design and*  
 3           *construction of the project under section 103*  
 4           *of the Water Resources Development Act of*  
 5           *1986 (33 U.S.C. 2213).*

6           (4) *ABILITY TO PAY.*—

7           (A) *IN GENERAL.*—*Any cost-sharing agree-*  
 8           *ment for a project entered into pursuant to this*  
 9           *section shall be subject to the ability of the af-*  
 10          *ected community to pay.*

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

15          (C) *EFFECT OF REDUCTION.*—*Any reduc-*  
 16          *tion in the non-Federal share of the cost of a*  
 17          *project described in paragraph (1) as a result of*  
 18          *a determination under this paragraph shall not*  
 19          *be included in the Federal share for purposes of*  
 20          *subparagraphs (A) and (B) of paragraph (3).*

21 **SEC. 121. EMERGENCY RESPONSE TO NATURAL DISASTERS.**

22          (a) *IN GENERAL.*—*Section 5 of the Act of August 18,*  
 23          *1941 (33 U.S.C. 701n) is amended—*

24                 (1) *in subsection (a), by adding at the end the*  
 25          *following—*



1 “(5) *FEASIBILITY STUDY*.—

2 “(A) *DETERMINATION*.—Not later than 180  
3 days after receiving, from a non-Federal sponsor  
4 of a project to repair or rehabilitate a flood con-  
5 trol work described in paragraph (1), a request  
6 to initiate a feasibility study to further modify  
7 the relevant flood control work to provide for an  
8 increased level of protection, the Secretary shall  
9 provide to the non-Federal sponsor a written de-  
10 cision on whether the Secretary has the authority  
11 under section 216 of the Flood Control Act of  
12 1970 (33 U.S.C. 549a) to undertake the requested  
13 feasibility study.

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

22 (2) in subsection (c)—

23 (A) in the subsection heading, by striking  
24 “*LEVEE OWNERS MANUAL*” and inserting “*ELI-*  
25 *GIBILITY*”;

1           (B) in paragraph (1), in the heading, by  
2           striking “IN GENERAL” and inserting “LEVEE  
3           OWNER’S MANUAL”;

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

7           “(2) COMPLIANCE.—

8           “(A) IN GENERAL.—Notwithstanding the  
9           status of compliance of a non-Federal interest  
10          with the requirements of a levee owner’s manual  
11          described in paragraph (1), or with any other  
12          eligibility requirement established by the Sec-  
13          retary related to the maintenance and upkeep re-  
14          sponsibilities of the non-Federal interest, the Sec-  
15          retary shall consider the non-Federal interest to  
16          be eligible for repair and rehabilitation assist-  
17          ance under this section if the non-Federal inter-  
18          est—

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

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

4                   “(I) any items of deferred or in-  
5                   adequate maintenance and upkeep  
6                   identified by the Secretary; and

7                   “(II) any repair or rehabilitation  
8                   work necessary to address damage the  
9                   Secretary attributes to such deferred or  
10                  inadequate maintenance or upkeep.

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

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

19                  (D) in paragraph (3) (as so redesignated),  
20                  by striking “this subsection” and inserting  
21                  “paragraph (1)”.

22   **SEC. 122. STUDY ON NATURAL INFRASTRUCTURE AT CORPS**  
23                   **OF ENGINEERS PROJECTS.**

24                  (a) *DEFINITION OF NATURAL FEATURE AND NATURE-*  
25   *BASED FEATURE.*—In this section, the terms “natural fea-

1 *ture” and “nature-based feature” have the meanings given*  
 2 *those terms in section 1184(a) of the Water Resources Devel-*  
 3 *opment Act of 2016 (33 U.S.C. 2289a(a)).*

4 *(b) STUDY.—Not later than 2 years after the date of*  
 5 *enactment of this Act, the Comptroller General of the United*  
 6 *States shall conduct, and submit to the Committee on*  
 7 *Transportation and Infrastructure of the House of Rep-*  
 8 *resentatives and the Committee on Environment and Public*  
 9 *Works of the Senate, a report on the results of a study on*  
 10 *the consideration by the Secretary of natural infrastructure,*  
 11 *natural features, and nature-based features in the study of*  
 12 *the feasibility of projects for flood risk management, hurri-*  
 13 *cane and storm damage risk reduction, and ecosystem res-*  
 14 *toration.*

15 *(c) REQUIREMENTS.—The study under subsection (b)*  
 16 *shall include—*

17 *(1) a description of guidance or instructions*  
 18 *issued, and other measures taken, by the Secretary to*  
 19 *consider natural infrastructure, natural features, and*  
 20 *nature-based features in project feasibility studies;*

21 *(2) an assessment, based on information from*  
 22 *relevant Federal and non-Federal sources, of—*

23 *(A) the costs, benefits, and effects associated*  
 24 *with natural infrastructure, natural features,*  
 25 *and nature-based features recommended by the*

1           *Secretary for flood risk management, hurricane*  
2           *and storm damage risk reduction, and ecosystem*  
3           *restoration; and*

4                     *(B) the effectiveness of natural infrastruc-*  
5           *ture, natural features, and nature-based features;*

6           *(3) an analysis of projects for flood risk manage-*  
7           *ment, hurricane and storm damage risk reduction,*  
8           *and ecosystem restoration that have incorporated nat-*  
9           *ural infrastructure, natural features, or nature-based*  
10          *features to identify best practices, including for meas-*  
11          *uring project benefits and costs;*

12                    *(4) a description of any statutory, fiscal, regu-*  
13          *latory, or other policy barriers to the appropriate*  
14          *consideration and use of a full array of natural in-*  
15          *frastructure, natural features, and nature-based fea-*  
16          *tures in carrying out feasibility studies and projects;*  
17          *and*

18                    *(5) any recommendations for changes to law, or*  
19          *to fiscal, regulatory, or other policies, to improve the*  
20          *use of natural infrastructure, natural features, and*  
21          *nature-based features by the Corps of Engineers in*  
22          *carrying out feasibility studies and projects.*

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

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

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

6       “(a) *ASSESSMENT.*—*The Secretary shall conduct an*  
 7 *assessment of projects constructed by the Secretary for*  
 8 *which the Secretary continues to have financial or oper-*  
 9 *ational responsibility.*

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

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

17               “(2) *the modification of which, including though*  
 18 *the use of natural features or nature-based features*  
 19 *(as those terms are defined in section 1184(a) of the*  
 20 *Water Resources Development Act of 2016 (33 U.S.C.*  
 21 *2289a(a)), could improve the sustainable operations*  
 22 *of the project, or reduce operation and maintenance*  
 23 *costs for the project; or*

24               “(3) *that are no longer having project purposes*  
 25 *adequately met by the Corps of Engineers, because of*  
 26 *deferment of maintenance or other challenges, and the*

1        *divestment of which to a non-Federal entity could bet-*  
 2        *ter meet the local and regional needs for operation*  
 3        *and maintenance.*

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

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

9                “(2) *The economic and environmental impacts of*  
 10                *the project on existing communities in the vicinity of*  
 11                *the project.*

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

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

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

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

24        “(d) *RECOMMENDATIONS OF NON-FEDERAL INTER-*  
 25        *ESTS.—A non-Federal interest for a project may rec-*

1 *commend that the Secretary include such project in the as-*  
 2 *essment or inventory required under this section.*

3 “(e) *REPORT TO CONGRESS.*—

4 “(1) *IN GENERAL.*—Upon completion of the in-  
 5 *ventory required by subsection (b), the Secretary shall*  
 6 *submit to the Committee on Environment and Public*  
 7 *Works of the Senate and the Committee on Transpor-*  
 8 *tation and Infrastructure of the House of Representa-*  
 9 *tives, and make publicly available, a report con-*  
 10 *taining the findings of the Secretary with respect to*  
 11 *the assessment and inventory required under this sec-*  
 12 *tion.*

13 “(2) *INCLUSION.*—The Secretary shall list in an  
 14 *appendix any recommendation of a non-Federal in-*  
 15 *terest made with respect to a project under subsection*  
 16 *(d) that the Secretary determines not to include in the*  
 17 *inventory developed under subsection (b), based on the*  
 18 *criteria in subsection (c), including information*  
 19 *about the request and the reasons for the Secretary’s*  
 20 *determination.”.*

21 **SEC. 124. SENSE OF CONGRESS ON MULTIPURPOSE**  
 22 **PROJECTS.**

23 *It is the sense of Congress that the Secretary, in coordi-*  
 24 *nation with non-Federal interests, should maximize the de-*  
 25 *velopment, evaluation, and recommendation of project al-*



1 *ternatives for future water resources development projects*  
 2 *that produce multiple project benefits, such as navigation,*  
 3 *flood risk management, and ecosystem restoration benefits,*  
 4 *including through the use of natural or nature-based fea-*  
 5 *tures and the beneficial reuse of dredged material.*

6 **SEC. 125. BENEFICIAL REUSE OF DREDGED MATERIAL;**  
 7 **DREDGED MATERIAL MANAGEMENT PLANS.**

8 *(a) NATIONAL POLICY ON THE BENEFICIAL REUSE OF*  
 9 *DREDGED MATERIAL.—*

10 *(1) IN GENERAL.—It is the policy of the United*  
 11 *States for the Corps of Engineers to maximize the*  
 12 *beneficial reuse, in an environmentally acceptable*  
 13 *manner, of suitable dredged material obtained from*  
 14 *the construction or operation and maintenance of*  
 15 *water resources development projects.*

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

17 *(A) IN GENERAL.—In evaluating the place-*  
 18 *ment of dredged material obtained from the con-*  
 19 *struction or operation and maintenance of water*  
 20 *resources development projects, the Secretary*  
 21 *shall consider—*

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

24 *(ii) the economic and environmental*  
 25 *benefits, efficiencies, and impacts (including*

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

(B) *CALCULATION OF FEDERAL STANDARD.*—The economic benefits and efficiencies from the beneficial use of dredged material considered by the Secretary under subparagraph (A) shall be included in any determination relating to the “Federal standard” by the Secretary under section 335.7 of title 33, Code of Federal Regulations for the placement or disposal of such material.

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

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

(A) in subsection (b)(1), by striking “20” and inserting “30”; and

(B) in subsection (g), by striking “20” and inserting “30”.

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

8           (c) *FIVE-YEAR REGIONAL DREDGED MATERIAL MAN-*  
 9           *AGEMENT PLANS.*—

10           (1) *IN GENERAL.*—*Not later than 1 year after*  
 11           *the date of enactment of this Act, and annually there-*  
 12           *after, the District Commander of each district of the*  
 13           *Corps of Engineers that obtains dredged material*  
 14           *through the construction or operation and mainte-*  
 15           *nance of a water resources development project shall,*  
 16           *at Federal expense, develop and submit to the Sec-*  
 17           *retary a 5-year dredged material management plan*  
 18           *in coordination with relevant State agencies and*  
 19           *stakeholders.*

20           (2) *SCOPE.*—*Each plan developed under this*  
 21           *subsection shall include—*

22                   (A) *a dredged material budget for each wa-*  
 23                   *tershed or littoral system within the district;*

24                   (B) *an estimate of the amount of dredged*  
 25                   *material likely to be obtained through the con-*

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

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

(D) an evaluation of—

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

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

1           (E) the district-wide goals for beneficial  
 2           reuse of the dredged material, including any ex-  
 3           pected cost savings from aligning and coordi-  
 4           nating multiple projects (including projects  
 5           across Corps districts) in the reuse of the dredged  
 6           material.

7           (3) *PUBLIC COMMENT.*—In developing each plan  
 8           under this subsection, each District Commander shall  
 9           provide notice and an opportunity for public com-  
 10          ment.

11          (4) *PUBLIC AVAILABILITY.*—Upon submission of  
 12          each plan to the Secretary under this subsection, each  
 13          District Commander shall make the plan publicly  
 14          available, including on a publicly available website.

15          (d) *DREDGE PILOT PROGRAM.*—

16               (1) *REVISIONS.*—Section 1111 of the Water Re-  
 17               sources Development Act of 2018 (33 U.S.C. 2326  
 18               note) is amended—

19                       (A) in subsection (a), by striking “for the  
 20                       operation and maintenance of harbors and in-  
 21                       land harbors” and all that follows through the  
 22                       period at the end and inserting the following:  
 23                       “for the—

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

4 “(2) inland and intracoastal waterways of the  
 5 United States described in section 206 of the Inland  
 6 Waterways Revenue Act of 1978 (33 U.S.C. 1804).”;  
 7 and

8 (B) in subsection (b), by striking “or inland  
 9 harbors” and inserting “, inland harbors, or in-  
 10 land or intracoastal waterways”.

11 (2) COORDINATION WITH EXISTING AUTHORI-  
 12 TIES.—The Secretary may carry out the dredge pilot  
 13 program authorized by section 1111 of the Water Re-  
 14 sources Development Act of 2018 (33 U.S.C. 2326  
 15 note) in coordination with Federal regional dredge  
 16 demonstration programs in effect on the date of enact-  
 17 ment of this Act.

18 **SEC. 126. AQUATIC ECOSYSTEM RESTORATION FOR ANAD-**  
 19 **ROMOUS FISH.**

20 (a) ANADROMOUS FISH HABITAT AND PASSAGE.—Sec-  
 21 tion 206 of the Water Resources Development Act of 1996  
 22 (33 U.S.C. 2330) is amended—

23 (1) in subsection (a), by adding at the end the  
 24 following:

1           “(3) *ANADROMOUS FISH HABITAT AND PAS-*  
2       *SAGE.*—

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

6           “(i) *installing fish bypass structures on*  
7       *small water diversions;*

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

9           “(iii) *restoring or reconnecting*  
10       *floodplains and wetlands that are impor-*  
11       *tant for anadromous fish habitat or pas-*  
12       *sage.*

13          “(B) *BENEFITS.*—*A project that includes*  
14       *measures under this paragraph shall be formu-*  
15       *lated to maximize benefits for the anadromous*  
16       *fish species benefitted by the project.”; and*

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

18       “(g) *PRIORITIZATION.*—*The Secretary shall give*  
19       *projects that include measures described in subsection (a)(3)*  
20       *equal priority for implementation as other projects under*  
21       *this section.”.*

22       **SEC. 127. ANNUAL REPORT TO CONGRESS.**

23       *Section 7001(c)(4)(B) of the Water Resources Reform*  
24       *and Development Act of 2014 (33 U.S.C. 2282d(c)(4)(B))*  
25       *is amended—*

1           (1) *in clause (i), by striking “and” at the end;*

2           (2) *by redesignating clause (ii) as clause (iii);*

3           *and*

4           (3) *by inserting after clause (i) the following:*

5                       *“(ii) the Secretary shall not include*  
 6                       *proposals in the appendix of the annual re-*  
 7                       *port that otherwise meet the criteria for in-*  
 8                       *clusion in the annual report solely on the*  
 9                       *basis that the proposals are for the purposes*  
 10                      *of navigation, flood risk management, eco-*  
 11                      *system restoration, or municipal or agricul-*  
 12                      *tural water supply; and”.*

13   **SEC. 128. HARMFUL ALGAL BLOOM DEMONSTRATION PRO-**  
 14                      **GRAM.**

15           (a) *IN GENERAL.*—*The Secretary shall carry out a*  
 16           *demonstration program to determine the causes of, and im-*  
 17           *plement measures to effectively detect, prevent, treat, and*  
 18           *eliminate, harmful algal blooms associated with water re-*  
 19           *sources development projects.*

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

23                      (1) *consult with the heads of appropriate Federal*  
 24                      *and State agencies; and*



1           (2) *make maximum use of existing Federal and*  
2           *State data and ongoing programs and activities of*  
3           *Federal and State agencies, including the activities of*  
4           *the Secretary carried out through the Engineer Re-*  
5           *search and Development Center pursuant to section*  
6           *1109 of the Water Resources Development Act of 2018*  
7           *(33 U.S.C. 610 note).*

8           (c) *FOCUS AREAS.*—*In carrying out the demonstration*  
9           *program under subsection (a), the Secretary shall undertake*  
10           *program activities related to harmful algal blooms in the*  
11           *Great Lakes, the tidal and inland waters of the State of*  
12           *New Jersey, the coastal and tidal waters of the State of Lou-*  
13           *isiana, the waterways of the counties that comprise the Sac-*  
14           *ramento-San Joaquin Delta, California, and Lake Okeee-*  
15           *chobee, Florida.*

16   **SEC. 129. UPDATE ON INVASIVE SPECIES POLICY GUID-**  
17           **ANCE.**

18           (a) *IN GENERAL.*—*The Secretary shall periodically*  
19           *update the Invasive Species Policy Guidance, developed*  
20           *under section 104 of the River and Harbor Act of 1958 (33*  
21           *U.S.C. 610) and the Nonindigenous Aquatic Nuisance Pre-*  
22           *vention and Control Act of 1990 (16 U.S.C. 4701 et seq.),*  
23           *in accordance with the most recent National Invasive Spe-*  
24           *cies Council Management Plan developed pursuant to Exec-*  
25           *utive Order 13112.*

1       (b) *INCLUSION.*—*The Secretary may include in the up-*  
 2 *dated guidance invasive species specific efforts at federally*  
 3 *authorized water resources development projects located*  
 4 *in—*

5               (1) *high-altitude lakes; and*

6               (2) *the Tennessee and Cumberland River basins.*

7   **SEC. 130. REPORT ON DEBRIS REMOVAL.**

8       *Section 1210 of the Water Resources Development Act*  
 9 *of 2018 (132 Stat. 3808) is amended to read as follows:*

10   **“SEC. 1210. REPORT ON DEBRIS REMOVAL.**

11       *“Not later than 180 days after the date of enactment*  
 12 *of the Water Resources Development Act of 2020, the Sec-*  
 13 *retary shall submit to Congress and make publicly available*  
 14 *a report that describes—*

15               *“(1) the extent to which, during the 10 fiscal*  
 16 *years prior to such date of enactment, the Secretary*  
 17 *has carried out section 3 of the Act of March 2, 1945*  
 18 *(33 U.S.C. 603a);*

19               *“(2) how the Secretary has evaluated potential*  
 20 *work to be carried out under that section; and*

21               *“(3) the extent to which the Secretary plans to*  
 22 *start, continue, or complete debris removal activities*  
 23 *in the 3 years following submission of the report.”.*

1 **SEC. 131. MISSOURI RIVER INTERCEPTION-REARING COM-**  
 2 **PLEX CONSTRUCTION.**

3 (a) *REPORT*.—Not later than 1 year after the date of  
 4 enactment of this Act, and annually thereafter, the Sec-  
 5 retary shall submit to the Committee on Transportation  
 6 and Infrastructure of the House of Representatives and the  
 7 Committee on Environment and Public Works of the Senate  
 8 a report on the effects of any interception-rearing complex  
 9 constructed on the Missouri River on—

10 (1) flood risk management and navigation; and

11 (2) the population recovery of the pallid stur-  
 12 geon, including baseline population counts.

13 (b) *NO ADDITIONAL IRC CONSTRUCTION*.—The Sec-  
 14 retary may not authorize construction of an interception-  
 15 rearing complex on the Missouri River until the Sec-  
 16 retary—

17 (1) submits the report required by subsection (a);

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

23 (3) develops a plan—

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

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

4           (c) *FUTURE IRC CONSTRUCTION.*—

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

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

14   **SEC. 132. COST AND BENEFIT FEASIBILITY ASSESSMENT.**

15                  (a) *IN GENERAL.*—Section 5(a)(2)(B) of the Act of Au-  
 16                  gust 18, 1941 (33 U.S.C. 701n(a)(2)(B)) is amended—

17                          (1) in clause (i)(I), by inserting “, or provide  
 18                          contributions equal to,” after “pay”; and

19                          (2) in clause (ii)—

20                                  (A) in the heading, by inserting “AND CON-  
 21                                  TRIBUTIONS” after “OF PAYMENTS”;

22                                  (B) by inserting “or contributions” after  
 23                                  “Non-Federal payments”; and

24                                  (C) by inserting “or contributions” after  
 25                                  “non-Federal payments”.

1       (b) *CONTINUED ELIGIBILITY*.—Section 1161(b) of the  
 2 *Water Resources Development Act of 2018* (33 U.S.C. 701n  
 3 *note*) is amended—

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

5               (A) by striking the “three fiscal years pre-  
 6               ceding” and inserting “five fiscal years pre-  
 7               ceding”; and

8               (B) by striking “last day of the third fiscal  
 9               year” and inserting “last day of the fifth fiscal  
 10              year”;

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

14           (3) by striking paragraph (2) and inserting the  
 15           following:

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

19 **SEC. 133. MATERIALS, SERVICES, AND FUNDS FOR REPAIR,**  
 20 **RESTORATION, OR REHABILITATION OF**  
 21 **PROJECTS.**

22       (a) *IN GENERAL*.—In any area covered by an emer-  
 23       gency or major disaster declaration declared under the Rob-  
 24       ert T. Stafford Disaster Relief and Emergency Assistance  
 25       Act (42 U.S.C. 5121 et seq.), the Secretary is authorized

1 *to accept and use materials, services, and funds, during the*  
 2 *period the declaration is in effect, from a non-Federal inter-*  
 3 *est or private entity to repair, restore, or rehabilitate a fed-*  
 4 *erally authorized water resources development project, and*  
 5 *to provide reimbursement to such non-Federal interest or*  
 6 *private entity for such materials, services, and funds, in*  
 7 *the Secretary's sole discretion, and subject to the avail-*  
 8 *ability of appropriations, if the Secretary determines that*  
 9 *reimbursement is in the public interest.*

10 *(b) ADDITIONAL REQUIREMENT.—The Secretary may*  
 11 *only reimburse for the use of materials or services accepted*  
 12 *under this section if such materials or services meet the Sec-*  
 13 *retary's specifications and comply with all applicable laws*  
 14 *and regulations that would apply if such materials and*  
 15 *services were acquired by the Secretary, including sections*  
 16 *3141 through 3148 and 3701 through 3708 of title 40,*  
 17 *United States Code, section 8302 of title 41, United States*  
 18 *Code, and the National Environmental Policy Act of 1969.*

19 *(c) AGREEMENTS.—*

20 *(1) IN GENERAL.—Prior to the acceptance of ma-*  
 21 *terials, services, or funds under this section, the Sec-*  
 22 *retary and the non-Federal interest shall enter into*  
 23 *an agreement that specifies—*

24 *(A) the non-Federal interest shall hold and*  
 25 *save the United States free from any and all*

1           *damages that arise from use of materials or serv-*  
 2           *ices of the non-Federal interest, except for dam-*  
 3           *ages due to the fault or negligence of the United*  
 4           *States or its contractors;*

5           *(B) the non-Federal interest shall certify*  
 6           *that the materials or services comply with all*  
 7           *applicable laws and regulations under subsection*  
 8           *(b); and*

9           *(C) any other term or condition required by*  
 10          *the Secretary.*

11          *(2) EXCEPTION.—If an agreement under para-*  
 12          *graph (1) was not entered prior to materials or serv-*  
 13          *ices being contributed, a non-Federal interest shall*  
 14          *enter into an agreement with the Secretary that—*

15               *(A) specifies the value, as determined by the*  
 16               *Secretary, of those materials or services contrib-*  
 17               *uted and eligible for reimbursement; and*

18               *(B) ensures that the materials or services*  
 19               *comply with subsection (b) and paragraph (1).*

20   **SEC. 134. LEVEE SAFETY.**

21          *Section 9004 of the Water Resources Development Act*  
 22          *of 2007 (33 U.S.C. 3303) is amended by adding at the end*  
 23          *the following:*

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

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

5                   “(A) identify the specific engineering and  
 6                   maintenance deficiencies, if any; and

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

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

17 **SEC. 135. NATIONAL DAM SAFETY PROGRAM.**

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

20                   (1) in paragraph (4)—

21                           (A) in subparagraph (A)—

22                                   (i) by striking clause (iii) and insert-  
 23                                   ing the following:

24   “(iii) has an emergency action plan  
 25   that—



1                   “(I) is approved by the relevant  
2                   State dam safety agency; or

3                   “(II) is in conformance with  
4                   State law and pending approval by the  
5                   relevant State dam safety agency;”;  
6                   and

7                   (ii) by striking clause (iv) and insert-  
8                   ing the following:

9                   “(iv) fails to meet minimum dam safe-  
10                  ty standards of the State in which the dam  
11                  is located, as determined by the State; and

12                  “(v) poses an unacceptable risk to the  
13                  public, as determined by the Administrator,  
14                  in consultation with the Board.”; and

15                  (B) in subparagraph (B)(i), by inserting  
16                  “under a hydropower project with an authorized  
17                  installed capacity of greater than 1.5  
18                  megawatts” after “dam”; and

19                  (2) in paragraph (10)—

20                  (A) in the heading, by striking “NON-FED-  
21                  ERAL SPONSOR” and inserting “ELIGIBLE SUB-  
22                  RECIPIENT”; and

23                  (B) by striking “The term ‘non-Federal  
24                  sponsor’” and inserting “The term ‘eligible sub-  
25                  recipient’”.

