

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5303

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## AN ACT

To provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes.

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

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

2 (a) **SHORT TITLE.**—This Act may be cited as the  
3 “Water Resources Development Act of 2016”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Secretary defined.

**TITLE I—GENERAL PROVISIONS**

Sec. 101. Sense of Congress regarding Water Resources Development Acts.

Sec. 102. Youth service and conservation corps organizations.

Sec. 103. Navigation safety.

Sec. 104. Emerging harbors.

Sec. 105. Federal breakwaters and jetties.

Sec. 106. Donor ports and energy transfer ports.

Sec. 107. Remote and subsistence harbors.

Sec. 108. Beneficial use of dredged material.

Sec. 109. Reservoir sediment.

Sec. 110. Contributed funds for reservoir operations.

Sec. 111. Water supply conservation.

Sec. 112. Interstate compacts.

Sec. 113. Nonstructural alternatives.

Sec. 114. Operation and maintenance of environmental protection and restora-  
tion and aquatic ecosystem restoration projects.

Sec. 115. Estuary restoration.

Sec. 116. Great Lakes fishery and ecosystem restoration.

Sec. 117. Agreements.

Sec. 118. Corps of Engineers operation of unmanned aircraft systems.

Sec. 119. Federal dredge fleet.

Sec. 120. Corps of Engineers assets.

Sec. 121. Funding to process permits.

Sec. 122. Credit in lieu of reimbursement.

Sec. 123. Clarification of contributions during emergency events.

Sec. 124. Study of water resources development projects by non-Federal inter-  
ests.

Sec. 125. Non-Federal construction of authorized flood damage reduction  
projects.

Sec. 126. Multistate activities.

Sec. 127. Regional participation assurance for levee safety activities.

Sec. 128. Participation of non-Federal interests.

Sec. 129. Indian tribes.

Sec. 130. Dissemination of information on the annual report process.

Sec. 131. Scope of projects.

Sec. 132. Preliminary feasibility study activities.

Sec. 133. Post-authorization change reports.

Sec. 134. Maintenance dredging data.

Sec. 135. Electronic submission and tracking of permit applications.

Sec. 136. Data transparency.

Sec. 137. Backlog prevention.

- Sec. 138. Quality control.
- Sec. 139. Budget development and prioritization.
- Sec. 140. Use of natural and nature-based features.
- Sec. 141. Annual report on purchase of foreign manufactured articles.
- Sec. 142. Integrated water resources planning.
- Sec. 143. Evaluation of project partnership agreements.
- Sec. 144. Additional measures at donor ports and energy transfer ports.
- Sec. 145. Arctic deep draft port development partnerships.
- Sec. 146. International outreach program.
- Sec. 147. Comprehensive study.
- Sec. 148. Alternative models for managing Inland Waterways Trust Fund.
- Sec. 149. Alternative projects to maintenance dredging.
- Sec. 150. Fish hatcheries.
- Sec. 151. Environmental banks.
- Sec. 152. Cost share requirement.
- Sec. 153. Public access.
- Sec. 154. Tribal displacement.
- Sec. 155. Drought emergencies.
- Sec. 156. GAO study.
- Sec. 157. Work defined.
- Sec. 158. Authorization of federally maintained tributary channels as part of channel system.
- Sec. 159. Dam safety repair projects.
- Sec. 160. Expedited completion of authorized project for flood risk management.
- Sec. 161. Review of Benefits.
- Sec. 162. Federal cost limitation of ecosystem restoration costs for certain projects.
- Sec. 163. Local flood protection works.
- Sec. 164. Flood mitigation and riverine restoration program.
- Sec. 165. Table Rock Lake, Arkansas and Missouri.
- Sec. 166. Adjustment to cost benefit ratio.
- Sec. 167. Land transfer and trust land for the Muscogee (Creek) Nation.
- Sec. 168. Lake Kemp, Texas.
- Sec. 169. Coastal Texas ecosystem protection and restoration, Texas.
- Sec. 170. Corps levees that affect community-owned levees.
- Sec. 171. Corrosion prevention.
- Sec. 172. North Atlantic Coastal Region.
- Sec. 173. Acquisition of beach fill.
- Sec. 174. Prioritization of certain projects.
- Sec. 175. Watercraft Inspection Stations.
- Sec. 176. Gulf coast oyster bed recovery assessment.
- Sec. 177. Water infrastructure finance and innovation.
- Sec. 178. Flood mitigation and riverine restoration program.
- Sec. 179. Initiating work on separable elements.
- Sec. 180. Lower Bois d'Are Creek Reservoir Project, Fannin County, Texas.
- Sec. 181. Consideration of use of natural and nature-based feature.
- Sec. 182. Recreational access.
- Sec. 183. No wake zones for vessels.
- Sec. 184. Ice jam prevention and mitigation.
- Sec. 185. Tribal consultation.
- Sec. 186. Structural health monitoring.
- Sec. 187. Expedited completion of authorized project for flood control.
- Sec. 188. Cameron County, Texas.
- Sec. 189. Great Lakes Navigation System.