1       (b) *REHABILITATION OF HIGH HAZARD POTENTIAL*  
 2 *DAMS.*—

3           (1) *ESTABLISHMENT OF PROGRAM.*—Section  
 4 8A(a) of the National Dam Safety Program Act (33  
 5 U.S.C. 467f-2(a)) is amended by striking “to non-  
 6 Federal sponsors” and inserting “to States with dam  
 7 safety programs”.

8           (2) *ELIGIBLE ACTIVITIES.*—Section 8A(b) of the  
 9 National Dam Safety Program Act (33 U.S.C. 467f-  
 10 2(b)) is amended, in the matter preceding paragraph  
 11 (1), by striking “for a project may be used for” and  
 12 inserting “to a State may be used by the State to  
 13 award grants to eligible subrecipients for”.

14          (3) *AWARD OF GRANTS.*—Section 8A(c) of the  
 15 National Dam Safety Program Act (33 U.S.C. 467f-  
 16 2(c)) is amended—

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

19               (B) in paragraph (2)—

20                   (i) in subparagraph (A), by striking  
 21 “an eligible high hazard potential dam to a  
 22 non-Federal sponsor” and inserting “eligi-  
 23 ble high hazard potential dams to a State”;

24                   (ii) in subparagraph (B)—

1                   (I) in the subparagraph heading,  
2                   by striking “PROJECT GRANT” and in-  
3                   serting “GRANT”;

4                   (II) by striking “project grant  
5                   agreement with the non-Federal spon-  
6                   sor” and inserting “grant agreement  
7                   with the State”; and

8                   (III) by striking “project,” and  
9                   inserting “projects for which the grant  
10                  is awarded,”;

11                  (iii) by amending subparagraph (C) to  
12                  read as follows:

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

22                  (iv) in subparagraph (D), by striking  
23                  “A grant provided under this section shall  
24                  not exceed” and inserting “A State may not  
25                  award a grant to an eligible subrecipient

1                   under this section that exceeds, for any 1  
2                   dam,”.

3                   (4) *REQUIREMENTS.*—Section 8A(d) of the Na-  
4                   tional Dam Safety Program Act (33 U.S.C. 467f-  
5                   2(d)) is amended—

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

8                   (B) in paragraph (2)—

9                   (i) in the paragraph heading, by strik-  
10                  ing “NON-FEDERAL SPONSOR” and insert-  
11                  ing “ELIGIBLE SUBRECIPIENT”;

12                  (ii) in the matter preceding subpara-  
13                  graph (A), by striking “the non-Federal  
14                  sponsor shall” and inserting “an eligible  
15                  subrecipient shall, with respect to the dam  
16                  to be rehabilitated by the eligible sub-  
17                  recipient”;

18                  (iii) in subparagraph (A), by striking  
19                  “participate in, and comply with,” and in-  
20                  serting “demonstrate that the community in  
21                  which the dam is located participates in,  
22                  and complies with,”;

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

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

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

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

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

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

18            *(A) in paragraph (1)—*

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

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

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

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

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

14   **SEC. 136. REHABILITATION OF CORPS OF ENGINEERS CON-**  
15                   **STRUCTED PUMP STATIONS.**

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

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

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

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

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

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

3       (2) *REHABILITATION.*—

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

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

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

16                                      (I) *current design standards;*

17                                      (II) *efficiency improvements; and*

18                                      (III) *associated drainage; and*

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

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

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

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

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

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

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

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

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

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



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

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

8       **SEC. 137. NON-FEDERAL PROJECT IMPLEMENTATION PILOT**  
 9                               **PROGRAM.**

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

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

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

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

19               “(9) *IMPLEMENTATION GUIDANCE.*—

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

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

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

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

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

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

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

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

3   **SEC. 138. DEFINITION OF ECONOMICALLY DISADVANTAGED**  
 4           **COMMUNITY.**

5           *(a) IN GENERAL.—Not later than 180 days after the*  
 6   *date of enactment of this Act, the Secretary shall issue guid-*  
 7   *ance defining the term “economically disadvantaged com-*  
 8   *munity” for the purposes of this Act and the amendments*  
 9   *made by this Act.*

10          *(b) CONSIDERATIONS.—In defining the term “economi-*  
 11   *cally disadvantaged community” under subsection (a), the*  
 12   *Secretary shall, to the maximum extent practicable, utilize*  
 13   *the criteria under paragraphs (1) or (2) of section 301(a)*  
 14   *of the Public Works and Economic Development Act of 1965*  
 15   *(42 U.S.C. 3161), to the extent that such criteria are appli-*  
 16   *cable in relation to the development of water resources devel-*  
 17   *opment projects.*

18   **SEC. 139. COST SHARING PROVISIONS FOR TERRITORIES**  
 19           **AND INDIAN TRIBES.**

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

1 **SEC. 140. FLOOD CONTROL AND OTHER PURPOSES.**

2 *Section 103(k) of the Water Resources Development Act*  
3 *of 1986 (33 U.S.C. 2213) is amended—*

4 *(1) by striking “Except as” and inserting the fol-*  
5 *lowing:*

6 *“(1) IN GENERAL.—Except as”; and*

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

8 *“(2) RENEGOTIATION OF TERMS.—*

9 *“(A) IN GENERAL.—At the request of a non-*  
10 *Federal interest, the Secretary and the non-Fed-*  
11 *eral interest may renegotiate the terms and con-*  
12 *ditions of an eligible deferred payment, includ-*  
13 *ing—*

14 *“(i) permitting the non-Federal con-*  
15 *tribution to be made without interest, pur-*  
16 *suant to paragraph (1);*

17 *“(ii) recalculation of the interest rate;*

18 *“(iii) full or partial forgiveness of in-*  
19 *terest accrued during the period of construc-*  
20 *tion; and*

21 *“(iv) a credit against construction in-*  
22 *terest for a non-Federal investment that*  
23 *benefits the completion or performance of*  
24 *the project or separable element.*

1           “(B) *ELIGIBLE DEFERRED PAYMENT.*—An  
2           *eligible deferred payment agreement under sub-*  
3           *paragraph (A) is an agreement for which—*

4                   “(i) *the non-Federal contribution was*  
5                   *made with interest;*

6                   “(ii) *the period of project construction*  
7                   *exceeds 10 years from the execution of a*  
8                   *project partnership agreement or appro-*  
9                   *priation of funds; and*

10                  “(iii) *the construction interest exceeds*  
11                  *\$45,000,000.*

12           “(C) *CREDIT FOR NON-FEDERAL CONTRIBU-*  
13           *TION.*—

14                   “(i) *IN GENERAL.*—*The Secretary is*  
15                   *authorized to credit any costs incurred by*  
16                   *the non-Federal interest (including in-kind*  
17                   *contributions) to remedy a design or con-*  
18                   *struction deficiency of a covered project or*  
19                   *separable element toward the non-Federal*  
20                   *share of the cost of the covered project, if the*  
21                   *Secretary determines the remedy to be inte-*  
22                   *gral to the completion or performance of the*  
23                   *covered project.*

24                   “(ii) *CREDIT OF COSTS.*—*If the non-*  
25                   *Federal interest incurs costs or in-kind con-*

1            *tributions for a project to remedy a design*  
 2            *or construction deficiency of a project or*  
 3            *separable element which has a 100 percent*  
 4            *Federal cost share, and the Secretary deter-*  
 5            *mines the remedy to be integral to the com-*  
 6            *pletion or performance of the project, the*  
 7            *Secretary is authorized to credit such costs*  
 8            *to any interest accrued on a deferred non-*  
 9            *Federal contribution.”.*

10 **SEC. 141. REVIEW OF CONTRACTING POLICIES.**

11            *(a) IN GENERAL.—Not later than 180 days after the*  
 12            *date of enactment of this section, the Secretary shall com-*  
 13            *plete a review of the policies, guidelines, and regulations*  
 14            *of the Corps of Engineers for the development of contractual*  
 15            *agreements between the Secretary and non-Federal interests*  
 16            *and utilities associated with the construction of water re-*  
 17            *sources development projects.*

18            *(b) REPORT.—Not later than 90 days after completing*  
 19            *the review under subsection (a), the Secretary shall submit*  
 20            *to the Committee on Transportation and Infrastructure of*  
 21            *the House of Representatives and the Committee on Envi-*  
 22            *ronment and Public Works of the Senate, and make publicly*  
 23            *available, a report that includes—*

24            *(1) a summary of the results of the review; and*

1           (2) *public guidance on best practices for non-*  
 2       *Federal interest to use when writing or developing*  
 3       *contractual agreements with the Secretary and utili-*  
 4       *ties.*

5       (c) *PROVISION OF GUIDANCE.—The Secretary shall*  
 6       *provide the best practices guidance included under sub-*  
 7       *section (b)(2) to non-Federal interests prior to the develop-*  
 8       *ment of contractual agreements.*

9       **SEC. 142. BUY AMERICA.**

10       *With respect to all Corps of Engineers construction*  
 11       *and rehabilitation contracts to be awarded after the date*  
 12       *of enactment of this Act, the steel components furnished and*  
 13       *delivered under such contracts shall be manufactured or fab-*  
 14       *ricated in whole or substantial part in the United States*  
 15       *with steel produced or made in the United States, its terri-*  
 16       *tories, or possessions.*

17       **SEC. 143. ANNUAL REPORT ON STATUS OF FEASIBILITY**  
 18               **STUDIES.**

19       *Concurrent with each report submitted under section*  
 20       *7001 of the Water Resources Reform and Development Act*  
 21       *of 2014 (33 U.S.C. 2282d), the Secretary shall submit to*  
 22       *the Committee on Transportation and Infrastructure of the*  
 23       *House of Representatives and the Committee on Environ-*  
 24       *ment and Public Works a report that provides for an ac-*  
 25       *counting of all outstanding feasibility studies being con-*

1 ducted by the Secretary, including, for each such study, its  
2 length, cost, and expected completion date.

## 3 ***TITLE II—STUDIES AND*** 4 ***REPORTS***

### 5 ***SEC. 201. AUTHORIZATION OF PROPOSED FEASIBILITY*** 6 ***STUDIES.***

7 (a) *IN GENERAL.*—The Secretary is authorized to con-  
8 duct a feasibility study for the following projects for water  
9 resources development and conservation and other purposes,  
10 as identified in the reports titled “Report to Congress on  
11 Future Water Resources Development” submitted to Con-  
12 gress pursuant to section 7001 of the Water Resources Re-  
13 form and Development Act of 2014 (33 U.S.C. 2282d) or  
14 otherwise reviewed by Congress:

15 (1) *TONTO CREEK, GILA RIVER, ARIZONA.*—  
16 *Project for flood risk management, Tonto Creek, Gila*  
17 *River, Arizona.*

18 (2) *SULPHUR RIVER, ARKANSAS AND TEXAS.*—  
19 *Project for ecosystem restoration, Sulphur River, Ar-*  
20 *kansas and Texas.*

21 (3) *CABLE CREEK, CALIFORNIA.*—*Project for*  
22 *flood risk management, water supply, and related*  
23 *benefits, Cable Creek, California.*



1           (4) *DEL MAR BLUFFS, CALIFORNIA.—Project for*  
2           *shoreline stabilization, Del Mar Bluffs, San Diego*  
3           *County, California.*

4           (5) *REDBANK AND FANCHER CREEKS, CALI-*  
5           *FORNIA.—Project for water conservation and water*  
6           *supply, Redbank and Fancher Creeks, California.*

7           (6) *RIO HONDO CHANNEL, CALIFORNIA.—Project*  
8           *for ecosystem restoration, Rio Hondo Channel, San*  
9           *Gabriel River, California.*

10          (7) *SOUTHERN CALIFORNIA, CALIFORNIA.—*  
11          *Project for coastal storm damage reduction, Southern*  
12          *California.*

13          (8) *SHINGLE CREEK AND KISSIMMEE RIVER,*  
14          *FLORIDA.—Project for ecosystem restoration and*  
15          *water storage, Shingle Creek and Kissimmee River,*  
16          *Osceola County, Florida.*

17          (9) *ST. JOHN’S RIVER AND LAKE JESUP, FLOR-*  
18          *IDA.—Project for ecosystem restoration, St. John’s*  
19          *River and Lake Jesup, Florida.*

20          (10) *WAIMEA RIVER, HAWAII.—Project for flood*  
21          *risk management, Waimea River, Kauai, Hawaii.*

22          (11) *CHICAGO AREA WATERWAYS SYSTEM, ILLI-*  
23          *NOIS.—Project for ecosystem restoration, recreation,*  
24          *and other purposes, Illinois River, Chicago River,*  
25          *Calumet River, Grand Calumet River, Little Calumet*

1     *River, and other waterways in the vicinity of Chi-*  
 2     *cago, Illinois.*

3             (12) *FOX RIVER, ILLINOIS.—Project for flood risk*  
 4     *management, Fox River, Illinois.*

5             (13) *LOWER MISSOURI RIVER, KANSAS.—Project*  
 6     *for bank stabilization and navigation, Lower Mis-*  
 7     *souri River, Sioux City, Kansas.*

8             (14) *TANGIPAHOA PARISH, LOUISIANA.—Project*  
 9     *for flood risk management, Tangipahoa Parish, Lou-*  
 10    *isiana.*

11            (15) *KENT NARROWS AND CHESTER RIVER,*  
 12    *MARYLAND.—Project for navigation, Kent Narrows*  
 13    *and Chester River, Queen Anne’s County, Maryland.*

14            (16) *BOSTON, MASSACHUSETTS.—Project for*  
 15    *hurricane and storm damage risk reduction, Boston,*  
 16    *Massachusetts, pursuant to the comprehensive study*  
 17    *authorized under the Disaster Relief Appropriations*  
 18    *Act, 2013 (Public Law 113–2).*

19            (17) *LOWER ST. CROIX RIVER, MINNESOTA.—*  
 20    *Project for flood risk management, ecosystem restora-*  
 21    *tion, and recreation, Lower St. Croix River, Min-*  
 22    *nesota.*

23            (18) *ESCATAWPA RIVER BASIN, MISSISSIPPI.—*  
 24    *Project for flood risk management and ecosystem res-*

1        *toration, Escatawpa River, Jackson County, Mis-*  
 2        *issippi.*

3            (19) *LONG BEACH, BAY ST. LOUIS AND MIS-*  
 4        *SISSIPPI SOUND, MISSISSIPPI.—Project for hurricane*  
 5        *and storm damage risk reduction and flood risk man-*  
 6        *agement, Long Beach, Bay St. Louis and Mississippi*  
 7        *Sound, Mississippi.*

8            (20) *PASCAGOULA RIVER BASIN, MISSISSIPPI.—*  
 9        *Project for comprehensive watershed study,*  
 10       *Pascagoula, Mississippi.*

11           (21) *TALLAHOMA AND TALLAHALA CREEKS, MIS-*  
 12        *SISSIPPI.—Project for flood risk management, Leaf*  
 13        *River, Jones County, Mississippi.*

14           (22) *LOWER OSAGE RIVER BASIN, MISSOURI.—*  
 15        *Project for ecosystem restoration, Lower Osage River*  
 16        *Basin, Missouri.*

17           (23) *UPPER BASIN AND STONY BROOK (GREEN*  
 18        *BROOK SUB-BASIN), RARITAN RIVER BASIN, NEW JER-*  
 19        *SEY.—Reevaluation of the Upper Basin and Stony*  
 20        *Brook portions of the project for flood control, Green*  
 21        *Brook Sub-basin, Raritan River Basin, New Jersey,*  
 22        *authorized by section 401 of the Water Resources De-*  
 23        *velopment Act of 1986 (100 Stat. 4119), including the*  
 24        *evaluation of nonstructural measures to achieve the*  
 25        *project purpose.*

1           (24) *LAKE ONTARIO SHORELINE, NEW YORK.—*  
2           *Project for coastal storm resiliency, Lake Ontario*  
3           *shoreline, New York.*

4           (25) *WADING RIVER CREEK, NEW YORK.—Project*  
5           *for hurricane and storm damage risk reduction, flood*  
6           *risk management, navigation, and ecosystem restora-*  
7           *tion, Wading River Creek, New York.*

8           (26) *REEL POINT PRESERVE, NEW YORK.—*  
9           *Project for navigation and shoreline stabilization,*  
10          *Reel Point Preserve, New York.*

11          (27) *GOLDSMITH INLET, NEW YORK.—Project for*  
12          *navigation, Goldsmith Inlet, New York.*

13          (28) *TUSCARAWAS RIVER BASIN, OHIO.—Project*  
14          *for comprehensive watershed study, Tuscarawas River*  
15          *Basin, Ohio.*

16          (29) *LOWER COLUMBIA RIVER BASIN (TURNING*  
17          *BASIN), OREGON AND WASHINGTON.—Project to im-*  
18          *prove turning basins for the project for navigation,*  
19          *Columbia River Channel, Oregon and Washington,*  
20          *authorized by section 101(b)(13) of the Water Re-*  
21          *sources Development Act of 1999 (113 Stat. 280).*

22          (30) *WILLIAMSPORT, PENNSYLVANIA.—Project*  
23          *for flood risk management and levee rehabilitation,*  
24          *greater Williamsport, Pennsylvania.*

1           (31) *CITY OF CHARLESTON, SOUTH CAROLINA.—*  
2           *Project for tidal- and inland-related flood risk man-*  
3           *agement, Charleston, South Carolina.*

4           (32) *TENNESSEE AND CUMBERLAND RIVER BA-*  
5           *SINS, TENNESSEE.—Project to deter, impede, or re-*  
6           *strict the dispersal of aquatic nuisance species in the*  
7           *Tennessee and Cumberland River Basins, Tennessee.*

8           (33) *SABINE PASS TO GALVESTON BAY, TEXAS.—*  
9           *Modification of the project for hurricane and storm*  
10          *damage risk reduction, Port Arthur and Orange*  
11          *County, Texas, authorized by section 203 of the Flood*  
12          *Control Act of 1962 (76 Stat. 1184), and authorized*  
13          *as a separable element of the project for Sabine Pass*  
14          *to Galveston Bay, authorized by item 3 of section*  
15          *1401(3) of the Water Resources Development Act of*  
16          *2018 (132 Stat. 3838), to reduce the risk of flooding*  
17          *through the construction of improvements to interior*  
18          *drainage.*

19          (34) *PORT OF VICTORIA, TEXAS.—Project for*  
20          *flood risk management, Port of Victoria, Texas.*

21          (35) *LOWER FOX RIVER BASIN, WISCONSIN.—*  
22          *Project for comprehensive watershed study, Lower Fox*  
23          *River Basin, Wisconsin.*

24          (36) *UPPER FOX RIVER AND WOLF RIVER, WIS-*  
25          *CONSIN.—Project for flood risk management and eco-*

1        *system restoration, Upper Fox River and Wolf River,*  
 2        *Wisconsin.*

3        *(b) SPECIAL RULE.—The Secretary shall consider any*  
 4        *study carried out by the Secretary to formulate the modi-*  
 5        *fications to the project for hurricane and storm damage risk*  
 6        *reduction, Port Arthur and Orange County, Texas, identi-*  
 7        *fied in subsection (a)(33) to be a continuation of the study*  
 8        *carried out for Sabine Pass to Galveston Bay, Texas, au-*  
 9        *thorized by a resolution of the Committee on Environment*  
 10       *and Public Works of the Senate, approved June 23, 2004,*  
 11       *and funded by title IV of division B of the Bipartisan*  
 12       *Budget Act of 2018, under the heading “Corps of Engi-*  
 13       *neers—Civil—Department of the Army—Construction”*  
 14       *(Public Law 115–123; 132 Stat. 76).*

15       **SEC. 202. EXPEDITED COMPLETIONS.**

16       *(a) FEASIBILITY REPORTS.—The Secretary shall expe-*  
 17       *dite the completion of a feasibility study for each of the*  
 18       *following projects, and if the Secretary determines that the*  
 19       *project is justified in a completed report, may proceed di-*  
 20       *rectly to preconstruction planning, engineering, and design*  
 21       *of the project:*

22                *(1) Project for navigation, St. George Harbor,*  
 23        *Alaska.*

24                *(2) Project for shoreline stabilization, Aunu‘u*  
 25        *Harbor, American Samoa.*

1           (3) *Project for shoreline stabilization, Tutuila Is-*  
2           *land, American Samoa.*

3           (4) *Project for flood risk management, Lower*  
4           *Santa Cruz River, Arizona.*

5           (5) *Project for flood control, water conservation,*  
6           *and related purposes, Coyote Valley Dam, California.*

7           (6) *Project for flood damage reduction and eco-*  
8           *system restoration, Del Rosa Channel, city of San*  
9           *Bernardino, California.*

10          (7) *Project for flood risk management, Lower*  
11          *Cache Creek, California.*

12          (8) *Project for flood damage reduction and eco-*  
13          *system restoration, Mission-Zanja Channel, cities of*  
14          *San Bernardino and Redlands, California.*

15          (9) *Project for shoreline protection, Oceanside,*  
16          *California, authorized pursuant to section 414 of the*  
17          *Water Resources Development Act of 2000 (114 Stat.*  
18          *2636; 121 Stat. 1176).*

19          (10) *Project for flood risk management, Prado*  
20          *Basin, California.*

21          (11) *Project to modify the project for navigation,*  
22          *San Francisco Bay to Stockton, California.*

23          (12) *Project to modify the Seven Oaks Dam,*  
24          *California, portion of the project for flood control,*  
25          *Santa Ana River Mainstem, California, authorized*

1 *by section 401(a) of the Water Resources Development*  
2 *Act of 1986 (100 Stat. 4113; 101 Stat. 1329–111; 104*  
3 *Stat. 4611; 110 Stat. 3713; 121 Stat. 1115), to in-*  
4 *clude water conservation as an authorized purpose.*

5 *(13) Project to modify the project for navigation,*  
6 *Delaware River Mainstem and Channel Deepening,*  
7 *Delaware, New Jersey, and Pennsylvania, authorized*  
8 *by section 101(6) of the Water Resources Development*  
9 *Act of 1992 (106 Stat. 4802; 113 Stat. 300; 114 Stat.*  
10 *2602), to include the construction of a turning basin*  
11 *located near the Packer Avenue Marine Terminal.*

12 *(14) Project for ecosystem restoration, Central*  
13 *and Southern Florida Project Canal 111 (C–111),*  
14 *South Dade County, Florida.*

15 *(15) Project for comprehensive hurricane and*  
16 *storm damage risk reduction and shoreline erosion*  
17 *protection, Chicago, Illinois, authorized by section*  
18 *101(a)(12) of the Water Resources Development Act of*  
19 *1996 (110 Stat. 3664; 113 Stat. 302).*

20 *(16) Project for flood risk management, Wheaton,*  
21 *DuPage County, Illinois.*

22 *(17) Project for flood damage reduction, eco-*  
23 *system restoration, and recreation, Blue River Basin,*  
24 *Kansas City, Kansas, carried out pursuant to the res-*  
25 *olution of the Committee on Transportation and In-*



1     *frastructure of the House of Representatives adopted*  
2     *on September 24, 2008 (docket number 2803).*

3             *(18) Project for flood control, Amite River and*  
4     *Tributaries east of the Mississippi River, Louisiana.*

5             *(19) Project for coastal storm risk management,*  
6     *Upper Barataria Basin, Louisiana.*

7             *(20) Project to replace the Bourne and Sagamore*  
8     *Bridges, Cape Cod, Massachusetts.*

9             *(21) Project to deepen the project for navigation,*  
10    *Gulfport Harbor, Mississippi, authorized by section*  
11    *202(a) of the Water Resources Development Act of*  
12    *1986 (100 Stat. 4094).*

13            *(22) Project for flood risk management, Rahway*  
14    *River Basin, New Jersey.*

15            *(23) Project for hurricane and storm damage*  
16    *risk reduction, Raritan Bay and Sandy Hook Bay,*  
17    *Highlands, New Jersey.*

18            *(24) Project for navigation, Shark River, New*  
19    *Jersey.*

20            *(25) Project for flood risk management, Rondout*  
21    *Creek-Wallkill River Watershed, New York, carried*  
22    *out pursuant to the resolution of the Committee on*  
23    *Transportation and Infrastructure of the House of*  
24    *Representatives adopted on May 2, 2007 (docket num-*  
25    *ber 2776).*

1           (26) *Project for ecosystem restoration and hurri-*  
2           *cane and storm damage risk reduction, Spring Creek*  
3           *South (Howard Beach), Queens, New York.*

4           (27) *Project to resolve increased silting and*  
5           *shoaling adjacent to the Federal channel, Port of*  
6           *Bandon, Coquille River, Oregon.*

7           (28) *Project for flood control, 42nd Street Levee,*  
8           *Springfield, Oregon, being carried out under section*  
9           *205 of the Flood Control Act of 1948 (33 U.S.C.*  
10          *701s).*

11          (29) *Project for ecosystem restoration, Hood*  
12          *River at the confluence with the Columbia River, Or-*  
13          *egon.*

14          (30) *Project for flood risk management, Rio*  
15          *Culebrinas, Puerto Rico.*

16          (31) *Project for flood risk management, Rio*  
17          *Grande de Manati, Puerto Rico.*

18          (32) *Project for flood risk management, Rio*  
19          *Guayanilla, Puerto Rico.*

20          (33) *Project for flood risk management, Dor-*  
21          *chester County, South Carolina.*

22          (34) *Project for navigation, Georgetown Harbor,*  
23          *South Carolina.*

24          (35) *Project for hurricane and storm damage*  
25          *risk reduction, Myrtle Beach, South Carolina.*

1           (36) *Project to modify the projects for navigation*  
2           *and other purposes, Old Hickory Lock and Dam and*  
3           *the Cordell Hull Dam and Reservoir, Cumberland*  
4           *River, Tennessee, authorized by the Act of July 24,*  
5           *1946 (chapter 595, 60 Stat. 636), to add flood risk*  
6           *management as an authorized purpose.*

7           (37) *Project for flood risk management, eco-*  
8           *system restoration, water supply, and related pur-*  
9           *poses, Lower Rio Grande River, Cameron County,*  
10          *Texas, carried out pursuant to the resolution of the*  
11          *Committee on Transportation and Infrastructure of*  
12          *the House of Representatives adopted on May 21,*  
13          *2003 (docket number 2710).*

14          (38) *Project for hurricane and storm damage*  
15          *risk reduction and shoreline erosion protection,*  
16          *Bolongo Bay, St. Thomas, United States Virgin Is-*  
17          *lands.*

18          (39) *Project for flood risk management, Savan*  
19          *Gut Phase II, St. Thomas, United States Virgin Is-*  
20          *lands.*

21          (40) *Project for flood risk management, Turpen-*  
22          *tine Run, St. Thomas, United States Virgin Islands.*

23          (41) *Project for navigation, North Landing*  
24          *Bridge, Atlantic Intracoastal Waterway, Virginia.*

1       (b) *POST-AUTHORIZATION CHANGE REPORTS.*—*The*  
 2       *Secretary shall expedite completion of a post-authorization*  
 3       *change report for the following projects:*

4               (1) *Project for ecosystem restoration, Tres Rios,*  
 5       *Arizona.*

6               (2) *Project for flood control, San Luis Rey*  
 7       *River, California.*

8               (3) *Project for ecosystem restoration, Central and*  
 9       *Southern Florida Project Canal 111 (C-111), South*  
 10       *Dade County, Florida.*

11              (4) *Project for ecosystem restoration, Comprehen-*  
 12       *sive Everglades Restoration Plan, Caloosahatchee*  
 13       *River C-43, West Basin Storage Reservoir, Florida.*

14              (5) *Project for flood risk management, Des*  
 15       *Moines Levee System, including Birdland Park Levee,*  
 16       *Des Moines and Racoon Rivers, Des Moines, Iowa.*

17       (c) *WATERSHED AND RIVER BASIN ASSESSMENTS.*—  
 18       *The Secretary shall expedite the completion of an assess-*  
 19       *ment under section 729 of the Water Resources Development*  
 20       *Act of 1986 (33 U.S.C. 2267a), for the following:*

21              (1) *Kansas River Basin, Kansas.*

22              (2) *Merrimack River Basin, Massachusetts.*

23       (d) *DISPOSITION STUDY.*—*The Secretary shall expe-*  
 24       *dite the completion of a disposition study, carried out under*  
 25       *section 216 of the Flood Control Act of 1970 (33 U.S.C.*

1 549a), for the project for Salinas Reservoir (Santa Mar-  
 2 garita Lake), California.

3 **SEC. 203. FEASIBILITY STUDY MODIFICATIONS.**

4 (a) *SAN FRANCISCO BAY, CALIFORNIA*.—Section 142  
 5 of the Water Resources Development Act of 1976 (90 Stat.  
 6 2930) is amended—

7 (1) by inserting “, and along the ocean shoreline  
 8 of San Mateo, San Francisco, and Marin Counties,”  
 9 after “Sacramento and San Joaquin Rivers”;

10 (2) by inserting “and, with respect to the bay  
 11 and ocean shorelines of San Mateo, San Francisco,  
 12 and Marin Counties, the feasibility of and the Federal  
 13 interest in providing measures to adapt to rising sea  
 14 levels” after “tidal and fluvial flooding”;

15 (3) by striking “investigation” and inserting in  
 16 its place “investigations”; and

17 (4) by inserting after “San Francisco Bay re-  
 18 gion” the following: “and, with respect to the bay and  
 19 ocean shorelines and streams running to the bay and  
 20 ocean shorelines of San Mateo, San Francisco, and  
 21 Marin Counties, the effects of proposed measures or  
 22 improvements on the local economy; habitat restora-  
 23 tion, enhancement, or expansion efforts or opportuni-  
 24 ties; public infrastructure protection and improve-  
 25 ment; stormwater runoff capacity and control meas-

1       ures, including those that may mitigate flooding; ero-  
 2       sion of beaches and coasts; and any other measures or  
 3       improvements relevant to adapting to rising sea lev-  
 4       els”.

5       (b) SACRAMENTO RIVER, SOUTHERN SUTTER COUNTY,  
 6       CALIFORNIA.—*The study for flood control and allied pur-*  
 7       *poses for the Sacramento River Basin, authorized by section*  
 8       *209 of the Flood Control Act of 1962 (76 Stat. 1197), is*  
 9       *modified to authorize the Secretary to conduct a study for*  
 10       *flood risk management, southern Sutter County between the*  
 11       *Sacramento River and Sutter Bypass, California.*

12       (c) SALTON SEA, CALIFORNIA.—*In carrying out the*  
 13       *program to implement projects to restore the Salton Sea,*  
 14       *California, authorized by section 3032 of the Water Re-*  
 15       *sources Development Act of 2007 (121 Stat. 1113; 130 Stat.*  
 16       *1677), the Secretary is authorized to carry out a study for*  
 17       *the construction of a perimeter lake, or a northern or south-*  
 18       *ern subset thereof, for the Salton Sea, California.*

19       (d) NEW YORK AND NEW JERSEY HARBOR AND TRIB-  
 20       UTARIES, NEW YORK AND NEW JERSEY.—*The study for*  
 21       *flood and storm damage reduction for the New York and*  
 22       *New Jersey Harbor and Tributaries project, authorized by*  
 23       *the Act of June 15, 1955 (chapter 140, 69 Stat. 132), and*  
 24       *being carried out pursuant to the Disaster Relief Appro-*

1 *priations Act, 2013 (Public Law 113–2), is modified to re-*  
2 *quire the Secretary to—*

3 *(1) evaluate and address the impacts of low-fre-*  
4 *quency precipitation and sea-level rise on the study*  
5 *area;*

6 *(2) consult with affected communities; and*

7 *(3) ensure the study is carried out in accordance*  
8 *with section 1001 of the Water Resources Reform and*  
9 *Development Act of 2014 (33 U.S.C. 2282c).*

10 **SEC. 204. SELMA, ALABAMA.**

11 *Not later than 180 days after the date of enactment*  
12 *of this Act, the Secretary shall submit to the Committee on*  
13 *Transportation and Infrastructure of the House of Rep-*  
14 *resentatives and the Committee on Environment and Public*  
15 *Works of the Senate a report that—*

16 *(1) provides an update on the study for flood*  
17 *risk management and riverbank stabilization, Selma,*  
18 *Alabama, authorized by resolutions of the Committees*  
19 *on Public Works and Rivers and Harbors of the*  
20 *House of Representatives on June 7, 1961, and April*  
21 *28, 1936, respectively, the completion of which the*  
22 *Secretary was required to expedite by section 1203 of*  
23 *the Water Resources Development Act of 2018 (132*  
24 *Stat. 3803); and*

25 *(2) identifies project alternatives necessary to—*

1                   (A) assure the preservation of cultural and  
 2                   historic values associated with national historic  
 3                   landmarks within the study area; and

4                   (B) provide flood risk management for eco-  
 5                   nomically disadvantaged communities within the  
 6                   study area.

7   **SEC. 205. COMPREHENSIVE STUDY OF THE SACRAMENTO**  
 8                   **RIVER, YOLO BYPASS, CALIFORNIA.**

9           (a) *COMPREHENSIVE STUDY.*—The Secretary shall  
 10   conduct a comprehensive study of the Sacramento River in  
 11   the vicinity of the Yolo Bypass System, California, to iden-  
 12   tify actions to be undertaken by the Secretary for the com-  
 13   prehensive management of the Yolo Bypass System for the  
 14   purposes of flood risk management, ecosystem restoration,  
 15   water supply, hydropower, and recreation.

16          (b) *CONSULTATION AND USE OF EXISTING DATA.*—

17               (1) *CONSULTATION.*—In conducting the com-  
 18   prehensive study under subsection (a), the Secretary  
 19   shall consult with the Governor of the State of Cali-  
 20   fornia, applicable Federal, State, and local agencies,  
 21   non-Federal interests, the Yolo Bypass and Cache  
 22   Slough Partnership, and other stakeholders.

23               (2) *USE OF EXISTING DATA AND PRIOR STUD-*  
 24   *IES.*—To the maximum extent practicable and where  
 25   appropriate, the Secretary may—



1           (A) make use of existing data provided to  
2           the Secretary by the entities identified in para-  
3           graph (1); and

4           (B) incorporate—

5                 (i) relevant information from prior  
6                 studies and projects carried out by the Sec-  
7                 retary within the study area; and

8                 (ii) the latest technical data and sci-  
9                 entific approaches to changing hydrologic  
10                and climatic conditions.

11       (c) RECOMMENDATIONS.—

12           (1) IN GENERAL.—In conducting the comprehen-  
13           sive study under subsection (a), the Secretary may de-  
14           velop a recommendation to Congress for—

15                 (A) the construction of a water resources de-  
16                 velopment project;

17                 (B) the structural or operational modifica-  
18                 tion of an existing water resources development  
19                 project;

20                 (C) additional monitoring of, or adaptive  
21                 management measures to carry out with respect  
22                 to, existing water resources development projects,  
23                 to respond to changing hydrologic and climatic  
24                 conditions; or

1                   (D) geographic areas within the Yolo By-  
 2                   pass System for additional study by the Sec-  
 3                   retary.

4                   (2) *ADDITIONAL CONSIDERATIONS.*—Any feasi-  
 5                   bility study carried out pursuant to a recommenda-  
 6                   tion under paragraph (1)(D) shall be considered to be  
 7                   a continuation of the comprehensive study authorized  
 8                   under subsection (a).

9                   (d) *COMPLETION OF STUDY; REPORT TO CONGRESS.*—  
 10                  Not later than 3 years after the date of enactment of this  
 11                  section, the Secretary shall submit to the Committee on  
 12                  Transportation and Infrastructure of the House of Rep-  
 13                  resentatives and the Committee on Environment and Public  
 14                  Works of the Senate a report detailing—

15                 (1) the results of the comprehensive study con-  
 16                 ducted under subsection (a), including any rec-  
 17                 ommendations developed under subsection (c);

18                 (2) any additional, site-specific areas within the  
 19                 Yolo Bypass System where additional study for flood  
 20                 risk management or ecosystem restoration projects is  
 21                 recommended by the Secretary; and

22                 (3) any interim actions relating to existing  
 23                 water resources development projects undertaken by  
 24                 the Secretary during the study period.

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

1           (1) *YOLO BYPASS SYSTEM*.—The term “Yolo By-  
 2           pass System” means the system of weirs, levees, by-  
 3           pass structures, and other water resources develop-  
 4           ment projects in California’s Sacramento River Val-  
 5           ley, extending from the Fremont Weir near Woodland,  
 6           California, to the Sacramento River near Rio Vista,  
 7           California, authorized pursuant to section 2 of the  
 8           Act of March 1, 1917 (chapter 144; 39 Stat. 949).

9           (2) *YOLO BYPASS AND CACHE CLOUGH PARTNER-*  
 10          SHIP.—The term “Yolo Bypass and Cache Slough  
 11          Partnership” means the group of parties to the Yolo  
 12          Bypass and Cache Slough Memorandum of Under-  
 13          standing, effective May 2016, regarding collaboration  
 14          and cooperation in the Yolo Bypass and Cache Slough  
 15          region.

16 **SEC. 206. LAKE OKEECHOBEE REGULATION SCHEDULE,**  
 17 **FLORIDA.**

18          (a) *IN GENERAL*.—In carrying out the review of the  
 19          Lake Okeechobee regulation schedule pursuant to section  
 20          1106 of the Water Resources Development Act of 2018 (132  
 21          Stat. 3773), the Secretary shall—

22               (1) *evaluate the implications of prohibiting re-*  
 23               leases from Lake Okeechobee through the S–308 and  
 24               S–80 lock and dam structures on the operation of the  
 25               lake in accordance with authorized purposes and seek

1       to minimize unnecessary releases to coastal estuaries;  
2       and

3               (2) to the maximum extent practicable, coordi-  
4       nate with the ongoing efforts of Federal and State  
5       agencies responsible for monitoring, forecasting, and  
6       notification of cyanobacteria levels in Lake Okee-  
7       chobee.

8       (b) *MONTHLY REPORT.*—Each month, the Secretary  
9       shall make public a report, which may be based on the  
10      Water Management Daily Operational Reports, disclosing  
11      the volumes of water deliveries to or discharges from Lake  
12      Okeechobee & Vicinity, Water Conservation Area I, Water  
13      Conservation Area II, Water Conservation Area III, East  
14      Coast Canals, and the South Dade Conveyance. Such report  
15      shall be aggregated and reported in a format designed for  
16      the general public, using maps or other widely understood  
17      communication tools.

18      (c) *EFFECT.*—In carrying out the evaluation under  
19      subsection (a)(1), nothing shall be construed to authorize  
20      any new purpose for the management of Lake Okeechobee  
21      or authorize the Secretary to affect any existing authorized  
22      purpose, including flood protection and management of  
23      Lake Okeechobee to provide water supply for all authorized  
24      users.

1 **SEC. 207. GREAT LAKES COASTAL RESILIENCY STUDY.**

2       (a) *IN GENERAL.*—*In carrying out the comprehensive*  
3 *assessment of water resources needs for the Great Lakes Sys-*  
4 *tem under section 729 of the Water Resources Development*  
5 *Act of 1986 (33 U.S.C. 2267a), as required by section 1219*  
6 *of the Water Resources Development Act of 2018 (132 Stat.*  
7 *3811), the Secretary shall—*

8               (1) *taking into account recent high lake levels*  
9 *within the Great Lakes, assess and make rec-*  
10 *ommendations to Congress on—*

11                       (A) *coastal storm and flood risk manage-*  
12 *ment measures, including measures that use nat-*  
13 *ural features and nature-based features, as those*  
14 *terms are defined in section 1184 of the Water*  
15 *Resources Development Act of 2016 (33 U.S.C.*  
16 *2289a);*

17                       (B) *operation and maintenance of the Great*  
18 *Lakes Navigation System, as such term is de-*  
19 *fin ed in section 210 of the Water Resources De-*  
20 *velopment Act of 1986 (33 U.S.C. 2238);*

21                       (C) *ecosystem protection and restoration;*

22                       (D) *the prevention and control of invasive*  
23 *species and the effects of invasive species; and*

24                       (E) *recreation associated with water re-*  
25 *sources development projects;*

1           (2) *prioritize actions necessary to protect critical*  
2           *public infrastructure, communities, and critical nat-*  
3           *ural or cultural resources; and*

4           (3) *to the maximum extent practicable and*  
5           *where appropriate, utilize existing data provided to*  
6           *the Secretary by Federal and State agencies, Indian*  
7           *Tribes, and other stakeholders, including data ob-*  
8           *tained through other Federal programs.*

9           (b) *RECOMMENDATIONS; ADDITIONAL STUDY.—*

10           (1) *IN GENERAL.—In carrying out the com-*  
11           *prehensive assessment described in subsection (a), the*  
12           *Secretary may make a recommendation to Congress*  
13           *for—*

14                   (A) *the construction of a water resources de-*  
15                   *velopment project;*

16                   (B) *the structural or operational modifica-*  
17                   *tion of an existing water resources development*  
18                   *project;*

19                   (C) *such additional monitoring of, or*  
20                   *adaptive management measures to carry out*  
21                   *with respect to, existing water resources develop-*  
22                   *ment projects, to respond to changing hydrologic*  
23                   *and climatic conditions; or*

1                   (D) *geographic areas within the Great*  
 2                   *Lakes System for additional study by the Sec-*  
 3                   *retary.*

4                   (2) *ADDITIONAL CONSIDERATIONS.—Any feasi-*  
 5                   *bility study carried out pursuant to a recommenda-*  
 6                   *tion under paragraph (1)(D) shall be considered to be*  
 7                   *a continuation of the comprehensive assessment de-*  
 8                   *scribed in subsection (a).*

9                   (c) *EXEMPTION FROM MAXIMUM STUDY COST AND*  
 10                  *DURATION LIMITATIONS.—Section 1001 of the Water Re-*  
 11                  *sources Reform and Development Act of 2014 (33 U.S.C.*  
 12                  *2282c) shall not apply to any study recommended under*  
 13                  *subsection (b)(1)(D).*

14                  **SEC. 208. RATHBUN LAKE, CHARITON RIVER, IOWA.**

15                  *Not later than 1 year after the date of enactment of*  
 16                  *this Act, the Secretary shall submit to the Committee on*  
 17                  *Transportation and Infrastructure of the House of Rep-*  
 18                  *resentatives and the Committee on Environment and Public*  
 19                  *Works of the Senate a report that evaluates—*

20                         (1) *the existing allocations of storage space for*  
 21                         *Rathbun Lake, authorized pursuant to the Flood Con-*  
 22                         *trol Act of 1954 (68 Stat. 1262; 121 Stat. 1124), in-*  
 23                         *cluding the existing allocation for municipal water*  
 24                         *supply;*

1           (2) *the feasibility of expanding the existing allo-*  
 2           *cation of storage for municipal water supply; and*

3           (3) *the affordability of future municipal water*  
 4           *supply allocations from Rathbun Lake, for residential*  
 5           *users of such future allocations, at projected future*  
 6           *costs.*

7   **SEC. 209. REPORT ON THE STATUS OF RESTORATION IN**  
 8           **THE LOUISIANA COASTAL AREA.**

9           *Not later than 1 year after the date of enactment of*  
 10          *this Act, the Coastal Louisiana Ecosystem Protection and*  
 11          *Restoration Task Force established by section 7004 of Water*  
 12          *Resources Development Act of 2007 (121 Stat. 1272) shall*  
 13          *submit to Congress a report that summarizes the activities*  
 14          *and recommendations of the task force, including—*

15               (1) *policies, strategies, plans, programs, projects,*  
 16               *and activities undertaken for addressing conservation,*  
 17               *protection, restoration, and maintenance of the coast-*  
 18               *al Louisiana ecosystem; and*

19               (2) *financial participation by each agency rep-*  
 20               *resented on the Task Force in conserving, protecting,*  
 21               *restoring, and maintaining the coastal Louisiana eco-*  
 22               *system.*

23   **SEC. 210. LOWER MISSISSIPPI RIVER COMPREHENSIVE**  
 24           **STUDY.**

25           (a) *COMPREHENSIVE STUDY.—*



1           (1) *IN GENERAL.*—*The Secretary shall conduct a*  
 2           *comprehensive study of the Lower Mississippi River*  
 3           *basin, from Cape Girardeau, Missouri, to the Gulf of*  
 4           *Mexico, to identify actions to be undertaken by the*  
 5           *Secretary for the comprehensive management of the*  
 6           *basin for the purposes of flood risk management,*  
 7           *navigation, ecosystem restoration, water supply, hy-*  
 8           *dropower, and recreation.*

9           (2) *FOCUS AREAS.*—*In conducting the com-*  
 10          *prehensive study under paragraph (1), the Secretary*  
 11          *shall investigate projects, including—*

12                (A) *projects proposed in the comprehensive*  
 13                *coastal protection master plan entitled “Lou-*  
 14                *isiana Comprehensive Master Plan for a Sus-*  
 15                *tainable Coast” prepared by the State of Lou-*  
 16                *isiana and accepted by the Louisiana Coastal*  
 17                *Protection and Restoration Authority (including*  
 18                *any subsequent amendments or revisions), in-*  
 19                *cluding—*

20                       (i) *Ama sediment diversion;*

21                       (ii) *Union freshwater diversion;*

22                       (iii) *increase Atchafalaya flow to*  
 23                       *Terrebonne; and*

24                       (iv) *Manchac Landbridge diversion;*

25                       *and*

1                   (B) *natural features and nature-based fea-*  
2                   *tures, including levee setbacks and instream and*  
3                   *floodplain restoration.*

4           (b) *CONSULTATION AND USE OF EXISTING DATA.—In*  
5           *conducting the comprehensive study under subsection (a),*  
6           *the Secretary shall consult with applicable Federal, State,*  
7           *and local agencies, Indian Tribes, non-Federal interests,*  
8           *and other stakeholders, and, to the maximum extent prac-*  
9           *ticable and where appropriate, make use of existing data*  
10          *provided to the Secretary by such parties.*

11          (c) *RECOMMENDATIONS.—*

12               (1) *IN GENERAL.—In conducting the comprehen-*  
13               *sive study under subsection (a), the Secretary may de-*  
14               *velop a recommendation to Congress for—*

15                   (A) *the construction of a water resources de-*  
16                   *velopment project;*

17                   (B) *the structural or operational modifica-*  
18                   *tion of an existing water resources development*  
19                   *project;*

20                   (C) *such additional monitoring of, or*  
21                   *adaptive management measures to carry out*  
22                   *with respect to, existing water resources develop-*  
23                   *ment projects, to respond to changing conditions;*  
24                   *or*

1                   (D) *geographic areas within the Lower Mis-*  
 2                   *issippi River basin for additional study by the*  
 3                   *Secretary.*

4                   (2) *ADDITIONAL CONSIDERATIONS.—Any feasi-*  
 5                   *bility study carried out pursuant to a recommenda-*  
 6                   *tion under this subsection shall be considered to be a*  
 7                   *continuation of the comprehensive study required*  
 8                   *under subsection (a).*

9                   (d) *COMPLETION OF STUDY; REPORT TO CONGRESS.—*  
 10                  *Not later than 3 years after the date of enactment of this*  
 11                  *section, the Secretary shall submit to the Committee on*  
 12                  *Transportation and Infrastructure of the House of Rep-*  
 13                  *resentatives and the Committee on Environment and Public*  
 14                  *Works of the Senate a report detailing—*

15                   (1) *the results of the comprehensive study re-*  
 16                   *quired by this section, including any recommenda-*  
 17                   *tions developed under subsection (c); and*

18                   (2) *any interim actions relating to existing*  
 19                   *water resources development projects undertaken by*  
 20                   *the Secretary during the study period.*

21 **SEC. 211. UPPER MISSISSIPPI RIVER COMPREHENSIVE**  
 22 **PLAN.**

23                   (a) *ASSESSMENT.—The Secretary shall conduct an as-*  
 24                   *essment of the water resources needs of the Upper Mis-*

1 *Mississippi River under section 729 of the Water Resources De-*  
 2 *velopment Act of 1986 (33 U.S.C. 2267a).*

3 (b) *REQUIREMENTS.—The Secretary shall carry out*  
 4 *the assessment under subsection (a) in accordance with the*  
 5 *requirements in section 1206(b) of Water Resources Devel-*  
 6 *opment Act of 2016 (130 Stat. 1686).*

7 **SEC. 212. LOWER MISSOURI BASIN FLOOD RISK AND RESIL-**  
 8 **IENCY STUDY, IOWA, KANSAS, NEBRASKA,**  
 9 **AND MISSOURI.**

10 (a) *ADDITIONAL STUDIES.—*

11 (1) *IN GENERAL.—Except as provided in para-*  
 12 *graph (2), upon the request of the non-Federal inter-*  
 13 *est for the Lower Missouri Basin study, the Secretary*  
 14 *shall expand the scope of such study to investigate*  
 15 *and provide recommendations relating to—*

16 (A) *modifications to projects in Iowa, Kan-*  
 17 *sas, Nebraska, and Missouri authorized under*  
 18 *the Pick-Sloan Missouri River Basin Program*  
 19 *(authorized by section 9(b) of the Flood Control*  
 20 *Act of December 22, 1944 (chapter 665, 58 Stat.*  
 21 *891)) and the Missouri River Bank Stabilization*  
 22 *and Navigation project (authorized by section 2*  
 23 *of the Act of March 2, 1945 (chapter 19, 59 Stat.*  
 24 *19)), including modifications to the authorized*

1        *purposes of such projects to further flood risk*  
2        *management and resiliency; and*

3                *(B) modifications to non-Federal, publicly*  
4        *owned levees in the Lower Missouri River Basin.*

5        *(2) EXCEPTION.—If the Secretary determines*  
6        *that expanding the scope of the Lower Missouri Basin*  
7        *study as provided in paragraph (1) is not prac-*  
8        *ticable, and the non-Federal interest for such study*  
9        *concurrs in such determination, the Secretary shall*  
10       *carry out such additional studies as are necessary to*  
11       *investigate the modifications described in paragraph*  
12       *(1).*

13                *(3) CONTINUATION OF LOWER MISSOURI BASIN*  
14       *STUDY.—The following studies shall be considered a*  
15       *continuation of the Lower Missouri Basin study:*

16                *(A) Any additional study carried out under*  
17       *paragraph (2).*

18                *(B) Any study recommended to be carried*  
19       *out in a report that the Chief of Engineers pre-*  
20        *pares for the Lower Missouri Basin study.*

21                *(C) Any study recommended to be carried*  
22       *out in a report that the Chief of Engineers pre-*  
23        *pares for an additional study carried out under*  
24       *paragraph (2).*

1           (D) *Any study spun off from the Lower*  
2           *Missouri Basin study before the completion of*  
3           *such study.*

4           (E) *Any study spun off from an additional*  
5           *study carried out under paragraph (2) before the*  
6           *completion of such additional study.*

7           (4) *RELIANCE ON EXISTING INFORMATION.—In*  
8           *carrying out any study described in or authorized by*  
9           *this section, the Secretary, to the extent practicable,*  
10          *shall rely on existing data and analysis, including*  
11          *data and analysis prepared under section 22 of the*  
12          *Water Resources Development Act of 1974 (42 U.S.C.*  
13          *1962d–16).*

14          (5) *CONSIDERATION; CONSULTATION.—In devel-*  
15          *oping recommendations under paragraph (1), the Sec-*  
16          *retary shall—*

17               (A) *consider the use of—*

18                       (i) *structural and nonstructural meas-*  
19                       *ures, including the setting back of levees and*  
20                       *removing structures from areas of recurring*  
21                       *flood vulnerability, where advantageous, to*  
22                       *reduce flood risk and damages in the Lower*  
23                       *Missouri River Basin; and*

24                       (ii) *where such features are locally ac-*  
25                       *ceptable, natural features or nature-based*

1           *features (as such terms are defined in sec-*  
2           *tion 1184 of the Water Resources Develop-*  
3           *ment Act of 2016 (33 U.S.C. 2289a); and*

4           *(B) consult with applicable Federal and*  
5           *State agencies, Indian Tribes, and other stake-*  
6           *holders within the Lower Missouri River Basin*  
7           *and solicit public comment on such recommenda-*  
8           *tions.*

9           (6) *EXEMPTION FROM MAXIMUM STUDY COST*  
10          *AND DURATION LIMITATIONS.—Section 1001 of the*  
11          *Water Resources Reform and Development Act of*  
12          *2014 (33 U.S.C. 2282c) shall not apply to the Lower*  
13          *Missouri Basin study or any study described in para-*  
14          *graph (3).*

15          (7) *PRECONSTRUCTION, ENGINEERING, AND DE-*  
16          *SIGN.—Upon completion of a study authorized by this*  
17          *section, if the Secretary determines that a rec-*  
18          *ommended project, or modification to a project de-*  
19          *scribed in paragraph (1), is justified, the Secretary*  
20          *may proceed directly to preconstruction planning, en-*  
21          *gineering, and design of the project or modification.*

22          (8) *TECHNICAL ASSISTANCE.—*

23                 (A) *IN GENERAL.—For the provision of*  
24                 *technical assistance to support small commu-*  
25                 *nities and economically disadvantaged commu-*

1        *nities in the planning and design of flood risk*  
 2        *management and flood risk resiliency projects in*  
 3        *the Lower Missouri River Basin, for each of fis-*  
 4        *cal years 2021 through 2026, there are author-*  
 5        *ized to be appropriated—*

6                *(i) \$2,000,000 to carry out section 206*  
 7                *of the Flood Control Act of 1960 (33 U.S.C.*  
 8                *709a), in addition to amounts otherwise au-*  
 9                *thorized to carry out such section; and*

10               *(ii) \$2,000,000 to carry out section*  
 11               *22(a)(2) of the Water Resources Develop-*  
 12               *ment Act of 1974 (42 U.S.C. 1962d–16), in*  
 13               *addition to amounts otherwise authorized to*  
 14               *carry out such section.*

15        *(B) CONDITIONS.—*

16               *(i) LIMITATIONS NOT APPLICABLE.—*  
 17               *The limitations on the use of funds in sec-*  
 18               *tion 206(d) of the Flood Control Act of 1960*  
 19               *and section 22(c)(2) of the Water Resources*  
 20               *Development Act of 1974 shall not apply to*  
 21               *the amounts authorized to be appropriated*  
 22               *by subparagraph (A).*

23               *(ii) RULE OF CONSTRUCTION.—Noth-*  
 24               *ing in this paragraph restricts the author-*  
 25               *ity of the Secretary to use any funds other-*



1                    *wise appropriated to carry out section 206*  
 2                    *of the Flood Control Act of 1960 or section*  
 3                    *22(a)(2) of the Water Resources Develop-*  
 4                    *ment Act of 1974 to provide technical as-*  
 5                    *istance described in subparagraph (A).*

6                    (9) *COMPLETION OF STUDY; REPORT TO CON-*  
 7                    *GRESS.—Not later than 3 years after the date of en-*  
 8                    *actment of this Act, the Secretary shall submit to the*  
 9                    *Committee on Transportation and Infrastructure of*  
 10                    *the House of Representatives and the Committee on*  
 11                    *Environment and Public Works of the Senate a report*  
 12                    *detailing—*

13                    (A) *the results of the study authorized by*  
 14                    *this section;*

15                    (B) *any additional, site-specific areas with-*  
 16                    *in the Lower Missouri River Basin for which ad-*  
 17                    *ditional study for flood risk management projects*  
 18                    *is recommended by the Secretary; and*

19                    (C) *any interim actions relating to existing*  
 20                    *water resources development projects undertaken*  
 21                    *by the Secretary during the study period.*

22                    (b) *DEFINITIONS.—In this section:*

23                    (1) *LOWER MISSOURI BASIN STUDY.—The term*  
 24                    *“Lower Missouri Basin study” means the Lower Mis-*  
 25                    *souri Basin Flood Risk and Resiliency Study, Iowa,*

1 *Kansas, Nebraska, and Missouri, authorized pursuant*  
 2 *to section 216 of the Flood Control Act of 1970 (33*  
 3 *U.S.C. 549a).*

4 (2) *SMALL COMMUNITY.*—*The term “small com-*  
 5 *munity” means a local government that serves a pop-*  
 6 *ulation of less than 15,000.*

7 **SEC. 213. PORTSMOUTH HARBOR AND PISCATAQUA RIVER**  
 8 **AND RYE HARBOR, NEW HAMPSHIRE.**

9 *Not later than 180 days after the date of enactment*  
 10 *of this Act, the Secretary shall submit to Congress a written*  
 11 *status update regarding—*

12 (1) *efforts to address the impacts of shoaling af-*  
 13 *fecting the project for navigation, Rye Harbor, New*  
 14 *Hampshire, authorized by section 101 of the River*  
 15 *and Harbor Act of 1960 (74 Stat. 480); and*

16 (2) *the project for navigation, Portsmouth Har-*  
 17 *bor and Piscataqua River, authorized by section 101*  
 18 *of the River and Harbor Act of 1962 (76 Stat. 1173),*  
 19 *as required to be expedited under section 1317 of the*  
 20 *Water Resources Development Act of 2018 (Public*  
 21 *Law 115–270).*

22 **SEC. 214. COUGAR AND DETROIT DAMS, WILLAMETTE RIVER**  
 23 **BASIN, OREGON.**

24 (a) *REPORT.*—*Not later than 2 years after the date*  
 25 *of enactment of this Act, the Secretary shall submit to the*

1 *Committee on Transportation and Infrastructure of the*  
 2 *House of Representatives and the Committee on Environ-*  
 3 *ment and Public Works of the Senate, and make publicly*  
 4 *available, a report providing an initial analysis of*  
 5 *deauthorizing hydropower as a project purpose at the Cou-*  
 6 *gar and Detroit Dams project.*

7       (b) *CONTENTS.*—*The Secretary shall include in the re-*  
 8 *port submitted under subsection (a)—*

9               (1) *a description of the potential effects of*  
 10 *deauthorizing hydropower as a project purpose at the*  
 11 *Cougar and Detroit Dams project on—*

12                       (A) *the operation of the project, including*  
 13 *with respect to the other authorized purposes of*  
 14 *the project;*

15                       (B) *compliance of the project with the En-*  
 16 *dangered Species Act;*

17                       (C) *costs that would be attributed to other*  
 18 *authorized purposes of the project, including*  
 19 *costs relating to compliance with such Act; and*

20                       (D) *other ongoing studies in the Willamette*  
 21 *River Basin; and*

22               (2) *identification of any further research needed.*

23       (c) *PROJECT DEFINED.*—*In this section, the terms*  
 24 *“Cougar and Detroit Dams project” and “project” mean*  
 25 *the Cougar Dam and Reservoir project and Detroit Dam*

1 *and Reservoir project, Willamette River Basin, Oregon, au-*  
2 *thorized by section 204 of the Flood Control Act of 1950*  
3 *(64 Stat. 179).*

4 **SEC. 215. PORT ORFORD, OREGON.**

5 *Not later than 180 days after the date of enactment*  
6 *of this Act, the Secretary shall, at Federal expense, submit*  
7 *to the Committee on Transportation and Infrastructure of*  
8 *the House of Representatives and the Committee on Envi-*  
9 *ronment and Public Works of the Senate a summary report*  
10 *on the research completed and data gathered by the date*  
11 *of enactment of this Act with regards to the configuration*  
12 *of a breakwater for the project for navigation, Port Orford,*  
13 *Oregon, authorized by section 117 of the River and Harbor*  
14 *Act of 1970 (84 Stat. 1822; 106 Stat. 4809), for the pur-*  
15 *poses of addressing shoaling issues to minimize long-term*  
16 *maintenance costs.*

17 **SEC. 216. WILSON CREEK AND SLOAN CREEK, FAIRVIEW,**  
18 **TEXAS.**

19 *Not later than 180 days after the date of enactment*  
20 *of this section, the Secretary shall submit to Congress a*  
21 *written status update regarding efforts to address flooding*  
22 *along Wilson Creek and Sloan Creek in the City of Fair-*  
23 *view, Texas.*

1 **SEC. 217. GAO STUDY ON MITIGATION FOR WATER RE-**  
2 **SOURCES DEVELOPMENT PROJECTS.**

3 *Not later than 18 months after the date of enactment*  
4 *of this Act, the Comptroller General of the United States*  
5 *shall—*

6 *(1) conduct a study on the mitigation of the im-*  
7 *pact of water resources development projects, includ-*  
8 *ing the impact on fish and wildlife, consistent with*  
9 *the requirements of section 906 of the Water Resources*  
10 *Development Act of 1986 (33 U.S.C. 2283), section*  
11 *307(a) of the Water Resources Development Act of*  
12 *1990 (33 U.S.C. 2317(a)), and section 2036(b) of the*  
13 *Water Resources Development Act of 2007 (33 U.S.C.*  
14 *2283a), including—*

15 *(A) an evaluation of guidance or instruc-*  
16 *tions issued, and other measures taken, by the*  
17 *Secretary to ensure successful mitigation of such*  
18 *impacts;*

19 *(B) a review of the methods of mitigation,*  
20 *including the use of in-lieu fees, mitigation*  
21 *banking, and permittee-responsible mitigation,*  
22 *and their long-term effectiveness of restoring or*  
23 *mitigating ecosystem services impacted by such*  
24 *projects;*

1           (C) a review of how the use of the different  
2 mitigation methods for such projects varies  
3 across Corps of Engineers districts;

4           (D) an assessment of the backlog of mitiga-  
5 tion projects, including the number of mitigation  
6 projects pending completion to address such im-  
7 pacts resulting from constructed water resources  
8 development projects;

9           (E) an evaluation of how the Secretary  
10 tracks compliance with the mitigation require-  
11 ments across Corps of Engineers districts;

12           (F) a review of how the mitigation require-  
13 ments for water resources development projects  
14 contributes to the resilience of water resources in  
15 the United States;

16           (G) an assessment of whether mitigation is  
17 being done prior to or contemporaneously with  
18 the construction of projects, as required by sec-  
19 tion 906 of the Water Resources Development Act  
20 of 1986 (33 U.S.C. 2283);

21           (H) an evaluation of compliance with sec-  
22 tion 906(d) of the Water Resources Development  
23 Act of 1986 (33 U.S.C. 2283(d)) for the develop-  
24 ment of specific mitigation plans for projects,  
25 whether such plans were successful in mitigating

1        *the designated impacts of the projects, and, in*  
2        *instances where such plans were not successful,*  
3        *what actions the Secretary is taking to modify*  
4        *the plans such that they will be successful; and*

5            *(I) an assessment of how the Secretary*  
6        *might take advantage of natural infrastructure*  
7        *in mitigation planning to reduce flood risks and*  
8        *flood recovery costs for some communities; and*

9        *(2) submit to Congress a report that—*

10            *(A) describes the results of the study con-*  
11        *ducted under paragraph (1);*

12            *(B) includes recommendations to ensure*  
13        *compliance with and successful implementation*  
14        *of mitigation requirements for water resources*  
15        *development projects; and*

16            *(C) includes recommendations to ensure ex-*  
17        *isting programs and authorities include the use,*  
18        *to the maximum extent practicable, of natural*  
19        *infrastructure.*

20    **SEC. 218. GAO STUDY ON APPLICATION OF HARBOR MAIN-**  
21            **TENANCE TRUST FUND EXPENDITURES.**

22        *(a) STUDY.—Not later than 18 months after the date*  
23        *of enactment of this Act, the Comptroller General of the*  
24        *United States shall conduct a study of the operation and*

1 *maintenance needs of federally authorized harbor and in-*  
2 *land harbor projects, including—*

3 *(1) an inventory of all federally authorized har-*  
4 *bor and inland harbor projects;*

5 *(2) an assessment of current uses of such projects*  
6 *(and, to the extent practicable, the national, regional,*  
7 *and local benefits of such uses), including the uses*  
8 *listed in section 210(d)(2)(B) of the Water Resources*  
9 *Development Act of 1986;*

10 *(3) an assessment of the annual operation and*  
11 *maintenance needs associated with harbors and in-*  
12 *land harbors referred to in subsection (a)(2) of section*  
13 *210 of the Water Resources Development Act of 1986*  
14 *(33 U.S.C. 2238), including a breakdown of such*  
15 *needs for each of the following types of projects—*

16 *(A) emerging harbor projects (as defined in*  
17 *such section);*

18 *(B) moderate-use harbor projects (as defined*  
19 *in such section on the day before the date of en-*  
20 *actment of this Act);*

21 *(C) high-use harbor projects (as defined in*  
22 *such section on the day before the date of enact-*  
23 *ment of this Act); and*



1           (D) projects assigned to harbors and inland  
2           harbors within the Great Lakes Navigation Sys-  
3           tem (as defined in such section);

4           (4) an assessment of any deferred operation and  
5           maintenance needs for such projects;

6           (5) an assessment of the annual funding level  
7           trends for moderate-use harbor projects (as defined in  
8           section 210 of the Water Resources Development Act  
9           of 1986 on the day before the date of enactment of this  
10          Act) after the date of enactment of the Water Re-  
11          sources Development Act of 2014 (Public Law 113–  
12          121), excluding funds awarded to donor ports, me-  
13          dium-sized donor ports, and energy transfer ports (as  
14          such terms are defined in section 2106 of the Water  
15          Resources Reform and Development Act of 2014 (33  
16          U.S.C. 2201));

17          (6) an assessment of projected needs associated  
18          with donor ports, medium-sized donor ports, and en-  
19          ergy transfer ports (as such terms are defined in sec-  
20          tion 2106 of the Water Resources Reform and Devel-  
21          opment Act of 2014 (33 U.S.C. 2201)); and

22          (7) an itemization of expenditures provided to  
23          donor ports, medium-sized donor ports, and energy  
24          transfer ports under section 2106 of the Water Re-

(b) *REPORT TO CONGRESS.*—Upon completion of the report under subsection (a), the Comptroller General shall submit such report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

8 SEC. 219. GAO STUDY ON ADMINISTRATION OF ENVIRON-  
9 MENTAL BANKS.

10           (a) *IN GENERAL.*—Not later than one year after the  
11   date of enactment of this Act, the Comptroller General of  
12   the United States shall conduct a study and submit to the  
13   appropriate committees of Congress a report that analyzes  
14   the administration of section 309 of the Coastal Wetlands  
15   Planning, Protection and Restoration Act to establish an  
16   environmental bank (as defined in such section), such that  
17   the Secretary—

•HR 7575 RH

1     *Restoration Authority (including any subsequent*  
 2     *amendments or revisions);*

3             *(2) promotes ridge restoration, barrier island*  
 4     *restoration, marsh creation, nonstructural risk man-*  
 5     *agement, or any other projects authorized, funded, or*  
 6     *undertaken, or proposed to be authorized, funded, or*  
 7     *undertaken, pursuant to such comprehensive coastal*  
 8     *protection master plan;*

9             *(3) allows for proactive investment in projects by*  
 10    *a public or private entity seeking to generate credits*  
 11    *to satisfy responsibilities associated with environ-*  
 12    *mental compliance;*

13            *(4) allows for leveraging additional State, Par-*  
 14    *ish, or Federal funds; and*

15            *(5) recommends methods for awarding addi-*  
 16    *tional credit for high-priority projects listed in the re-*  
 17    *port and plan described in paragraph (1).*

18    **(b) CONSULTATION WITH STAKEHOLDERS.**—*In car-*  
 19    *rying out subsection (a), the Comptroller General of the*  
 20    *United States shall consult with the Secretary, the Lou-*  
 21    *isiana Coastal Wetlands Conservation and Restoration*  
 22    *Task Force, the Governor of Louisiana (or an appointee),*  
 23    *and other stakeholders, to the extent practicable.*

1 **SEC. 220. STUDY ON WATER SUPPLY AND WATER CON-**  
2 **SERVATION AT WATER RESOURCES DEVELOP-**  
3 **MENT PROJECTS.**

4       (a) *IN GENERAL.*—Not later than 18 months after the  
5 date of enactment of this Act, the Secretary shall submit  
6 to the Committee on Transportation and Infrastructure of  
7 the House of the Representatives and the Committee on En-  
8 vironment and Public Works of the Senate a report that  
9 analyzes the benefits and consequences of including munic-  
10 ipal water supply and water conservation as a primary  
11 mission of the Corps of Engineers in carrying out water  
12 resources development projects.

13       (b) *INCLUSION.*—The Secretary shall include in the re-  
14 port submitted under subsection (a)—

15               (1) a description of existing water resources de-  
16 velopment projects with municipal water supply or  
17 water conservation as authorized purposes, and the  
18 extent to which such projects are utilized for such  
19 purposes;

20               (2) a description of existing water resources de-  
21 velopment projects with respect to which—

22                       (A) municipal water supply or water con-  
23 servation could be added as a project purpose,  
24 including those with respect to which a non-Fed-  
25 eral interest has expressed an interest in adding

1            *municipal water supply or water conservation as*  
 2            *a project purpose; and*

3            *(B) such a purpose could be accommodated*  
 4            *while maintaining existing authorized purposes;*

5            *(3) a description of ongoing water resources de-*  
 6            *velopment project studies the authorizations for which*  
 7            *include authorization for the Secretary to study the*  
 8            *feasibility of carrying out the project with a purpose*  
 9            *of municipal water supply or water conservation;*

10           *(4) an analysis of how adding municipal water*  
 11           *supply and water conservation as a primary mission*  
 12           *of the Corps of Engineers would affect the ability of*  
 13           *the Secretary to carry out future water resources de-*  
 14           *velopment projects; and*

15           *(5) any recommendations of the Secretary relat-*  
 16           *ing to including municipal water supply and water*  
 17           *conservation as a primary mission of the Corps of*  
 18           *Engineers.*

19 **SEC. 221. PFAS REVIEW AND INVENTORY AT CORPS FACILI-**  
 20 **TIES.**

21 *(a) INVENTORY OF PFAS AT CORPS FACILITIES.—*

22           *(1) IN GENERAL.—Not later than 18 months*  
 23           *after the date of enactment of this section, and annu-*  
 24           *ally thereafter the Secretary shall complete an inven-*  
 25           *tory of Corps of Engineers civil works facilities that*

1       are or may be contaminated, or could become con-  
2       taminated, by PFAS.

3           (2) *CONTENTS OF INVENTORY.*—*In carrying out*  
4       *this subsection, the Secretary shall review and iden-*  
5       *tify—*

6           (A) *all facilities owned or operated by the*  
7       *Corps of Engineers, for which there is a civil*  
8       *works function, that are or may be contami-*  
9       *nated, or could become contaminated, by PFAS;*

10          (B) *the nature and extent of any such con-*  
11       *tamination or potential for contamination, in-*  
12       *cluding any potential pathways for human expo-*  
13       *sure to PFAS;*

14          (C) *response measures taken to monitor,*  
15       *control, remove, or remediate PFAS, or otherwise*  
16       *reduce the risk of human exposure to PFAS;*

17          (D) *for facilities identified under subpara-*  
18       *graph (A), the extent to which such facilities (or*  
19       *any such contamination or potential for con-*  
20       *tamination at such facilities) are related to the*  
21       *civil works functions of the Corps of Engineers;*

22          (E) *the extent to which the Secretary, or*  
23       *other entities, may have responsibility for such*  
24       *contamination or potential for contamination;*  
25       *and*

1                   (F) for facilities identified under subpara-  
2                   graph (A), the costs to remediate and reduce the  
3                   risk of human exposure to PFAS.

4                   (3) COORDINATION WITH OTHER FEDERAL AGEN-  
5                   CIES.—To the maximum extent practicable, the ac-  
6                   tions taken under this subsection shall supplement  
7                   and support work undertaken by other Federal agen-  
8                   cies, including actions taken pursuant to the plan  
9                   published by the Administrator of the Environmental  
10                  Protection Agency, titled “EPA’s Per- and  
11                  Polyfluoroalkyl Substances (PFAS) Action Plan” and  
12                  dated February 2019.

13                  (4) REPORT TO CONGRESS.—Upon completion of  
14                  the inventory under paragraph (1), and annually  
15                  thereafter concurrent with the President’s annual  
16                  budget request to Congress, the Secretary shall submit  
17                  the inventory to the Committee on Transportation  
18                  and Infrastructure of the House of Representatives  
19                  and the Committee on Environment and Public  
20                  Works of the Senate.

21                  (b) PFAS TECHNOLOGY RESEARCH.—

22                  (1) RESEARCH SUPPORT.—The Secretary, acting  
23                  through the Hazardous Waste Research Center located  
24                  at the Engineer Research and Development Center,  
25                  shall, to the maximum extent practicable, support the

1        *efforts of other Federal agencies in the development of*  
 2        *innovative technologies and methodologies for the de-*  
 3        *tection, treatment, and cleanup of PFAS associated*  
 4        *with Federal facilities, including groundwater associ-*  
 5        *ated with such facilities.*

6            (2) *DUPLICATION OF EFFORTS.*—*Nothing in this*  
 7        *subsection is intended to duplicate the activities un-*  
 8        *dertaken by other Federal agencies as identified in*  
 9        *subsection (a)(3).*

10          (c) *DEFINITION.*—*In this section, the term “PFAS”*  
 11        *means a perfluoroalkyl substance or polyfluoroalkyl sub-*  
 12        *stance with at least one fully fluorinated carbon atom.*

13        **SEC. 222. REPORT ON RECREATIONAL FACILITIES.**

14        *No later than 18 months after the date of enactment*  
 15        *of this Act, the Secretary shall submit to the Committee on*  
 16        *Transportation and Infrastructure of the House of Rep-*  
 17        *resentatives and the Committee on Environment and Public*  
 18        *Works of the Senate a report that contains—*

19            (1) *an inventory of all recreational infrastruc-*  
 20        *ture and facilities associated with water resources de-*  
 21        *velopment projects;*

22            (2) *an assessment of the annual operation and*  
 23        *maintenance needs associated with such infrastruc-*  
 24        *ture and facilities;*



1           (3) *an assessment of deferred operation and*  
 2           *maintenance needs for such infrastructure and facili-*  
 3           *ties to operate safely at full capacity; and*

4           (4) *an assessment of the economic benefits of*  
 5           *recreation to local and regional economies and bene-*  
 6           *fits of sustaining and improving public access at rec-*  
 7           *reational infrastructure and facilities.*

8           ***TITLE III—DEAUTHORIZATIONS***  
 9           ***AND MODIFICATIONS***

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

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

12           (1) *to identify water resources development*  
 13           *projects authorized by Congress that are no longer*  
 14           *viable for construction due to—*

15                   (A) *a lack of local support;*

16                   (B) *a lack of available Federal or non-Fed-*  
 17                   *eral resources; or*

18                   (C) *an authorizing purpose that is no*  
 19                   *longer relevant or feasible;*

20           (2) *to create an expedited and definitive process*  
 21           *for Congress to deauthorize water resources develop-*  
 22           *ment projects that are no longer viable for construc-*  
 23           *tion; and*

1           (3) *to allow the continued authorization of water*  
2           *resources development projects that are viable for con-*  
3           *struction.*

4           ***(b) PROPOSED DEAUTHORIZATION LIST.—***

5                 ***(1) PRELIMINARY LIST OF PROJECTS.—***

6                     ***(A) IN GENERAL.—****The Secretary shall de-*  
7                     *velop a preliminary list of each water resources*  
8                     *development project, or separable element of a*  
9                     *project, authorized for construction before No-*  
10                    *vember 8, 2007, for which—*

11                         *(i) planning, design, or construction*  
12                         *was not initiated before the date of enact-*  
13                         *ment of this Act; or*

14                         *(ii) planning, design, or construction*  
15                         *was initiated before the date of enactment of*  
16                         *this Act, but for which no funds, Federal or*  
17                         *non-Federal, were obligated for planning,*  
18                         *design, or construction of the project or sep-*  
19                         *arable element of the project during the cur-*  
20                         *rent fiscal year or any of the 10 preceding*  
21                         *fiscal years.*

22                     ***(B) USE OF COMPREHENSIVE CONSTRUC-***  
23                     ***TION BACKLOG AND OPERATION AND MAINTEN-***  
24                     ***NANCE REPORT.—****The Secretary may develop the*  
25                     *preliminary list from the comprehensive con-*

struction backlog and operation and maintenance reports developed pursuant to section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a).

(2) *PREPARATION OF PROPOSED DEAUTHORIZATION LIST.*—

(A) *DEAUTHORIZATION AMOUNT.*—The Secretary shall prepare a proposed list of projects for deauthorization comprised of a subset of projects and separable elements identified on the preliminary list developed under paragraph (1) that have, in the aggregate, an estimated Federal cost to complete that is at least \$10,000,000,000.

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

(C) *INCLUSION OF DEAUTHORIZATION OF ANTIQUATED PROJECTS.*—The Secretary shall reduce the amount identified for deauthorization under paragraph (2)(A) by an amount equivalent to the estimated current value of each

1        *project, or separable element of a project, that is*  
2        *deauthorized by subsection (f).*

3        (3) *SEQUENCING OF PROJECTS.—*

4                (A) *IN GENERAL.—The Secretary shall*  
5        *identify projects and separable elements for in-*  
6        *clusion on the proposed list of projects for de-*  
7        *authorization under paragraph (2) according to*  
8        *the order in which the projects and separable ele-*  
9        *ments were authorized, beginning with the ear-*  
10       *liest authorized projects and separable elements*  
11       *and ending with the latest project or separable*  
12       *element necessary to meet the aggregate amount*  
13       *under paragraph (2)(A).*

14               (B) *FACTORS TO CONSIDER.—The Secretary*  
15       *may identify projects and separable elements in*  
16       *an order other than that established by subpara-*  
17       *graph (A) if the Secretary determines, on a case-*  
18       *by-case basis, that a project or separable element*  
19       *is critical for interests of the United States,*  
20       *based on the possible impact of the project or*  
21       *separable element on public health and safety,*  
22       *the national economy, or the environment.*

23        (4) *PUBLIC COMMENT AND CONSULTATION.—*

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

ernors of each applicable State on the proposed  
deauthorization list prepared under paragraph  
(2)(A).

(B) COMMENT PERIOD.—The public comment period shall be 90 days.

(5) PREPARATION OF FINAL DEAUTHORIZATION  
LIST.—

(A) IN GENERAL.—The Secretary shall prepare a final deauthorization list by—

(i) considering any comments received under paragraph (4); and

(ii) revising the proposed deauthorization list prepared under paragraph (2)(A) as the Secretary determines necessary to respond to such comments.

(B) APPENDIX.—The Secretary shall include as part of the final deauthorization list an appendix that—

(i) identifies each project or separable element on the proposed deauthorization list that is not included on the final deauthorization list; and

(ii) describes the reasons why the project or separable element is not included on the final deauthorization list.

1       (c) *SUBMISSION OF FINAL DEAUTHORIZATION LIST TO*  
 2 *CONGRESS FOR CONGRESSIONAL REVIEW; PUBLICATION.*—

3           (1) *IN GENERAL.*—*Not later than 90 days after*  
 4 *the date of the close of the comment period under sub-*  
 5 *section (b)(4), the Secretary shall—*

6           (A) *submit the final deauthorization list*  
 7 *and appendix prepared under subsection (b)(5)*  
 8 *to the Committee on Transportation and Infra-*  
 9 *structure of the House of Representatives and the*  
 10 *Committee on Environment and Public Works of*  
 11 *the Senate; and*

12           (B) *publish the final deauthorization list*  
 13 *and appendix in the Federal Register.*

14           (2) *EXCLUSIONS.*—*The Secretary shall not in-*  
 15 *clude in the final deauthorization list submitted*  
 16 *under paragraph (1) any project or separable element*  
 17 *with respect to which Federal funds for planning, de-*  
 18 *sign, or construction are obligated after the develop-*  
 19 *ment of the preliminary list under subsection*  
 20 *(b)(1)(A) but prior to the submission of the final de-*  
 21 *authorization list under paragraph (1)(A) of this sub-*  
 22 *section.*

23       (d) *DEAUTHORIZATION; CONGRESSIONAL REVIEW.*—

24           (1) *IN GENERAL.*—*After the expiration of the 2-*  
 25 *year period beginning on the date of publication of*

1     *the final deauthorization list and appendix under*  
 2     *subsection (c)(1)(B), a project or separable element of*  
 3     *a project identified in the final deauthorization list is*  
 4     *hereby deauthorized, unless Congress passes a joint*  
 5     *resolution disapproving the final deauthorization list*  
 6     *prior to the end of such period.*

7             (2) *NON-FEDERAL CONTRIBUTIONS.*—

8             (A) *IN GENERAL.*—*A project or separable*  
 9     *element of a project identified in the final de-*  
 10    *authorization list under subsection (c) shall not*  
 11    *be deauthorized under this subsection if, before*  
 12    *the expiration of the 2-year period referred to in*  
 13    *paragraph (1), the non-Federal interest for the*  
 14    *project or separable element of the project pro-*  
 15    *vides sufficient funds to complete the project or*  
 16    *separable element of the project.*

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

24            (3) *PROJECTS IDENTIFIED IN APPENDIX.*—*A*  
 25    *project or separable element of a project identified in*

1       *the appendix to the final deauthorization list shall re-*  
2       *main subject to future deauthorization by Congress.*

3       *(e) SPECIAL RULES.—*

4               *(1) POST-AUTHORIZATION STUDIES.—A project*  
5       *or separable element of a project may not be identi-*  
6       *fied on the proposed deauthorization list developed*  
7       *under subsection (b), or the final deauthorization list*  
8       *developed under subsection (c), if the project or sepa-*  
9       *rable element received funding for a post-authoriza-*  
10       *tion study during the current fiscal year or any of the*  
11       *10 preceding fiscal years.*

12              *(2) TREATMENT OF PROJECT MODIFICATIONS.—*  
13       *For purposes of this section, if an authorized water*  
14       *resources development project or separable element of*  
15       *the project has been modified by an Act of Congress,*  
16       *the date of the authorization of the project or sepa-*  
17       *rable element shall be deemed to be the date of the*  
18       *most recent such modification.*

19       *(f) DEAUTHORIZATION OF ANTIQUATED PROJECTS.—*

20              *(1) IN GENERAL.—Any water resources develop-*  
21       *ment project, or separable element of a project, au-*  
22       *thorized for construction prior to November 17, 1986,*  
23       *for which construction has not been initiated prior to*  
24       *the date of enactment of this Act, or for which funds*  
25       *have not been obligated for construction in the 10-*



1       year period prior to the date of enactment of this Act,  
2       is hereby deauthorized.

3               (2) *IDENTIFICATION.*—Not later than 60 days  
4       after the date of enactment of this Act, the Secretary  
5       shall issue to the Committee on Transportation and  
6       Infrastructure of the House of Representatives and the  
7       Committee on Environment and Public Works of the  
8       Senate a report that identifies—

9               (A) the name of each project, or separable  
10       element of a project, deauthorized by paragraph  
11       (1); and

12              (B) the estimated current value of each such  
13       project or separable element of a project.

14       (g) *ECONOMIC AND ENVIRONMENTAL REVIEW OF INAC-*  
15 *TIVE WATER RESOURCES DEVELOPMENT PROJECTS.*—The  
16 Secretary or the non-Federal interest may not carry out  
17 any authorized water resources development project, or sep-  
18 arable element of such project, for which construction has  
19 not been initiated in the 20-year period following the date  
20 of the authorization of such project or separable element,  
21 until—

22              (1) the Secretary provides to the Committee on  
23       Transportation and Infrastructure of the House of  
24       Representatives and the Committee on Environment  
25       and Public Works of the Senate a post-authorization

1     *change report that updates the economic and environ-*  
 2     *mental analysis of the project or separable element;*  
 3     *and*

4             *(2) the Committee on Transportation and Infra-*  
 5     *structure of the House of Representatives and the*  
 6     *Committee on Environment and Public Works of the*  
 7     *Senate take appropriate action to address any modi-*  
 8     *fications to the economic and environmental analysis*  
 9     *for the project or separable element of the project con-*  
 10    *tained in the post-authorization change report.*

11    *(h) DEFINITIONS.—In this section:*

12            *(1) POST-AUTHORIZATION CHANGE REPORT.—*  
 13     *The term “post-authorization change report” has the*  
 14     *meaning given such term in section 1132(d) of the*  
 15     *Water Resources Development Act of 2016 (33 U.S.C.*  
 16     *2282e).*

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

19                *(A) a feasibility report developed under sec-*  
 20     *tion 905 of the Water Resources Development Act*  
 21     *of 1986 (33 U.S.C. 2282);*

22                *(B) a feasibility study, as defined in section*  
 23     *105(d) of the Water Resources Development Act*  
 24     *of 1986 (33 U.S.C. 2215(d)); or*

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

4                               (i) demonstrates a Federal interest;  
 5                               and

6                               (ii) requires additional analysis for the  
 7                               project or separable element.

8                   (3)     WATER     RESOURCES     DEVELOPMENT  
 9                   PROJECT.—The term “water resources development  
 10                  project” includes an environmental infrastructure as-  
 11                  sistance project or program of the Corps of Engineers.

12   **SEC. 302. ABANDONED AND INACTIVE NONCOAL MINE RES-**  
 13                               **TORATION.**

14                  Section 560(f) of the Water Resources Development Act  
 15                  of 1999 (33 U.S.C. 2336(f)) is amended by striking  
 16                  “\$20,000,000” and inserting “\$30,000,000”.

17   **SEC. 303. TRIBAL PARTNERSHIP PROGRAM.**

18                  Section 203(b)(4) of the Water Resources Development  
 19                  Act of 2000 (33 U.S.C. 2269) is amended by striking  
 20                  “\$12,500,000” each place it appears and inserting  
 21                  “\$15,000,000”.

22   **SEC. 304. LAKES PROGRAM.**

23                  Section 602(a) of the Water Resources Development  
 24                  Act of 1986 (Public Law 99–662, 100 Stat. 4148; 110 Stat.  
 25                  3758; 113 Stat. 295; 121 Stat. 1076) is amended—

1           (1) in paragraph (27), by striking “and” at the  
2       end;

3           (2) in paragraph (28), by striking the period at  
4       the end and inserting a semicolon; and

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

6           “(29) Ellis Pond and Guild Pond, Norwood,  
7       Massachusetts; and

8           “(30) Memorial Pond, Walpole, Massachusetts.”.

9       **SEC. 305. WATERCRAFT INSPECTION STATIONS.**

10       Section 104(d)(1)(A) of the River and Harbor Act of  
11   1958 (33 U.S.C. 610(d)(1)(A)) is amended—

12           (1) in clause (ii), by striking “; and” and insert-  
13       ing a semicolon;

14           (2) in clause (iii), by striking “Arizona River  
15       Basins.” and inserting “Arkansas River Basins;  
16       and”; and

17           (3) by adding at the end the following:

18           “(iv) to protect the Russian River  
19       Basin, California.”.

20       **SEC. 306. CHESAPEAKE BAY ENVIRONMENTAL RESTORA-**  
21       **TION AND PROTECTION PROGRAM.**

22       (a) *IN GENERAL*.—Section 510 of the Water Resources  
23   Development Act of 1996 (Public Law 104–303, 110 Stat.  
24   3759; 121 Stat. 1202; 128 Stat. 1317) is amended—

1           (1) by redesignating subsection (h) as subsection  
2           (i) and inserting after subsection (g) the following:

3           “(h) *PROJECT CAP.*—The total cost of a project carried  
4 out under this section may not exceed \$15,000,000.”; and

5           (2) in subsection (i) (as so redesignated), by  
6 striking “\$40,000,000” and inserting “\$60,000,000”.

7           (b) *OUTREACH AND TRAINING.*—The Secretary shall  
8 conduct public outreach and workshops for non-Federal in-  
9 terests to provide information on the Chesapeake Bay envi-  
10 ronmental restoration and protection program established  
11 under section 510 of the Water Resources Development Act  
12 of 1996, including how to participate in the program.

13 **SEC. 307. UPPER MISSISSIPPI RIVER SYSTEM ENVIRON-**  
14 **MENTAL MANAGEMENT PROGRAM.**

15           Section 1103(e)(3) of the Water Resources Development  
16 Act of 1986 (33 U.S.C. 652(e)(3)) is amended by striking  
17 “\$22,750,000” and inserting “\$40,000,000”.

18 **SEC. 308. MCCLELLAN-KERR ARKANSAS RIVER NAVIGATION**  
19 **SYSTEM.**

20           Any Federal funds, regardless of the account from  
21 which the funds were provided, used to carry out construc-  
22 tion of the modification to the McClellan-Kerr Arkansas  
23 River Navigation System, authorized in section 136 of the  
24 Energy and Water Development Appropriations Act, 2004  
25 (117 Stat. 1842), shall be considered by the Secretary as

1 *initiating construction of the project such that future funds*  
 2 *will not require a new investment decision.*

3 **SEC. 309. OUACHITA-BLACK RIVER NAVIGATION PROJECT,**  
 4 **ARKANSAS.**

5 *The project for navigation, Ouachita-Black River, Ar-*  
 6 *kansas, authorized by section 101 of the River and Harbor*  
 7 *Act of 1960 (Public Law 86–645), is modified to include*  
 8 *water supply as a project purpose, subject to completion*  
 9 *by the Secretary of a feasibility study and any other review*  
 10 *necessary for such modification.*

11 **SEC. 310. SACRAMENTO RIVER, GLENN-COLUSA, CALI-**  
 12 **FORNIA.**

13 *The portion of project for flood control, Sacramento*  
 14 *River, California, authorized by section 2 of the Act of*  
 15 *March 1, 1917 (chapter 144, 39 Stat. 949; 103 Stat. 649;*  
 16 *110 Stat. 3709; 112 Stat. 1841; 113 Stat. 299), consisting*  
 17 *of a riverbed gradient restoration facility at the Glenn-*  
 18 *Colusa Irrigation District Intake, is no longer authorized*  
 19 *beginning on the date of enactment of this Act.*

20 **SEC. 311. LAKE ISABELLA, CALIFORNIA.**

21 *(a) SENSE OF CONGRESS.—It is the sense of Congress*  
 22 *that the Secretary, when evaluating alternative locations for*  
 23 *construction of a permanent Isabella Lake Visitor Center*  
 24 *by the Corps of Engineers to replace the facility impacted*  
 25 *by the Isabella Dam safety modification project, should af-*

1 *ford substantial weight to the site preference of the local*  
 2 *community.*

3 (b) *AUTHORITY.*—*The Secretary may acquire such in-*  
 4 *terests in real property as the Secretary determines nec-*  
 5 *essary or advisable to support construction of the Isabella*  
 6 *Dam safety modification project.*

7 (c) *TRANSFER.*—*The Secretary may transfer any real*  
 8 *property interests acquired under subsection (b) to any*  
 9 *other Federal agency or department without reimburse-*  
 10 *ment.*

11 (d) *ISABELLA DAM SAFETY MODIFICATION PROJECT*  
 12 *DEFINED.*—*In this section, the term “Isabella Dam safety*  
 13 *modification project” means the dam safety modification*  
 14 *project at the Isabella Reservoir in the San Joaquin Valley,*  
 15 *California (authorized by Act of December 22, 1944 (chap-*  
 16 *ter 665, 58 Stat. 901)), including the component of the*  
 17 *project relating to construction a visitor center facility.*

18 **SEC. 312. LOWER SAN JOAQUIN RIVER FLOOD CONTROL**  
 19 **PROJECT.**

20 *The Secretary shall align the schedules of, and maxi-*  
 21 *mize complimentary efforts, minimize duplicative practices,*  
 22 *and ensure coordination and information sharing with re-*  
 23 *spect to—*

24 (1) *the project for flood risk management, Lower*  
 25 *San Joaquin River, authorized by section 1401(2) of*

1       *the Water Resources Development Act of 2018 (132*  
 2       *Stat. 3836); and*

3               *(2) the second phase of the feasibility study for*  
 4       *the Lower San Joaquin River project for flood risk*  
 5       *management, authorized for expedited completion by*  
 6       *section 1203(a)(7) of the Water Resources Develop-*  
 7       *ment Act 2018 (132 Stat. 3803).*

8       **SEC. 313. SAN DIEGO RIVER AND MISSION BAY, SAN DIEGO**  
 9               **COUNTY, CALIFORNIA.**

10       *The portion of the project for flood control and naviga-*  
 11       *tion, San Diego River and Mission Bay, San Diego County,*  
 12       *California, authorized by the Act of July 24, 1946 (chapter*  
 13       *595, 60 Stat. 636), identified in the National Levee Data-*  
 14       *base established under section 9004 of the Water Resources*  
 15       *Development Act of 2007 (33 U.S.C. 3303) as the San Diego*  
 16       *River 3 segment and consisting of a 785-foot-long segment*  
 17       *of the right bank levee from Station 209+41.75 to its end*  
 18       *at Station 217+26.75, as described in construction plans*  
 19       *dated August 30, 1951, is no longer authorized beginning*  
 20       *on the date of enactment of this Act.*

21       **SEC. 314. SAN FRANCISCO, CALIFORNIA, WATERFRONT**  
 22               **AREA.**

23       *(a) IN GENERAL.—Section 114 of the River and Har-*  
 24       *bor Act of 1968 (33 U.S.C. 59h) is amended to read as fol-*  
 25       *lows:*



1   **“SEC. 114. SAN FRANCISCO, CALIFORNIA, WATERFRONT**  
2                   **AREA.**

3           “(a) *AREA TO BE DECLARED NONNAVIGABLE.*—The  
4   *following area is declared to be nonnavigable waters of the*  
5   *United States: All of that portion of the City and County*  
6   *of San Francisco, California, lying shoreward of a line be-*  
7   *ginning at the intersection of the southerly right of way*  
8   *line of Earl Street prolongation with the Pierhead United*  
9   *States Government Pierhead line, the Pierhead line as de-*  
10   *finied in the State of California Harbor and Navigation*  
11   *Code Section 1770, as amended in 1961; thence northerly*  
12   *along said Pierhead line to its intersection with a line par-*  
13   *allel with and distant 10 feet easterly from, the existing*  
14   *easterly boundary line of Pier 30–32; thence northerly along*  
15   *said parallel line and its northerly prolongation, to a point*  
16   *of intersection with a line parallel with, and distant 10*  
17   *feet northerly from, the existing northerly boundary of Pier*  
18   *30–32; thence westerly along last said parallel line to its*  
19   *intersection with said Pierhead line; thence northerly along*  
20   *said Pierhead line, to the intersection of the easterly right*  
21   *of way line of Van Ness Avenue, formerly Marlette Street,*  
22   *prolongation to the Pierhead line.*

23           “(b) *REQUIREMENT THAT AREA BE IMPROVED.*—The  
24   *declaration of nonnavigability under subsection (a) applies*  
25   *only to those parts of the area described in subsection (a)*  
26   *that are or will be bulkheaded, filled, or otherwise occupied*

1 or covered by permanent structures and does not affect the  
 2 applicability of any Federal statute or regulation that re-  
 3 lates to filling of navigable waters or to other regulated ac-  
 4 tivities within the area described in subsection (a), includ-  
 5 ing sections 9 and 10 of the Act of March 3, 1899 (33 U.S.C.  
 6 401, 403), section 404 of the Federal Water Pollution Con-  
 7 trol Act, and the National Environmental Policy Act of  
 8 1969.

9 “(c) *INCLUSION OF EMBARCADERO HISTORIC DIS-*  
 10 *TRICT.*—Congress finds and declares that the area described  
 11 in subsection (a) contains the seawall, piers, and wharves  
 12 that comprise the Embarcadero Historic District listed on  
 13 the National Register of Historic Places on May 12, 2006.”.

14 (b) *CONFORMING AMENDMENT.*—Section 5052 of the  
 15 Water Resources Development Act of 2007 (33 U.S.C. 59h–  
 16 1) is repealed.

17 **SEC. 315. WESTERN PACIFIC INTERCEPTOR CANAL, SAC-**  
 18 **RAMENTO RIVER, CALIFORNIA.**

19 The portion of the project for flood protection on the  
 20 Sacramento River, authorized by section 2 of the of March  
 21 1, 1917 (chapter 144, 39 Stat. 949; 45 Stat. 539; 50 Stat.  
 22 877; 55 Stat. 647; 80 Stat. 1422), consisting of the portion  
 23 of the levee from GPS coordinate N2147673.584  
 24 E6690904.187 to N2147908.413 E6689057.060 associated  
 25 with the Western Pacific Interceptor Canal, is no longer

1 *authorized beginning on the date of the enactment of this*  
 2 *Act.*

3 **SEC. 316. RIO GRANDE ENVIRONMENTAL MANAGEMENT**  
 4 **PROGRAM, COLORADO, NEW MEXICO, AND**  
 5 **TEXAS.**

6 *Section 5056(f) of the Water Resources Development*  
 7 *Act of 2007 (Public Law 110–114, 121 Stat. 1213; 128 Stat.*  
 8 *1314) is amended by striking “2019” and inserting “2029”.*

9 **SEC. 317. NEW LONDON HARBOR WATERFRONT CHANNEL,**  
 10 **CONNECTICUT.**

11 *(a) IN GENERAL.—The portion of the project for navi-*  
 12 *gation, New London Harbor, Connecticut, authorized by the*  
 13 *first section of the Act of June 13, 1902 (chapter 1079, 32*  
 14 *Stat. 333), described in subsection (b) is no longer author-*  
 15 *ized beginning on the date of enactment of this Act.*

16 *(b) AREA DESCRIBED.—The area referred to in sub-*  
 17 *section (a) is generally the portion between and around the*  
 18 *2 piers at the State Pier in New London, specifically the*  
 19 *area—*

20 *(1) beginning at a point N691263.78,*  
 21 *E1181259.26;*

22 *(2) running N 35°01′50.75″ W about 955.59 feet*  
 23 *to a point N692046.26, E1180710.74;*

24 *(3) running N 54°58′06.78″ E about 100.00 feet*  
 25 *to a point N692103.66, E1180792.62;*

1           (4) *running S 35°01'50.75" E about 989.8 feet*  
 2           *to a point N691293.17, E1181360.78; and*

3           (5) *running S 73°51'15.45" W about 105.69 feet*  
 4           *to the point described in paragraph (1).*

5 **SEC. 318. WASHINGTON HARBOR, DISTRICT OF COLUMBIA.**

6           *Beginning on the date of enactment of this Act, the*  
 7           *project for navigation, Washington Harbor, District of Co-*  
 8           *lumbia, authorized by the Act of August 30, 1935 (chapter*  
 9           *831, 49 Stat. 1031), is modified to reduce, in part, the au-*  
 10          *thorized dimensions of the project, such that the remaining*  
 11          *authorized dimensions are as follows:*

12           (1) *A 200 foot wide, 15 foot deep channel with*  
 13           *a center line beginning at a point East 1,317,064.30*  
 14           *and North 440,373.32, thence to a point East*  
 15           *1,316,474.30 and North 440,028.31, thence to a point*  
 16           *East 1,315,584.30 and North 439,388.30, thence to a*  
 17           *point East 1,315,259.31 and North 438,908.30.*

18           (2) *A transition area 200 foot wide to 300 foot*  
 19           *wide, 15 foot deep, with a center line beginning at a*  
 20           *point East 1,315,259.31 and North 438,908.30 to a*  
 21           *point East 1,315,044.31 and North 438,748.30.*

22           (3) *A 300 foot wide, 15 foot deep channel with*  
 23           *a centerline beginning a point East 1,315,044.31 and*  
 24           *North 438,748.30, thence to a point East 1,314,105.31*  
 25           *and North 438,124.79, thence to a point East*

1       1,311,973.30 and North 438,807.78, thence to a point  
 2       East 1,311,369.73 and North 438,577.42, thence to a  
 3       point East 1,311,015.73 and North 438,197.57, thence  
 4       to a point East 1,309,713.47 and North 435,678.91.

5       (4) A transition area 300 foot wide to 400 foot  
 6       wide, 15 foot deep to 24 foot deep, with a center line  
 7       beginning at a point East 1,309,713.47 and North  
 8       435,678.91 to a point East 1,307,709.33 and North  
 9       434,488.25.

10       (5) A 400 foot wide, 24 foot deep channel with  
 11       a centerline beginning at a point East 1,307,709.33  
 12       and North 434,488.25, thence to a point East  
 13       1,307,459.33 and North 434,173.25, thence to a point  
 14       East 1,306,476.82 and North 1,306,476.82, thence to  
 15       a point East 1,306,209.79 and North 431,460.21,  
 16       thence to a point at the end of the channel near  
 17       Hains Point East 1,305,997.63 and North 429,978.31.

18   **SEC. 319. CENTRAL EVERGLADES, FLORIDA.**

19       The project for ecosystem restoration, Central Ever-  
 20       glades, authorized by section 1401(4) of the Water Resources  
 21       Development Act of 2016 (130 Stat. 1713), is modified to  
 22       include the project for ecosystem restoration, Central and  
 23       Southern Florida, Everglades Agricultural Area, authorized  
 24       by section 1308 of the Water Resources Development Act

1 of 2018 (132 Stat. 3819), and to authorize the Secretary  
 2 to carry out the project as so combined.

3 **SEC. 320. MIAMI RIVER, FLORIDA.**

4       *The portion of the project for navigation, Miami River,*  
 5 *Florida, authorized by the Act of July 3, 1930 (46 Stat.*  
 6 *925; 59 Stat. 16; 74 Stat. 481; 100 Stat. 4257), beginning*  
 7 *at the existing railroad bascule bridge and extending ap-*  
 8 *proximately 1,000 linear feet upstream to an existing salin-*  
 9 *ity barrier and flood control structure, is no longer author-*  
 10 *ized beginning on the date of enactment of this Act.*

11 **SEC. 321. TAYLOR CREEK RESERVOIR AND LEVEE L-73 (SEC-**  
 12 **TION 1), UPPER ST. JOHNS RIVER BASIN,**  
 13 **FLORIDA.**

14       *The portions of the project for flood control and other*  
 15 *purposes, Central and Southern Florida, authorized by sec-*  
 16 *tion 203 of the Flood Control Act of 1948 (62 Stat. 1176),*  
 17 *consisting of the Taylor Creek Reservoir and Levee L-73,*  
 18 *Section 1, within the Upper St. Johns River Basin, Flor-*  
 19 *ida, are no longer authorized beginning on the date of en-*  
 20 *actment of this Act.*

21 **SEC. 322. CALCASIEU RIVER AND PASS, LOUISIANA.**

22       *Not later than 120 days after the date of enactment*  
 23 *of this Act, the Secretary shall provide to the Committee*  
 24 *on Transportation and Infrastructure of the House of Rep-*  
 25 *resentatives and the Committee on Environment and Public*

1 *Works of the Senate a report on plans to modify the*  
 2 *Calcasieu River and Pass Dredged Material Management*  
 3 *Plan and Supplemental Environmental Impact Statement*  
 4 *(December 16, 2010 DMMP/SEIS) to allow for the expan-*  
 5 *sion of Dredged Material Placement Facilities (DMPFs) 17,*  
 6 *19, 22, D, and E to the lakeside foreshore rock boundaries*  
 7 *during planned rehabilitation of these facilities.*

8 **SEC. 323. SAN JUAN-CHAMA PROJECT; ABIQUIU DAM, NEW**  
 9 **MEXICO.**

10 (a) *ABIQUIU RESERVOIR.*—Section 5(b) of Public Law  
 11 97–140 (43 U.S.C. 620a note) is amended by striking “a  
 12 total of two hundred thousand acre-feet of”.

13 (b) *WATER STORAGE AT ABIQUIU DAM, NEW MEX-*  
 14 *ICO.*—Section 1 of Public Law 100–522 (43 U.S.C. 620a  
 15 note) is amended—

16 (1) by striking “200,000 acre-feet of”;

17 (2) by inserting “and San Juan-Chama project”  
 18 after “Rio Grande system”; and

19 (3) by striking “, in lieu of the water storage au-  
 20 thorized by section 5 of Public Law 97–140, to the ex-  
 21 tent that contracting entities under section 5 of Pub-  
 22 lic Law 97–140 no longer require such storage”.

23 (c) *WATER STORAGE.*—The Secretary shall—

24 (1) store up to elevation 6230.00 NGVD29 at  
 25 Abiquiu Dam, New Mexico, to the extent that the nec-

1        *essary real property interests have been acquired by*  
 2        *any entity requesting such storage; and*

3            *(2) amend the March 20, 1986, contract between*  
 4        *the United States of America and the Albuquerque*  
 5        *Bernalillo County Water Utility Authority (assigned*  
 6        *by the City of Albuquerque, New Mexico to the Albu-*  
 7        *querque Bernalillo County Water Utility Authority)*  
 8        *for water storage space in Abiquiu Reservoir to allow*  
 9        *for storage by the Albuquerque Bernalillo County*  
 10       *Water Utility Authority of San Juan-Chama project*  
 11       *water or native Rio Grande system water up to ele-*  
 12       *vation 6230.00 NGVD29.*

13        *(d) STORAGE AGREEMENTS WITH USERS OTHER*  
 14       *THAN THE ALBUQUERQUE BERNALILLO COUNTY WATER*  
 15       *UTILITY AUTHORITY.—The Secretary shall—*

16            *(1) retain or enter into new agreements with en-*  
 17        *tities for a proportionate allocation of 29,100 acre-feet*  
 18        *of storage space pursuant to section 5 of Public Law*  
 19        *97–140; and*

20            *(2) amend or enter into new storage agreements*  
 21        *for storage of San Juan-Chama project water or na-*  
 22        *tive Rio Grande system water up to the space allo-*  
 23        *cated for each entity’s proportionate share of San*  
 24        *Juan-Chama water.*



1       (e) *OPERATIONS DOCUMENTS.*—*The Secretary shall*  
2 *amend or revise any existing operations documents, includ-*  
3 *ing the Water Control Manual or operations plan for*  
4 *Abiquiu Reservoir, as necessary to meet the requirements*  
5 *of this section.*

6       (f) *LIMITATIONS.*—*In carrying out this section, the fol-*  
7 *lowing limitations shall apply:*

8           (1) *The storage of native Rio Grande system*  
9 *water shall be subject to the provisions of the Rio*  
10 *Grande Compact and the resolutions of the Rio*  
11 *Grande Compact Commission.*

12          (2) *The storage of native Rio Grande system*  
13 *water shall only be authorized to the extent that the*  
14 *necessary water ownership and storage rights have*  
15 *been acquired by the entity requesting such storage.*

16          (3) *The storage of native Rio Grande system*  
17 *water or San-Juan Chama project water shall not*  
18 *interfere with the authorized purposes of the Abiquiu*  
19 *Dam and Reservoir project.*

20          (4) *Each user of storage space, regardless of*  
21 *source of water, shall pay for any increase in costs at-*  
22 *tributable to storage of that user's water.*

1 **SEC. 324. PAWCATUCK RIVER, LITTLE NARRAGANSETT BAY**  
 2 **AND WATCH HILL COVE, RHODE ISLAND AND**  
 3 **CONNECTICUT.**

4 *Beginning on the date of enactment of this Act, that*  
 5 *portion of the project for navigation, Pawcatuck River, Lit-*  
 6 *tle Narragansett Bay and Watch Hill Cove, Rhode Island*  
 7 *and Connecticut, authorized by section 2 of the Act of*  
 8 *March 2, 1945 (chapter 19, 59 Stat. 13), consisting of a*  
 9 *10-foot deep, 16-acre anchorage area in Watch Hill Cove*  
 10 *is no longer authorized.*

11 **SEC. 325. HARRIS COUNTY, TEXAS.**

12 *Section 575 of the Water Resources Development Act*  
 13 *of 1996 (110 Stat. 3789) is repealed.*

14 **SEC. 326. CAP SANTE WATERWAY, WASHINGTON.**

15 *Beginning on the date of enactment of this Act, the*  
 16 *project for navigation, Cap Sante Waterway and Naviga-*  
 17 *tion Channel, Skagit County, Washington, authorized by*  
 18 *the Act of March 2, 1919 (chapter 95, 40 Stat. 1285), is*  
 19 *modified to deauthorize the portion of the project consisting*  
 20 *of an approximately 334,434 foot area of the Federal chan-*  
 21 *nel within Anacortes Harbor inside and directly adjacent*  
 22 *to the Federal breakwater and training wall structure,*  
 23 *starting at a point with coordinates N557015.552,*  
 24 *E1210819.619, thence running S88 13'2.06"E approxi-*  
 25 *mately 200 feet to a point with coordinates N557009.330,*  
 26 *E1211019.522, thence running S01 46'58.08"W approxi-*

1 *mately 578 feet to a point with coordinates N556431.405,*  
2 *E1211001.534, thence running S49 49'50.23''W approxi-*  
3 *mately 69 feet to a point with coordinates N556387.076,*  
4 *E1210949.002, thence running S51 53'0.25''E approxi-*  
5 *mately 35 feet to a point with coordinates N556365.662,*  
6 *E1210976.316, thence running S49 38'58.48''W approxi-*  
7 *mately 112 feet to a point with coordinates N556292.989,*  
8 *E1210890.775, thence running N88 13'1.87''W approxi-*  
9 *mately 109 feet to a point with coordinates N556296.367,*  
10 *E1210782.226, thence running S46 46'58.97''W approxi-*  
11 *mately 141 feet to a point with coordinates N556199.527,*  
12 *E1210679.164, thence running N88 13'1.77''W approxi-*  
13 *mately 700 feet to a point with coordinates N556221.305,*  
14 *E1209979.502, thence running N01 46'58.08''E approxi-*  
15 *mately 250 feet to a point with coordinates N556471.184,*  
16 *E1209987.280, thence running S88 13'1.77''E approxi-*  
17 *mately 815 feet to a point with coordinates N556445.828,*  
18 *E1210801.886, thence running N01 46'58.08''E approxi-*  
19 *mately 570 feet to the point of origin.*

20 **SEC. 327. REGIONAL SEDIMENT MANAGEMENT.**

21 *The Secretary shall expedite the activities required to*  
22 *be carried out under section 204 of the Water Resources De-*  
23 *velopment Act of 1992 (33 U.S.C. 2326) regarding the use*  
24 *of improvement dredging of the Portsmouth Federal naviga-*  
25 *tion project in Portsmouth, New Hampshire, as a source*

1 *of clean beach fill material to reinforce the stone revetment*  
 2 *at Nantasket Beach, Hull, Massachusetts.*

3 **SEC. 328. ADDITIONAL ASSISTANCE FOR CRITICAL**  
 4 **PROJECTS.**

5 (a) *CONSISTENCY WITH REPORTS.*—Congress finds  
 6 *that the project modifications described in this section are*  
 7 *in accordance with the reports submitted to Congress by the*  
 8 *Secretary under section 7001 of the Water Resources Reform*  
 9 *and Development Act of 2014 (33 U.S.C. 2282d), titled “Re-*  
 10 *port to Congress on Future Water Resources Development”,*  
 11 *or have otherwise been reviewed by Congress.*

12 (b) *MODIFICATIONS.*—

13 (1) *SACRAMENTO AREA, CALIFORNIA.*—Section  
 14 *219(f)(23) of the Water Resources Development Act of*  
 15 *1992 (106 Stat. 4835; 113 Stat. 336; 117 Stat. 1840)*  
 16 *is amended to read as follows:*

17 “(23) *SACRAMENTO AREA, CALIFORNIA.*—  
 18 *\$45,000,000 for regional water conservation, recy-*  
 19 *cling, reliability, and resiliency projects in Placer, El*  
 20 *Dorado, and Sacramento Counties and the San Juan*  
 21 *Suburban Water District, California.”.*

22 (2) *SOUTH PERRIS, CALIFORNIA.*—Section  
 23 *219(f)(52) of the Water Resources Development Act of*  
 24 *1992 (106 Stat. 4835; 113 Stat. 336; 114 Stat.*

1       2763A–220) is amended by striking “\$25,000,000”  
 2       and inserting “\$50,000,000”.

3               (3) *MADISON AND ST. CLAIR COUNTIES, ILLI-*  
 4       *NOIS.*—Section 219(f)(55) of the Water Resources De-  
 5       *velopment Act of 1992 (106 Stat. 4835; 113 Stat. 335;*  
 6       *114 Stat. 2763A–221) is amended by striking*  
 7       *“\$10,000,000” and inserting “\$45,000,000”.*

8               (4) *SOUTHERN AND EASTERN KENTUCKY.*—Sec-  
 9       *tion 531 of the Water Resources Development Act of*  
 10       *1996 (110 Stat. 3773; 113 Stat. 348; 117 Stat. 142;*  
 11       *121 Stat. 1226) is amended—*

12                       (A) in subsection (g), by inserting “Boyd,  
 13       Carter, Elliott, Lincoln,” after “Lee,”; and

14                       (B) in subsection (h), by striking  
 15       “\$40,000,000” and inserting “\$80,000,000”.

16               (5) *DESOTO COUNTY, MISSISSIPPI.*—Section  
 17       219(f)(30) of the Water Resources Development Act of  
 18       1992 (106 Stat. 4835; 113 Stat. 336; 114 Stat.  
 19       2763A–220; 119 Stat. 282; 119 Stat. 2257; 122 Stat.  
 20       1623) is amended by striking “\$75,000,000” and in-  
 21       serting “\$130,000,000”.

22               (6) *JACKSON COUNTY, MISSISSIPPI.*—Section  
 23       219(e)(1) of the Water Resources Development Act of  
 24       1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat. 1494;

1       121 Stat. 1258) is amended by striking  
2       “\$32,500,000” and inserting “\$57,500,000”.

3               (7) *ST. LOUIS, MISSOURI.*—Section 219(f)(32) of  
4       *the Water Resources Development Act of 1992* (106  
5       Stat. 4835; 113 Stat. 337; 121 Stat. 1233) is amend-  
6       ed by striking “\$35,000,000” and inserting  
7       “\$70,000,000”.

8               (8) *MIDWEST CITY, OKLAHOMA.*—Section  
9       219(f)(231) of *the Water Resources Development Act*  
10      of 1992 (106 Stat. 4835; 113 Stat. 336; 121 Stat.  
11      1266) is amended by striking “\$2,000,000” and in-  
12      serting “\$5,000,000”.

13              (9) *SOUTH CENTRAL PENNSYLVANIA.*—Section  
14      313 of *the Water Resources Development Act of 1992*  
15      (106 Stat. 4845; 109 Stat. 407; 110 Stat. 3723; 113  
16      Stat. 310; 117 Stat. 142; 121 Stat. 1146) is amend-  
17      ed—

18                      (A) in subsection (g)(1), by striking  
19                      “\$200,000,000” and inserting “\$400,000,000”;  
20                      and

21                      (B) in subsection (h)(2), by inserting “Bea-  
22                      ver, Jefferson,” after “Washington,”.

23              (10) *LAKES MARION AND MOULTRIE, SOUTH*  
24      *CAROLINA.*—Section 219(f)(25) of *the Water Resources*  
25      *Development Act of 1992* (106 Stat. 4835; 113 Stat.

1       336; 114 Stat. 2763A–220; 117 Stat. 1838; 130 Stat.  
 2       1677; 132 Stat. 3818) is amended by striking  
 3       “\$89,550,000” and inserting “\$110,000,000”.

4           (11) *EL PASO COUNTY, TEXAS.*—Section  
 5       219(f)(269) of the Water Resources Development Act  
 6       of 1992 (106 Stat. 4835; 113 Stat. 336; 121 Stat.  
 7       1268) is amended by striking “\$25,000,000” and in-  
 8       serting “\$75,000,000”.

9           (12) *WESTERN RURAL WATER.*—Section 595 of  
 10       the Water Resources Development Act of 1999 (113  
 11       Stat. 383; 117 Stat. 139; 117 Stat. 142; 117 Stat.  
 12       1836; 118 Stat. 440; 121 Stat. 1219; 123 Stat. 2851;  
 13       128 Stat. 1316; 130 Stat. 1681) is amended—

14           (A) by striking the section heading and in-  
 15       serting “**WESTERN RURAL WATER.**”;

16           (B) in subsections (b) and (c), by inserting  
 17       “Arizona,” before “Idaho” each place it appears;  
 18       and

19           (C) in subsection (i), by striking “for the  
 20       period beginning with fiscal year 2001,  
 21       \$435,000,000, to remain available until ex-  
 22       pended.” and inserting the following: “, to re-  
 23       main available until expended—

1           “(1) *for the period beginning with fiscal year*  
 2           *2001, \$435,000,000 for Idaho, Montana, rural Ne-*  
 3           *vada, New Mexico, rural Utah, and Wyoming; and*  
 4           “(2) *\$150,000,000 for Arizona.*”.

5           (13) *CENTRAL WEST VIRGINIA.—Section 571(h)*  
 6           *of the Water Resources Development Act of 1999 (113*  
 7           *Stat. 371; 121 Stat. 1257) is amended by striking*  
 8           *“\$20,000,000” and inserting “\$40,000,000”.*

9           (14) *SOUTHERN WEST VIRGINIA.—Section 340(g)*  
 10          *of the Water Resources Development Act of 1992 (106*  
 11          *Stat. 4856; 110 Stat. 3727; 113 Stat. 320) is amend-*  
 12          *ed by striking “\$40,000,000” and inserting*  
 13          *“\$120,000,000”.*

14          (c) *LOWELL CREEK TUNNEL, SEWARD, ALASKA.—Sec-*  
 15          *tion 5032(a)(2) of the Water Resources Development Act of*  
 16          *2007 (Public Law 110–114, 121 Stat. 1205) is amended*  
 17          *by striking “15” and inserting “20”.*

18   **SEC. 329. PROJECT MODIFICATION AUTHORIZATIONS.**

19          (a) *WATER SUPPLY.—The following project modifica-*  
 20          *tions for water supply, as identified in the report entitled*  
 21          *“Report to Congress on Future Water Resources Develop-*  
 22          *ment” dated February 2019, and submitted to Congress on*  
 23          *June 3, 2019, pursuant to section 7001 of the Water Re-*  
 24          *sources Reform and Development Act of 2014 (33 U.S.C.*  
 25          *2282d) or otherwise reviewed by Congress, are authorized*



1 *to be carried out by the Secretary substantially in accord-*  
2 *ance with the recommendations, included in such report*  
3 *pursuant to section 301(c) of the Water Supply Act of 1958*  
4 *(43 U.S.C. 390b(c)):*

5           (1) *The project modification for the State of Mis-*  
6 *souri, Clarence Cannon Dam and Mark Twain Lake*  
7 *Project Salt River, Missouri.*

8           (2) *The project modification for the City of*  
9 *Plattsburg, Smithville Lake, Missouri.*

10          (3) *The project modification for the City of*  
11 *Smithville, Smithville Lake, Missouri.*

12          (b) *FLOOD RISK MANAGEMENT.—The following project*  
13 *modifications for flood risk management, as identified in*  
14 *a report entitled “Report to Congress on Future Water Re-*  
15 *sources Development”, and submitted to Congress pursuant*  
16 *to section 7001 of the Water Resources Reform and Develop-*  
17 *ment Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed*  
18 *by Congress, are authorized to be carried out by the Sec-*  
19 *retary:*

20           (1) *Modification of the project for flood risk*  
21 *management, lower Mississippi River, authorized by*  
22 *the Act of May 15, 1928 (chapter 569, 45 Stat. 534),*  
23 *to incorporate the Wolf River Backwater and*  
24 *Nonconnah Creek levee systems into the project, au-*  
25 *thorized by section 5 of the Act of June 22, 1936*

1        *(chapter 688, 49 Stat. 1575; 50 Stat. 881), subject to*  
 2        *the determination of the Secretary that such systems*  
 3        *meet all requirements applicable to such project.*

4            *(2) Modification of the project for flood risk*  
 5        *management, Red River below Denison Dam, Arkan-*  
 6        *sas, Louisiana, and Texas, authorized by the Act of*  
 7        *June 28, 1938 (chapter 795, 52 Stat. 1219), to incor-*  
 8        *porate the Cherokee Park Levee into the project, sub-*  
 9        *ject to the determination of the Secretary that such*  
 10       *levee meets all requirements applicable to such*  
 11       *project.*

12    **SEC. 330. APPLICATION OF CREDIT.**

13        *Section 7007(d) of the Water Resources Development*  
 14       *Act of 2007 (121 Stat. 1277; 128 Stat. 1226) is amended*  
 15       *by inserting “, or may be applied to reduce the amounts*  
 16       *required to be paid by the non-Federal interest under the*  
 17       *terms of the deferred payment agreements entered into be-*  
 18       *tween the Secretary and the non-Federal interest for the*  
 19       *projects authorized by section 7012(a)(1)” before the period*  
 20       *at the end.*

21    **SEC. 331. PROJECT REAUTHORIZATIONS.**

22        *(a) IN GENERAL.—*

23            *(1) MUDDY RIVER, MASSACHUSETTS.—The sepa-*  
 24        *rable elements for ecosystem restoration of the project*  
 25        *for flood damage reduction and environmental res-*

1 *toration, Muddy River, Brookline and Boston, Massa-*  
 2 *chusetts, authorized by section 522 of the Water Re-*  
 3 *sources Development Act of 2000 (114 Stat. 2656),*  
 4 *and deauthorized pursuant to section 6001 of the*  
 5 *Water Resources Reform and Development Act of*  
 6 *2014 (128 Stat. 1345), are authorized to be carried*  
 7 *out by the Secretary, subject to subsection (b).*

8 (2) *EAST CHESTER CREEK, NEW YORK.—Not-*  
 9 *withstanding section 1001 of the Water Resources De-*  
 10 *velopment Act of 1986 (33 U.S.C. 579a), the project*  
 11 *for navigation, East Chester Creek, New York, author-*  
 12 *ized by section 101 of the River and Harbor Act of*  
 13 *1950 (64 Stat. 164; 100 Stat. 4181), and deauthor-*  
 14 *ized pursuant to section 1001 of the Water Resources*  
 15 *Development Act of 1986 (33 U.S.C. 579(a)), is au-*  
 16 *thorized to be carried out by the Secretary, subject to*  
 17 *subsection (b).*

18 (3) *CHRISTIANSTED HARBOR, UNITED STATES*  
 19 *VIRGIN ISLANDS.—Notwithstanding section 1002 of*  
 20 *the Water Resources Development Act of 1986 (100*  
 21 *Stat. 4221), the portion of the project for navigation,*  
 22 *Christiansted Harbor, St. Croix, United States Virgin*  
 23 *Islands, authorized by section 101 of the River and*  
 24 *Harbor Act of 1950 (64 Stat. 167), and deauthorized*  
 25 *under section 1002 of the Water Resources Develop-*

1        *ment Act of 1986 (100 Stat. 4221), is authorized to*  
 2        *be carried out by the Secretary, subject to subsection*  
 3        *(b).*

4            (4) *CHARLOTTE HARBOR, UNITED STATES VIRGIN*  
 5        *ISLANDS.—Notwithstanding section 1002 of the Water*  
 6        *Resources Development Act of 1986 (100 Stat. 4221),*  
 7        *the portion of the project for navigation, Charlotte*  
 8        *Amalie (St. Thomas) Harbor, St. Thomas, United*  
 9        *States Virgin Islands, authorized by the Act of August*  
 10        *26, 1937 (chapter 832, 50 Stat. 850), and deauthor-*  
 11        *ized under section 1002 of the Water Resources Devel-*  
 12        *opment Act of 1986 (100 Stat. 4221), is authorized to*  
 13        *be carried out by the Secretary, subject to subsection*  
 14        *(b).*

15        (b) *REPORT TO CONGRESS.—The Secretary shall com-*  
 16        *plete and submit to the Committee on Transportation and*  
 17        *Infrastructure of the House of Representatives and the Com-*  
 18        *mittee on Environment and Public Works of the Senate a*  
 19        *post-authorization change report (as such term is defined*  
 20        *in section 1132(d) of the Water Resources Development Act*  
 21        *of 2016 (33 U.S.C. 2282e(d)) prior to carrying out a project*  
 22        *identified in subsection (a).*

23        **SEC. 332. CONVEYANCES.**

24        (a) *GENERALLY APPLICABLE PROVISIONS.—*

1           (1) *SURVEY TO OBTAIN LEGAL DESCRIPTION.*—  
2       *The exact acreage and the legal description of any*  
3       *real property to be conveyed under this section shall*  
4       *be determined by a survey that is satisfactory to the*  
5       *Secretary.*

6           (2) *APPLICABILITY OF PROPERTY SCREENING*  
7       *PROVISIONS.*—*Section 2696 of title 10, United States*  
8       *Code, shall not apply to any conveyance under this*  
9       *section.*

10          (3) *COSTS OF CONVEYANCE.*—*An entity to which*  
11       *a conveyance is made under this section shall be re-*  
12       *sponsible for all reasonable and necessary costs, in-*  
13       *cluding real estate transaction and environmental*  
14       *documentation costs, associated with the conveyance.*

15          (4) *LIABILITY.*—*An entity to which a conveyance*  
16       *is made under this section shall hold the United*  
17       *States harmless from any liability with respect to ac-*  
18       *tivities carried out, on or after the date of the convey-*  
19       *ance, on the real property conveyed. The United*  
20       *States shall remain responsible for any liability with*  
21       *respect to activities carried out, before such date, on*  
22       *the real property conveyed.*

23          (5) *ADDITIONAL TERMS AND CONDITIONS.*—*The*  
24       *Secretary may require that any conveyance under*  
25       *this section be subject to such additional terms and*

1       *conditions as the Secretary considers necessary and*  
2       *appropriate to protect the interests of the United*  
3       *States.*

4       *(b) EUFAULA, ALABAMA.—*

5               *(1) CONVEYANCE AUTHORIZED.—The Secretary*  
6       *shall convey to the City of Eufaula, Alabama, all*  
7       *right, title, and interest of the United States in and*  
8       *to the real property described in the Department of*  
9       *the Army Lease No. DACW01-2-17-0747, containing*  
10       *56.76 acres, more or less, and being a part of Tracts*  
11       *L-1268 (26.12 acres), L-1273 (13.71 acres), L-1278*  
12       *(6.75 acres), and L1279 (10.36 acres) of the Walter*  
13       *F. George Lock and Dam and Lake project.*

14               *(2) DEED.—The Secretary shall convey the prop-*  
15       *erty under this subsection by quitclaim deed under*  
16       *such terms and conditions as the Secretary deter-*  
17       *mines appropriate to protect the interests of the*  
18       *United States.*

19               *(3) CONSIDERATION.—The City of Eufaula, Ala-*  
20       *bama, shall pay to the Secretary an amount that is*  
21       *not less than the fair market value of the property*  
22       *conveyed under this subsection, as determined by the*  
23       *Secretary.*

24       *(c) MONTGOMERY, ALABAMA.—*

1           (1) *CONVEYANCE AUTHORIZED.*—*The Secretary*  
2           *shall convey to the City of Montgomery, Alabama, all*  
3           *right, title, and interest of the United States in and*  
4           *to the real property described in paragraph (2).*

5           (2) *PROPERTY.*—*The property to be conveyed is*  
6           *the 62.38 acres of land and water under the primary*  
7           *jurisdiction of the Secretary in the R.E. “Bob” Wood-*  
8           *ruff Project Area that is covered by lease number*  
9           *DACW01–1–05–0037, including the parcels and*  
10          *structure known as “Powder Magazine”.*

11          (3) *DEED.*—*The Secretary shall convey the prop-*  
12          *erty under this subsection by quitclaim deed under*  
13          *such terms and conditions as the Secretary deter-*  
14          *mines appropriate to protect the interests of the*  
15          *United States, to include retaining the right to inun-*  
16          *date with water any land transferred under this sub-*  
17          *section.*

18          (4) *CONSIDERATION.*—*The City of Montgomery,*  
19          *Alabama, shall pay to the Secretary an amount that*  
20          *is not less than the fair market value of the property*  
21          *conveyed under this subsection, as determined by the*  
22          *Secretary.*

23          (d) *OHIO RIVER LOCK AND DAM NUMBER 52, MASSAC*  
24          *COUNTY, ILLINOIS.*—

1           (1) *CONVEYANCE AUTHORIZED.*—*The Secretary*  
2           *shall convey to the Massac-Metropolis Port District,*  
3           *Illinois, all right, title, and interest of the United*  
4           *States in and to any real property located north of*  
5           *the south bank of the Ohio River in Massac County,*  
6           *Illinois, that is associated with the Ohio River Lock*  
7           *and Dam 52.*

8           (2) *DEED.*—*The Secretary shall convey the prop-*  
9           *erty under this subsection by quitclaim deed under*  
10          *such terms and conditions as the Secretary deter-*  
11          *mines appropriate to protect the interests of the*  
12          *United States.*

13          (3) *CONSIDERATION.*—*The Massac-Metropolis*  
14          *Port District, Illinois, shall pay to the Secretary an*  
15          *amount that is not less than fair market value of the*  
16          *property conveyed under this subsection, as deter-*  
17          *mined by the Secretary.*

18          (e) *CLINTON, MISSOURI.*—

19          (1) *CONVEYANCE AUTHORIZED.*—*The Secretary*  
20          *shall convey to the City of Clinton, Missouri, without*  
21          *consideration, all right, title, and interest of the*  
22          *United States in and to the real property described*  
23          *in paragraph (2).*

24          (4) *PROPERTY.*—*The property to be conveyed is*  
25          *a tract of land situated in the S 1/2 of Section 12 and*



1     *the N  $\frac{1}{2}$  of Section 13, Township 41 North, Range 26*  
2     *West of the Fifth Principal Meridian, Henry County,*  
3     *Missouri, more particularly described as follows: Be-*  
4     *ginning at the point of intersection of the north line*  
5     *of said S  $\frac{1}{2}$  of Section 12 and the easterly right-of-*  
6     *way of State Highway No. 13; thence easterly along*  
7     *the north line of said S  $\frac{1}{2}$  to the northeast corner of*  
8     *the W  $\frac{1}{2}$  NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of said Section 12;*  
9     *thence southerly along the east line of said W  $\frac{1}{2}$  NW*  
10     *$\frac{1}{4}$  NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  to the southeast corner thereof;*  
11    *thence easterly along the north line of the S  $\frac{1}{2}$  NE*  
12     *$\frac{1}{4}$  SW  $\frac{1}{4}$  of said Section 12 to the southwest corner*  
13    *of the W  $\frac{1}{2}$  NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  of said Section 12;*  
14    *thence in a northeasterly direction to the northeast*  
15    *corner of said W  $\frac{1}{2}$  NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  ; thence*  
16    *easterly along the north line of said S  $\frac{1}{2}$  to the west-*  
17    *erly right-of-way of the County Road; thence in a*  
18    *southeasterly and southerly direction along the west-*  
19    *erly right-of-way of said County Road approximately*  
20    *2500 feet to the center of Deer Creek; thence in a*  
21    *southwesterly direction along the center of said Deer*  
22    *Creek, approximately 3900 feet to the south line of*  
23    *said N  $\frac{1}{2}$  of Section 13; thence westerly along the*  
24    *south line of said N  $\frac{1}{2}$  to the easterly right-of-way*  
25    *line of the St. Louis-San Francisco Railroad; thence*

1        *in a northwesterly direction along the easterly right-*  
 2        *of-way of said railroad to the easterly right-of-way of*  
 3        *said State Highway No. 13; thence in a northeasterly*  
 4        *direction along the easterly right-of-way of said State*  
 5        *Highway No. 13 to the point of the beginning; and*  
 6        *including a roadway easement for ingress and egress,*  
 7        *described as a strip of land 80 feet in width, lying*  
 8        *40 feet on each side of the following described line, the*  
 9        *initial extremities of the following described strip*  
 10       *being extended or reduced as required to exactly ad-*  
 11       *join the boundary lines which they meet, situated in*  
 12       *the S  $\frac{1}{2}$  of Section 12, Township 41 North Range 26*  
 13       *West of the Fifth Principal Meridian, Henry County,*  
 14       *Missouri, more particularly described as follows:*  
 15       *Commencing at the center of said Section 12, thence*  
 16       *S1°24'56"W, 1265.52 feet to a point, thence*  
 17       *N88°29'02"W, 483.97 feet to the point of beginning of*  
 18       *the strip of land herein described; thence in a north-*  
 19       *easterly direction along a curve to the right, said*  
 20       *curve having an initial tangent bearing of*  
 21       *N3°44'41"E, a radius of 238.73 feet and an interior*  
 22       *angle of 61°29'26", an arc distance of 256.21 feet to*  
 23       *a point; thence N65°14'07"E 218.58 feet to a point;*  
 24       *thence in a northeasterly direction along a curve to*  
 25       *the left, having a radius of 674.07 feet and an inte-*

1       rior angle of  $36^{\circ}00'01''$ , an arc distance of 423.53 feet  
 2       to a point; thence  $N29^{\circ}14'07''E$ , 417.87 feet to a  
 3       point; thence northeasterly along a curve to the right,  
 4       having a radius of 818.51 feet and an interior angle  
 5       of  $14^{\circ}30'01''$ , an arc distance of 207.15 feet to a  
 6       point; thence  $N43^{\circ}44'07''E$ , 57.00 feet to the southerly  
 7       right-of-way line of a county road, containing 2,948  
 8       acres, more or less; Excluding therefrom a tract of  
 9       land situated in the  $S\ 1/2$  of said Section 12, said  
 10       Township and Range, described as commencing at the  
 11       center of said Section 12; thence  $S1^{\circ}24'56''W$ , 1265.52  
 12       feet to the point of beginning of the tract of land here-  
 13       in described; thence  $N88^{\circ}29'02''W$ , 1122.50 feet; thence  
 14        $S1^{\circ}43'26''W$ , 872.62 feet; thence  $S88^{\circ}29'02''E$ ,  
 15       1337.36 feet; thence  $N1^{\circ}43'26''E$ , 872.62 feet; thence  
 16        $N88^{\circ}29'02''W$ , 214.86 feet to the point of beginning,  
 17       containing 26.79 acres, more or less. The above de-  
 18       scribed tract contains, in the aggregate, 177.69 acres,  
 19       more or less.

20               (2) *DEED.*—The Secretary shall convey the prop-  
 21       erty under this subsection by quitclaim deed under  
 22       such terms and conditions as the Secretary deter-  
 23       mines appropriate to protect the interests of the  
 24       United States.

1           (3) *REVERSION.*—*If the Secretary determines*  
2           *that the property conveyed under this subsection is*  
3           *not being used for a public purpose, all right, title,*  
4           *and interest in and to the property shall revert, at the*  
5           *discretion of the Secretary, to the United States.*

6           (f) *CITY OF CLINTON, OLD ORCHARD ADDITION, MIS-*  
7           *SOURI.*—

8           (1) *CONVEYANCE AUTHORIZED.*—*The Secretary*  
9           *shall convey to the City of Clinton, Missouri, all*  
10          *right, title, and interest of the United States in and*  
11          *to the real property described in paragraph (2).*

12          (2) *PROPERTY.*—*The property to be conveyed is*  
13          *Lot 28 in Old Orchard Addition, a subdivision of the*  
14          *City of Clinton, Henry County, Missouri, containing*  
15          *0.36 acres, more or less, including any improvements*  
16          *thereon.*

17          (3) *DEED.*—*The Secretary shall convey the prop-*  
18          *erty under this subsection by quitclaim deed under*  
19          *such terms and conditions as the Secretary deter-*  
20          *mines appropriate to protect the interests of the*  
21          *United States, including such reservations, terms, and*  
22          *conditions as the Secretary determines necessary to*  
23          *allow the United States to operate and maintain the*  
24          *Harry S. Truman Reservoir Project.*

1           (4) *CONSIDERATION.*—*The City of Clinton, Mis-*  
 2           *souri, shall pay to the Secretary an amount that is*  
 3           *not less than the fair market value of the property*  
 4           *conveyed under this subsection, as determined by the*  
 5           *Secretary.*

6           (9) *TRI-COUNTY LEVEE DISTRICT, MISSOURI.*—

7           (1) *CONVEYANCE AUTHORIZED.*—*The Secretary*  
 8           *shall convey to the Tri-County Levee District, Mis-*  
 9           *souri, all right, title, and interest of the United States*  
 10          *in and to the real property described in paragraph*  
 11          *(2).*

12          (2) *PROPERTY.*—*The property to be conveyed is*  
 13          *the part of Sections 1 and 12 Township 45 North*  
 14          *Range 6 West of the 5th P.M. in Montgomery County,*  
 15          *Missouri, described as follows: A tract of land being*  
 16          *60' wide and lying South and East of and adjoining*  
 17          *the centerline of the existing levee and being described*  
 18          *as follows: Commencing at the NW corner of Section*  
 19          *12, thence S 87° 52' 35" E 587.4', thence S 01° 29'*  
 20          *25" W 453.68' to the point of the beginning; said*  
 21          *point being in the center of the levee, thence with the*  
 22          *centerline of the levee N 77° 01' 30" E 164.92', thence*  
 23          *N 74° 26' 55" E 250.0', thence N 72° 27' 55" E*  
 24          *270.0', thence N 69° 06' 10" E 300.0', thence N 66°*  
 25          *42' 15" E 500.0', thence N 64° 14' 30" E 270.0',*

1        *thence N 61° 09' 10" E 800.0', thence N 60° 58' 15"*  
 2        *E 1724.45', thence leaving the centerline S 01° 10'*  
 3        *35" W 69.43', thence parallel with the above described*  
 4        *centerline S 60° 58' 15" W 1689.62', thence S 61° 09'*  
 5        *10" W 801.71', thence S 64° 14' 30" W 272.91',*  
 6        *thence S 66° 42' 15" W 502.55', thence S 69° 06' 10"*  
 7        *W 303.02', thence S 72° 27' 55" W 272.8', thence S*  
 8        *74° 26' 55" W 252.39', thence S 77° 01' 30" W*  
 9        *181.75', thence leaving the South side of the levee N*  
 10       *01° 26' 25" E 61.96' to the point of beginning and*  
 11       *containing 5.89 acres more or less.*

12                (3) *DEED.*—*The Secretary shall convey the prop-*  
 13        *erty under this subsection by quitclaim deed under*  
 14        *such terms and conditions as the Secretary deter-*  
 15        *mines appropriate to protect the interests of the*  
 16        *United States.*

17                (4) *CONSIDERATION.*—*The Tri-County Levee*  
 18        *District, Missouri, shall pay to the Secretary an*  
 19        *amount that is not less than the fair market value of*  
 20        *the property conveyed under this subsection, as deter-*  
 21        *mined by the Secretary.*

22        (h) *JUDGE JOSEPH BARKER, JR., HOUSE, OHIO.*—

23                (1) *NON-FEDERAL ENTITY.*—*In this subsection,*  
 24        *the term “non-Federal entity” means the Friends of*

1       *Joseph Barker, Jr., House, a nonprofit organization*  
 2       *in the State of Ohio.*

3           (2) *CONVEYANCE AUTHORIZED.—*

4               (A) *IN GENERAL.—Subject to paragraph*  
 5       *(6), the Secretary shall convey to the non-Federal*  
 6       *entity, without consideration, all right, title, and*  
 7       *interest of the United States in and to the prop-*  
 8       *erty described in paragraph (3)(A).*

9               (B) *EASEMENT.—Upon conveyance of the*  
 10       *property under subparagraph (A), the Secretary*  
 11       *shall provide to the non-Federal entity, without*  
 12       *consideration, an easement over the property de-*  
 13       *scribed in paragraph (3)(B) for access to the*  
 14       *conveyed property for as long as the non-Federal*  
 15       *entity is in legal possession of the conveyed prop-*  
 16       *erty.*

17          (3) *DESCRIPTIONS OF PROPERTY.—*

18               (A) *IN GENERAL.—The property referred to*  
 19       *in paragraph (2)(A) is the following (as in exist-*  
 20       *ence on the date of enactment of this Act):*

21                   (i) *JUDGE JOSEPH BARKER, JR.,*  
 22       *HOUSE.—The tract of land situated in the*  
 23       *State of Ohio, Washington County, on the*  
 24       *Ohio River, and being particularly bounded*  
 25       *and described as follows: Beginning at a*

1 *point located on the southern right-of-way*  
2 *line of Ohio Route 7, a new corner to the*  
3 *land now or formerly owned by the United*  
4 *States of America; thence, leaving the right-*  
5 *of-way of said Route 7 and severing the*  
6 *land of said United States of America par-*  
7 *allel to and approximately 10 feet easterly*  
8 *of the toe of the existing dredge disposal*  
9 *berm, southeasterly approximately 326 feet*  
10 *to a point prior to the current Corps of En-*  
11 *gineers access to the dredging spoil area;*  
12 *thence, northeasterly approximately 480 feet*  
13 *paralleling the top of the slope to the river-*  
14 *bank side of the house and approximately*  
15 *25 feet northerly therefrom; thence, north-*  
16 *west approximately 302 feet to a point in*  
17 *the southern right-of-way of Ohio Route 7;*  
18 *thence with the right-of-way of said Route*  
19 *7, southwesterly approximately 485 feet to*  
20 *the point of beginning, containing approxi-*  
21 *mately 3.51 acres.*

22 *(ii) ROAD TRACT.—The tract of land*  
23 *situated in the State of Ohio, Washington*  
24 *County, on the Ohio River, and being par-*  
25 *ticularly bounded and described as follows:*



1 *Beginning at a point located on the south-*  
2 *ern right-of-way line of Ohio Route 7, a*  
3 *new corner to the land now or formerly*  
4 *owned by the United States of America;*  
5 *thence, leaving the right-of-way of said*  
6 *Route 7 and severing the land of said*  
7 *United States of America and with the*  
8 *House Parcel southeasterly 25 feet; thence,*  
9 *northeast, running parallel to said Route 7*  
10 *right-of-way, approximately 994 feet to a*  
11 *point of deflection; thence northeasterly 368*  
12 *feet to a point beyond the existing fence cor-*  
13 *ner; thence, east 140 feet to the edge of the*  
14 *existing Willow Island access road; thence*  
15 *with said access road, northwesterly ap-*  
16 *proximately 62 feet to a point in the south-*  
17 *ern right-of-way of Ohio Route 7; thence*  
18 *with the right-of-way of said Route 7,*  
19 *southwesterly approximately 1,491 feet to*  
20 *the point of beginning, containing approxi-*  
21 *mately 1 acre.*

22 *(B) EASEMENT.—The property referred to*  
23 *in paragraph (2)(B) is the following: The tract*  
24 *of land situated in the State of Ohio, Wash-*  
25 *ington County, on the Ohio River, and being*

1 *particularly bounded and described as follows:*  
2 *Beginning at a point at the intersection of the*  
3 *southern right-of-way of Ohio Route 7 and the*  
4 *northeast side of the existing Willow Island ac-*  
5 *cess road, a new corner to the land now or for-*  
6 *merly owned by the United States of America;*  
7 *thence, southwest, running with said Route 7*  
8 *right-of-way, approximately 30 feet to a point on*  
9 *the southwest side of the existing access road,*  
10 *and corner to the road tract; thence with said ac-*  
11 *cess road and the line of the road parcel, south-*  
12 *easterly approximately 62 feet to a point; thence*  
13 *leaving the road parcel and crossing the existing*  
14 *access road northeasterly approximately 30 feet*  
15 *to a point located on the northeast side of the ex-*  
16 *isting access road; thence, northwesterly approxi-*  
17 *mately 62 feet, to the point of beginning, con-*  
18 *taining approximately 0.04 acre.*

19 *(4) DEED.—The Secretary shall convey the prop-*  
20 *erty under this subsection by quitclaim deed under*  
21 *such terms and conditions as the Secretary deter-*  
22 *mines appropriate to protect the interests of the*  
23 *United States.*

24 *(5) REVERSION.—If the Secretary determines*  
25 *that the property conveyed under this subsection is*

1       *not being used by the non-Federal entity for a public*  
2       *purpose, all right, title, and interest in and to the*  
3       *property shall revert, at the discretion of the Sec-*  
4       *retary, to the United States.*

5               (6) *REQUIREMENTS.*—

6               (A) *IMPROVEMENTS.*—*The Secretary shall*  
7       *make such improvements and alterations to the*  
8       *property described in paragraph (3)(A)(i) as the*  
9       *Secretary, in consultation with the non-Federal*  
10      *entity and relevant stakeholders, determines to be*  
11      *appropriate to facilitate conveyance of the prop-*  
12      *erty and provision of the easement under this*  
13      *subsection, subject to the condition that the total*  
14      *cost of those improvements and alterations un-*  
15      *dertaken by the Secretary shall be not more than*  
16      *\$120,000.*

17              (B) *ENVIRONMENTAL ASSESSMENT.*—*Before*  
18      *making a conveyance under paragraph (2), the*  
19      *Secretary shall—*

20              (i) *conduct, with respect to the prop-*  
21      *erty to be conveyed, an assessment of the en-*  
22      *vironmental condition of the property, in-*  
23      *cluding an investigation of any potential*  
24      *hazardous, toxic, or radioactive waste*  
25      *present on such property; and*

1                   (ii) submit to the non-Federal entity a  
2                   report describing the results of such assess-  
3                   ment.

4                   (C) *REFUSAL BY NON-FEDERAL ENTITY.*—

5                   (i) *IN GENERAL.*—Upon review by the  
6                   non-Federal entity of the report under sub-  
7                   paragraph (B), the non-Federal entity may  
8                   elect to refuse the conveyance under this  
9                   subsection.

10                  (ii) *ELECTION.*—An election under  
11                  clause (i)—

12                         (I) shall be at the sole discretion  
13                         of the non-Federal entity; and

14                         (II) shall be made by the non-Fed-  
15                         eral entity by not later than the date  
16                         that is 30 days after the date of sub-  
17                         mission of the report under subpara-  
18                         graph (B)(ii).

19                   (D) *DREDGED MATERIAL PLACEMENT AC-*  
20                   *TIVITIES.*—The Secretary shall—

21                         (i) notify and coordinate with the non-  
22                         Federal entity and relevant stakeholders be-  
23                         fore carrying out any dredged material  
24                         placement activities associated with the  
25                         property described in paragraph (3)(A)

1           *after the date on which such property is*  
 2           *conveyed under this subsection; and*

3           *(ii) in carrying out a dredged material*  
 4           *placement activity under clause (i), act in*  
 5           *accordance with Engineer Manual EM*  
 6           *1110-2-5025 (or a subsequent version of*  
 7           *that manual).*

8           (7) *RESERVATION OF RIGHTS.—The Secretary*  
 9           *may reserve and retain from any conveyance under*  
 10          *this subsection a right-of-way or any other right that*  
 11          *the Secretary determines to be necessary for the oper-*  
 12          *ation and maintenance of the authorized Federal*  
 13          *channel along the Ohio River.*

14          (8) *TREATMENT.—Conveyance to the non-Fed-*  
 15          *eral entity under this subsection of property described*  
 16          *in paragraph (3)(A)(i) shall satisfy all obligations of*  
 17          *the Secretary with respect to such property under—*

18                (A) *section 306101 of title 54, United States*  
 19                *Code; and*

20                (B) *section 306108 of title 54, United States*  
 21                *Code, with respect to the effects on the property*  
 22                *of dredged material placement activities carried*  
 23                *out by the Secretary after the date of the convey-*  
 24                *ances.*

1           (9) *INAPPLICABILITY.*—*Subtitle I of title 40, and*  
 2           *chapter 4 of title 41, United States Code shall not*  
 3           *apply to any conveyance or easement provided under*  
 4           *this subsection.*

5           (i) *LEABURG FISH HATCHERY, LANE COUNTY, OR-*  
 6           *EGON.*—

7           (1) *CONVEYANCE AUTHORIZED.*—*Subject to the*  
 8           *provisions of this subsection, the Secretary shall con-*  
 9           *vey, without consideration, to the State of Oregon,*  
 10           *acting through the Oregon Department of Fish and*  
 11           *Wildlife, all right, title, and interest of the United*  
 12           *States in and to the real property comprising the*  
 13           *Leaburg Fish Hatchery, consisting of approximately*  
 14           *21.55 acres, identified as tracts Q-1500, Q-1501E,*  
 15           *and 300E-1 and described in Department of the*  
 16           *Army Lease No. DACW57-1-18-0009, together with*  
 17           *any improvements on the property.*

18           (2) *WATER RIGHTS.*—*The Secretary may trans-*  
 19           *fer to the State of Oregon, acting through the Oregon*  
 20           *Department of Fish and Wildlife, any water rights*  
 21           *held by the United States that are appurtenant to the*  
 22           *property conveyed under this subsection.*

23           (3) *DEED.*—*The Secretary shall convey the prop-*  
 24           *erty under this subsection by quitclaim deed under*  
 25           *such terms and conditions as the Secretary deter-*

1        *mines appropriate to protect the interests of the*  
 2        *United States, including a condition that all of the*  
 3        *property conveyed under this subsection be used and*  
 4        *maintained by the State of Oregon for the purpose of*  
 5        *operating a fish hatchery in perpetuity.*

6            (4) *REVERSION.—If the Secretary determines*  
 7        *that the property conveyed under this subsection is*  
 8        *not being used or maintained by the State of Oregon*  
 9        *for the purpose of operating a fish hatchery in per-*  
 10       *petuity, all or any portion of the property, including*  
 11       *any water rights transferred under this subsection,*  
 12       *shall, at the option of the Secretary, revert to the*  
 13       *United States.*

14           (5) *SAVINGS CLAUSE.—If the State of Oregon*  
 15        *does not accept the conveyance under this subsection,*  
 16        *the Secretary may dispose of the property, including*  
 17        *appurtenant water rights, under subchapter III of*  
 18        *chapter 5 of title 40, United States Code.*

19        (j) *WILLAMETTE FALLS LOCKS, WILLAMETTE RIVER,*  
 20       *OREGON.—*

21           (1) *DEFINITIONS.—In this section:*

22                (A) *REAL ESTATE APPENDIX.—The term*  
 23                *“real estate appendix” means Appendix A of the*  
 24                *document published by the District Commander*  
 25                *of the Portland District of the Corps of Engi-*

neers, titled “Willamette Falls Locks Willamette River Oregon Section 216 Disposition Study with Integrated Environmental Assessment”.

(B) *RECEIVING ENTITY*.—The term “receiving entity” means an entity identified by the State of Oregon, in consultation with the Willamette Falls Locks Commission, to receive the conveyance under paragraph (2).

(C) *WILLAMETTE FALLS LOCKS PROJECT*.—The term “Willamette Falls Locks project” means the project for navigation, Willamette Falls Locks, Willamette River, Oregon, authorized by the Act of June 25, 1910 (36 Stat. 664, chapter 382).

(D) *WILLAMETTE FALLS LOCKS REPORT*.—The term “Willamette Falls Locks report” means the memorandum of the Director of Civil Works with the subject “Willamette Falls Locks (WFL), Willamette River Oregon Section 216 Disposition Study with Integrated Environmental Assessment (Study)”, dated July 11, 2019.

(2) *CONVEYANCE AUTHORIZED*.—The Secretary is authorized to convey to the receiving entity, without consideration, all right, title, and interest of the United States in and to any land in which the Fed-



1        *eral Government has a property interest for the Wil-*  
 2        *lamette Falls Locks project, together with any im-*  
 3        *provements on the land, subject to the requirements of*  
 4        *this subsection and in accordance with the Willamette*  
 5        *Falls Locks report.*

6            (3) *DEED.*—*The Secretary shall convey the prop-*  
 7        *erty under this subsection by quitclaim deed under*  
 8        *such terms and conditions as the Secretary deter-*  
 9        *mines appropriate to protect the interests of the*  
 10       *United States.*

11           (4) *SUBJECT TO EXISTING EASEMENTS AND*  
 12        *OTHER INTERESTS.*—*The conveyance of property*  
 13        *under paragraph (2) shall be subject to all existing*  
 14        *deed reservations, easements, rights-of-way, and leases*  
 15        *that are in effect as of the date of the conveyance.*

16           (5) *REVERSION.*—*If the Secretary determines*  
 17        *that the property conveyed under this subsection cease*  
 18        *to be held in public ownership, all right, title, and in-*  
 19        *terest in and to the property shall revert, at the dis-*  
 20        *cretion of the Secretary, to the United States.*

21           (6) *REQUIREMENTS BEFORE CONVEYANCE.*—

22            (A) *PERPETUAL ROAD EASEMENT.*—*Before*  
 23        *making the conveyance under paragraph (2), the*  
 24        *Secretary shall acquire a perpetual road ease-*  
 25        *ment from an adjacent property owner for use of*

1        *an access road, which easement shall convey with*  
2        *the property conveyed under such paragraph.*

3                (B) *ENVIRONMENTAL COMPLIANCE.*—*Before*  
4        *making the conveyance under paragraph (2), in*  
5        *accordance with the real estate appendix, the*  
6        *Secretary shall complete a Phase 1 Environ-*  
7        *mental Site Assessment pursuant to the Com-*  
8        *prehensive Environmental Response, Compensa-*  
9        *tion, and Liability Act of 1980 (42 U.S.C. 9601*  
10       *et seq.).*

11               (C) *HISTORIC PRESERVATION.*—*The Sec-*  
12       *retary may enter into a memorandum of agree-*  
13       *ment with the Oregon State Historic Preserva-*  
14       *tion Office and the Advisory Council on Historic*  
15       *Preservation that identifies actions the Secretary*  
16       *shall take before making the conveyance under*  
17       *paragraph (2).*

18               (D) *REPAIRS.*—*Before making the convey-*  
19       *ance under paragraph (2), the Secretary shall*  
20       *carry out repairs to address primary seismic*  
21       *and safety risks in accordance with the rec-*  
22       *ommendations approved in the Willamette Falls*  
23       *Locks report.*

24               (7) *DEAUTHORIZATION.*—*Beginning on the date*  
25       *on which the Secretary makes the conveyance under*

1        *paragraph (2), the Willamette Falls Locks project is*  
2        *no longer authorized.*

3    **SEC. 333. REPEALS.**

4        *(a) Section 1001 of the Water Resources Development*  
5        *Act of 1986 (33 U.S.C. 579a) is amended—*

6                *(1) in subsection (b), by striking paragraph (2)*  
7                *and redesignating paragraph (3) as paragraph (2);*  
8                *and*

9                *(2) by striking subsection (c).*

10        *(b) Section 6003 of the Water Resources Reform and*  
11        *Development Act of 2014 (33 U.S.C. 579c) (and the item*  
12        *relating to such section in the table of contents) are re-*  
13        *pealed.*

14        *(c) Section 1301 of the Water Resources Development*  
15        *Act of 2016 (33 U.S.C. 579d) (and the item relating to such*  
16        *section in the table of contents) are repealed.*

17        *(d) Section 1302 of the Water Resources Development*  
18        *Act of 2016 (33 U.S.C. 579c–1) (and the item relating to*  
19        *such section in the table of contents) are repealed.*

20        *(e) Section 1301 of the Water Resources Development*  
21        *Act of 2018 (33 U.S.C. 579d–1) (and the item relating to*  
22        *such section in the table of contents) are repealed.*

23        *(f) Section 1302 of the Water Resources Development*  
24        *Act of 2018 (33 U.S.C. 579c–2) (and the item relating to*  
25        *such section in the table of contents) are repealed.*

1     **TITLE IV—WATER RESOURCES**  
2                 **INFRASTRUCTURE**

3     **SEC. 401. PROJECT AUTHORIZATIONS.**

4             *The following projects for water resources development*  
5     *and conservation and other purposes, as identified in the*  
6     *reports titled “Report to Congress on Future Water Re-*  
7     *sources Development” submitted to Congress pursuant to*  
8     *section 7001 of the Water Resources Reform and Develop-*  
9     *ment Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed*  
10    *by Congress, are authorized to be carried out by the Sec-*  
11    *retary substantially in accordance with the plans, and sub-*  
12    *ject to the conditions, described in the respective reports or*  
13    *decision documents designated in this section:*

14                 (1) NAVIGATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. AK	Port of Nome Modifications	May 29, 2020	Federal: \$368,173,000 Non-Federal: \$122,746,000 Total: \$490,919,000
2. AK	Unalaska (Dutch Harbor) Chan- nels	February 7, 2020	Federal: \$26,202,750 Non-Federal: \$8,734,250 Total: \$34,937,000
3. CT	New Haven Har- bor Navigation Improvement Project	May 7, 2020	Federal: \$53,489,000 Non-Federal: \$18,822,000 Total: \$72,311,000
4. NY, NJ	New York and New Jersey Harbor Anchor- ages	April 23, 2020	Federal: \$18,940,000 Non-Federal: \$6,310,000 Total: \$25,250,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
5. TX	<i>Gulf Intracoastal Waterway, Brazos River Floodgates and Colorado River Locks</i>	<i>October 23, 2019</i>	<i>Total: \$409,777,000, to be derived 1/2 from the general fund of the Treasury and 1/2 from the Inland Waterways Trust Fund.</i>
6. TX	<i>Houston Ship Channel Expansion Channel Improvement Project, Harris, Chambers, and Galveston Counties</i>	<i>April 23, 2020</i>	<i>Federal: \$462,803,000 Non-Federal: \$414,045,000 Total: \$876,848,000</i>
7. TX	<i>Matagorda Ship Channel Improvement Project, Port Lavaca</i>	<i>November 15, 2019</i>	<i>Federal: \$138,660,000 Non-Federal: \$79,664,000 Total: \$218,324,000</i>

1 (2) *FLOOD RISK MANAGEMENT.*—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. AZ	<i>Little Colorado River at Winslow, Navajo County</i>	<i>December 14, 2018</i>	<i>Federal: \$52,462,000 Non-Federal: \$28,249,000 Total: \$80,711,000</i>
2. CA	<i>Westminster, East Garden Grove, California Flood Risk Management</i>	<i>July 9, 2020</i>	<i>Federal: \$314,506,000 Non-Federal: \$910,092,000 Total: \$1,224,598,000</i>

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
3. CT, NY	Westchester County Streams, Byram River Basin, Fairfield County, Connecticut, and Westchester County, New York	May 7, 2020	Federal: \$14,702,500 Non-Federal: \$14,702,500 Total: \$29,405,000
4. ND	Souris River Basin Flood Risk Management	April 16, 2019	Federal: \$58,041,750 Non-Federal: \$31,253,250 Total: \$89,295,000
5. NJ	Peckman River Basin	April 29, 2020	Federal: \$95,022,000 Non-Federal: \$51,166,000 Total: \$146,188,000
6. NM	Middle Rio Grande Flood Protection, Bernalillo to Belen	March 13, 2020	Federal: \$190,538,000 Non-Federal: \$102,598,000 Total: \$293,136,000
7. OK	Tulsa and West-Tulsa Levee System, Tulsa County	April 23, 2020	Federal: \$86,780,000 Non-Federal: \$46,728,000 Total: \$133,508,000

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

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. DE	<i>Delaware Beneficial Use of Dredged Material for the Delaware River</i>	<i>March 6, 2020</i>	<i>Initial Federal: \$53,220,000</i> <i>Initial Non-Federal: \$28,660,000</i> <i>Total: \$81,880,000</i> <i>Renourishment Federal: \$116,380,000</i> <i>Renourishment Non-Federal: \$116,380,000</i> <i>Renourishment Total: \$232,760,000</i>
2. NJ	<i>New Jersey Beneficial Use of Dredged Material for the Delaware River</i>	<i>April 8, 2020</i>	<i>Initial Federal: \$80,780,000</i> <i>Initial Non-Federal: \$43,500,000</i> <i>Total: \$124,280,000</i> <i>Renourishment Federal: \$82,140,000</i> <i>Renourishment Non-Federal: \$82,140,000</i> <i>Renourishment Total: \$164,280,000</i>
3. NJ	<i>Rahway River Basin, New Jersey Coastal Storm Risk Management</i>	<i>June 9, 2020</i>	<i>Federal: \$46,754,000</i> <i>Non-Federal: \$25,175,000</i> <i>Total: \$71,929,000</i>
4. NY	<i>East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, Atlantic Coast of New York</i>	<i>August 22, 2019</i>	<i>Initial Federal: \$604,203,000</i> <i>Initial Non-Federal: \$0</i> <i>Total: \$604,203,000</i> <i>Renourishment Federal: \$189,763,000</i> <i>Renourishment Non-Federal: \$189,763,000</i> <i>Renourishment Total: \$379,526,000</i>
5. NY	<i>Hashamomuck Cove Coastal Storm Risk Management</i>	<i>December 9, 2019</i>	<i>Initial Federal: \$11,549,000</i> <i>Initial Non-Federal: \$6,218,000</i> <i>Total: \$17,767,000</i> <i>Renourishment Federal: \$23,481,500</i> <i>Renourishment Non-Federal: \$23,481,500</i> <i>Renourishment Total: \$46,963,000</i>

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
6. RI	<i>Pawcatuck River Coastal Storm Risk Manage- ment Project</i>	<i>December 19, 2018</i>	<i>Federal: \$37,848,000 Non-Federal: \$20,379,000 Total: \$58,227,000</i>
7. VA	<i>Norfolk Coastal Storm Risk Management</i>	<i>February 5, 2019</i>	<i>Federal: \$909,040,000 Non-Federal: \$489,480,000 Total: \$1,398,520,000</i>

1                   (4) *FLOOD RISK MANAGEMENT AND ECOSYSTEM*  
2                   *RESTORATION.*—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. CO	<i>South Platte River and Tributaries, Adams and Denver Counties</i>	<i>July 29, 2019</i>	<i>Federal: \$334,412,000 Non-Federal: \$200,406,000 Total: \$534,818,000</i>
2. NY	<i>Fire Island Inlet to Montauk Point, New York Reformulation</i>	<i>July 9, 2020</i>	<i>Initial Federal: \$1,541,981,000 Initial Non-Federal: \$0 Total: \$1,541,981,000 Renourishment Federal: \$742,926,500 Renourishment Non-Federal: \$742,926,500 Renourishment Total: \$1,485,853,000</i>

3                   (5) *ECOSYSTEM RESTORATION.*—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. CA	<i>Delta Islands and Levees</i>	<i>December 18, 2018</i>	<i>Federal: \$16,746,395 Non-Federal: \$9,016,736 Total: \$25,763,131</i>



<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
2. CA	<i>Yuba River Eco-system Restoration</i>	<i>June 20, 2019</i>	<i>Federal: \$65,014,326 Non-Federal: \$35,008,268 Total: \$100,022,594</i>
3. FL	<i>Comprehensive Everglades Restoration Plan, Loxahatchee River Watershed Restoration Project, Martin and Palm Beach Counties</i>	<i>April 8, 2020</i>	<i>Federal: \$372,232,000 Non-Federal: \$368,528,000 Total: \$740,760,000</i>
4. IL	<i>The Great Lakes and Mississippi River Interbasin Study - Brandon Road, Will County</i>	<i>May 23, 2019</i>	<i>Federal: \$690,643,200 Non-Federal: \$172,660,800 Total: \$863,304,000</i>
5. IL	<i>South Fork of the South Branch of the Chicago River, Bubbly Creek, Eco-system Restoration</i>	<i>July 9, 2020</i>	<i>Federal: \$11,657,000 Non-Federal: \$6,277,000 Total: \$17,934,000</i>
6. MD	<i>Anacostia Watershed Restoration, Prince George's County</i>	<i>December 19, 2018</i>	<i>Federal: \$23,171,000 Non-Federal: \$12,476,000 Total: \$35,647,000</i>
7. MO	<i>St. Louis Riverfront-Meramec River Basin Eco-system Restoration</i>	<i>November 1, 2019</i>	<i>Federal: \$60,124,000 Non-Federal: \$32,375,000 Total: \$92,499,000</i>

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
8. NM	<i>Rio Grande, Environmental Management Program, Sandia Pueblo to Isleta Pueblo, New Mexico Ecosystem Restoration</i>	<i>August 5, 2019</i>	<i>Federal: \$16,163,000 Non-Federal: \$8,703,000 Total: \$24,866,000</i>
9. NY, NJ	<i>Hudson-Raritan Estuary Ecosystem Restoration</i>	<i>May 26, 2020</i>	<i>Federal: \$265,320,000 Non-Federal: \$142,864,000 Total: \$408,184,000</i>
10. TX	<i>Jefferson County Ecosystem Restoration</i>	<i>September 12, 2019</i>	<i>Federal: \$37,615,000 Non-Federal: \$20,254,000 Total: \$57,869,000</i>

1 (6) WATER SUPPLY.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. OR	<i>Willamette River Basin Review Reallocation,</i>	<i>December 18, 2019</i>	<i>Federal: \$0 Non-Federal: \$0 Total: \$0</i>

2 (7) MODIFICATIONS AND OTHER PROJECTS.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Decision Document</b>	<b>D. Estimated Costs</b>
1. KY	<i>Kentucky Lock</i>	<i>June 9, 2020</i>	<i>Total: \$1,152,769,000 (to be derived ½ from the general fund of the Treasury and ½ from the Inland Waterways Trust Fund)</i>

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Decision Document</b>	<b>D. Estimated Costs</b>
2. NC	<i>Carolina Beach Integrated Beach Re- nourishment</i>	<i>June 16, 2020</i>	<i>Federal: \$24,205,000 Non-Federal: \$24,205,000 Total: \$48,410,000</i>
3. NC	<i>Wrightsville Beach</i>	<i>July 2, 2020</i>	<i>Federal: \$53,788,000 Non-Federal: \$22,329,000 Total: \$76,117,000 Renourishment Federal: \$14,553,000 Renourishment Non-Federal: \$14,553,000 Renourishment Total: \$29,106,000</i>
4. TX	<i>Corpus Christi Ship Channel, Deepening and Widening and Barge Shelves</i>	<i>May 4, 2020</i>	<i>Federal: \$403,000,000 Non-Federal: \$273,010,000 Total: \$676,010,000</i>

1 **SEC. 402. SPECIAL RULES.**

2       (a) GREAT LAKES AND MISSISSIPPI RIVER  
3 INTERBASIN PROJECT, BRANDON ROAD, WILL COUNTY, IL-  
4 LINOIS.—*The Secretary shall carry out the project for eco-  
5 system restoration, Great Lakes and Mississippi River  
6 Interbasin project, Brandon Road, Will County, Illinois,  
7 authorized by section 401 of this Act, substantially in ac-  
8 cordance with the terms and conditions described in the Re-  
9 port of the Chief of Engineers, dated May 23, 2019, with  
10 the following modifications:*

11               (1) *The Federal share of the cost of construction*  
12       *shall be 80 percent.*

1           (2) *The Secretary may include the addition or*  
2           *substitution of technologies or measures not described*  
3           *in the report, as the Secretary determines to be advis-*  
4           *able.*

5           (b) *WILLAMETTE RIVER BASIN REVIEW REALLOCA-*  
6           *TION STUDY.—The Secretary shall carry out the project for*  
7           *water supply, Willamette River Basin Review Reallocation,*  
8           *Oregon, authorized by section 401 of this Act, substantially*  
9           *in accordance with the terms and conditions described in*  
10          *the Report of the Chief of Engineers, dated December 18,*  
11          *2019, with the following modifications:*

12           (1) *The Secretary shall meet the obligations of*  
13           *the Corps of Engineers under the Endangered Species*  
14           *Act of 1973 by complying with the June 2019 NMFS*  
15           *Willamette Basin Review Study Biological Opinion*  
16           *Reasonable and Prudent Alternative until such time,*  
17           *if any, as it is modified or replaced, in whole or in*  
18           *part, through the consultation process under section*  
19           *7(a) of the Endangered Species Act of 1973.*

20           (2) *The Secretary may reallocate not more than*  
21           *10 percent of overall storage in the joint conservation*  
22           *pool, as authorized by this Act and without further*  
23           *congressional action, if such reallocation is consistent*  
24           *with the ongoing consultation under section 7(a) of*

1        *the Endangered Species Act of 1973 related to Wil-*  
 2        *lamette Valley System operations.*

3            (3) *The Secretary shall ensure that the revised*  
 4        *reallocation is not reallocated from a single storage*  
 5        *use, does not seriously affect authorized project pur-*  
 6        *poses, and does not otherwise involve major oper-*  
 7        *ational changes to the project.*

8            (c) *CANO MARTIN PENA, SAN JUAN, PUERTO RICO.—*  
 9        *Section 5127 of the Water Resources Development Act of*  
 10       *2007 (121 Stat. 1242) is amended by striking*  
 11       *“\$150,000,000” and inserting “\$232,430,000”.*

12    **SEC. 403. AUTHORIZATION OF PROJECTS BASED ON FEASI-**  
 13                            **BILITY STUDIES PREPARED BY NON-FEDERAL**  
 14                            **INTERESTS.**

15            (a) *IN GENERAL.—The Secretary is authorized to*  
 16        *carry out the following projects for water resources develop-*  
 17        *ment and conservation and other purposes, subject to sub-*  
 18        *section (b):*

19            (1) *FORT PIERCE, ST. LUCIE COUNTY, FLOR-*  
 20        *IDA.—The project for hurricane and storm damage*  
 21        *reduction, Fort Pierce, St. Lucie County, Florida, as*  
 22        *described in the review assessment of the Secretary, ti-*  
 23        *tled “Review Assessment of St. Lucie County, Florida*  
 24        *Fort Pierce Shore Protection Project Section 203 Inte-*  
 25        *grated Feasibility Study and Environmental Assess-*

1        *ment (June 2018)” and dated July 2018, at a total*  
2        *cost of \$33,107,639, and at an estimated total cost of*  
3        *\$97,958,972 for periodic nourishment over the 50-year*  
4        *life of the project.*

5            (2) *BAPTISTE COLLETTE BAYOU, LOUISIANA.—*  
6        *The project for navigation, Baptiste Collette Bayou,*  
7        *Louisiana, as described in the review assessment of*  
8        *the Secretary, titled “Review Assessment of*  
9        *Plaquemines Parish Government’s Section 203 Study*  
10       *Baptiste Collette Bayou Navigation Channel Deep-*  
11       *ening Project Integrated Feasibility Study and Envi-*  
12       *ronmental Assessment (January 2017, Amended April*  
13       *2018)” and dated June 2018, at a total cost of*  
14       *\$44,920,000.*

15           (3) *HOUMA NAVIGATION CANAL, LOUISIANA.—*  
16       *The project for navigation, Houma Navigation Canal,*  
17       *Louisiana, as described in the review assessment of*  
18       *the Secretary, titled “Review Assessment of Houma*  
19       *Navigation Canal Deepening Project Section 203 In-*  
20       *tegrated Feasibility Report and DRAFT Environ-*  
21       *mental Impact Statement (June 2018)” and dated*  
22       *July 2018, at a total cost of \$253,458,000.*

23           (4) *CHACON CREEK, TEXAS.—The project for*  
24       *flood risk management, ecosystem restoration, and*  
25       *other purposes, Chacon Creek, Texas, as described in*

1     *the review assessment of the Secretary, titled “Review*  
2     *Assessment of Chacon Creek, Texas Section 203 Inte-*  
3     *grated Feasibility Report and DRAFT Environ-*  
4     *mental Assessment (August 2018)” and dated Sep-*  
5     *tember 2018, at a total cost of \$51,973,000.*

6     **(b) REQUIREMENTS.**—*The Secretary may only carry*  
7     *out a project authorized under subsection (a)—*

8             *(1) substantially in accordance with the applica-*  
9     *ble review assessment for the project submitted by the*  
10    *Secretary under section 203(c) of the Water Resources*  
11    *Development Act of 1986, as identified in subsection*  
12    *(a) of this section, and subject to such modifications*  
13    *or conditions as the Secretary considers appropriate*  
14    *and identifies in a final assessment that addresses the*  
15    *concerns, recommendations, and conditions identified*  
16    *by the Secretary in the applicable review assessment;*  
17    *and*

18            *(2) after the Secretary transmits to the Com-*  
19    *mittee on Transportation and Infrastructure of the*  
20    *House of Representatives and the Committee on Envi-*  
21    *ronment and Public Works of the Senate such final*  
22    *assessment.*

23    **(c) TECHNICAL CORRECTION.**—*Section 203(c)(1) of the*  
24    *Water Resources Development Act of 1986 (33 U.S.C.*  
25    *2231(c)(1)) is amended, in the matter preceding subpara-*

- 1 *graph (A), by striking “a report” and inserting “an assess-*
- 2 *ment”.*





Union Calendar No. 369

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> Session

**H. R. 7575**

[Report No. 116-460, Part I]

**A BILL**

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.

JULY 24, 2020

Reported from the Committee on Transportation and  
Infrastructure with an amendment

JULY 24, 2020

Committee on the Budget discharged; committed to the  
Committee of the Whole House on the State of the  
Union and ordered to be printed