- Sec. 190. Kennewick Man.  
 Sec. 191. Great Lakes Restoration Initiative.  
 Sec. 192. Additional assistance.

#### TITLE II—STUDIES

- Sec. 201. Authorization of proposed feasibility studies.  
 Sec. 202. Expedited completion of reports for certain projects.  
 Sec. 203. Tulsa and West Tulsa, Arkansas River, Oklahoma.

#### TITLE III—DEAUTHORIZATIONS AND RELATED PROVISIONS

- Sec. 301. Deauthorization of inactive projects.  
 Sec. 302. Valdez, Alaska.  
 Sec. 303. Los Angeles County Drainage Area, Los Angeles County, California.  
 Sec. 304. Sutter Basin, California.  
 Sec. 305. Essex River, Massachusetts.  
 Sec. 306. Port of Cascade Locks, Oregon.  
 Sec. 307. Central Delaware River, Philadelphia, Pennsylvania.  
 Sec. 308. Huntingdon County, Pennsylvania.  
 Sec. 309. Rivercenter, Philadelphia, Pennsylvania.  
 Sec. 310. Joe Pool Lake, Texas.  
 Sec. 311. Salt Creek, Graham, Texas.  
 Sec. 312. Texas City Ship Channel, Texas City, Texas.  
 Sec. 313. Stonington Harbor, Connecticut.

#### TITLE IV—WATER RESOURCES INFRASTRUCTURE

- Sec. 401. Project authorizations.

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

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

## 4 **TITLE I—GENERAL PROVISIONS**

### 5 **SEC. 101. SENSE OF CONGRESS REGARDING WATER RE-**

#### 6 **SOURCES DEVELOPMENT ACTS.**

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

8           (1) The Corps of Engineers constructs projects  
 9 for the purposes of navigation, flood control, beach  
 10 erosion control and shoreline protection, hydro-  
 11 electric power, recreation, water supply, environ-

1 mental protection, restoration, and enhancement,  
2 and fish and wildlife mitigation.

3 (2) The Corps of Engineers is the primary Fed-  
4 eral provider of outdoor recreation in the United  
5 States.

6 (3) The Corps of Engineers owns and operates  
7 more than 600 dams.

8 (4) The Corps of Engineers operates and main-  
9 tains 12,000 miles of commercial inland navigation  
10 channels.

11 (5) The Corps of Engineers manages the dredg-  
12 ing of more than 200,000,000 cubic yards of con-  
13 struction and maintenance dredge material annually.

14 (6) The Corps of Engineers maintains 926  
15 coastal, Great Lakes, and inland harbors.

16 (7) The Corps of Engineers restores, creates,  
17 enhances, or preserves tens of thousands of acres of  
18 wetlands annually under the Corps' Regulatory Pro-  
19 gram.

20 (8) The Corps of Engineers provides a total  
21 water supply storage capacity of 329,200,000 acre-  
22 feet in major Corps lakes.

23 (9) The Corps of Engineers owns and operates  
24 24 percent of United States hydropower capacity or

1       3 percent of the total electric capacity of the United  
2       States.

3           (10) The Corps of Engineers supports Army  
4       and Air Force installations.

5           (11) The Corps of Engineers provides technical  
6       and construction support to more than 100 coun-  
7       tries.

8           (12) The Corps of Engineers manages an Army  
9       military construction program that carried out ap-  
10      proximately \$44,600,000,000 in construction  
11      projects (the largest construction effort since World  
12      War II) between 2006 and 2013.

13          (13) The Corps of Engineers researches and de-  
14      velops technologies to protect the environment and  
15      enhance quality of life in the United States.

16          (14) The legislation for authorizing Corps of  
17      Engineers projects is the Water Resources Develop-  
18      ment Act and, between 1986 and 2000, Congress  
19      typically enacted an authorization bill every 2 years.

20          (15) Since 2000, only 3 Water Resources De-  
21      velopment Acts have been enacted.

22          (16) In 2014, the Water Resources Reform and  
23      Development Act of 2014 was enacted, which accel-  
24      erated the infrastructure project delivery process,  
25      fostered fiscal responsibility, and strengthened water

1 transportation networks to promote the competitive-  
2 ness, prosperity, and economic growth of the United  
3 States.

4 (17) Section 1001 of the Water Resources Re-  
5 form and Development Act of 2014 (33 U.S.C.  
6 2282e) requires typical Corps of Engineers project  
7 feasibility studies to be completed in 3 years.

8 (18) Section 7001 of the Water Resources Re-  
9 form and Development Act of 2014 (33 U.S.C.  
10 2282d) requires the Corps of Engineers to submit  
11 annually a Report to Congress on Future Water Re-  
12 sources Development, which ensures projects and ac-  
13 tivities proposed at the local, regional, and State lev-  
14 els are considered for authorization.

15 (19) Passing Water Resources Development  
16 Acts on a routine basis enables Congress to exercise  
17 oversight, ensures the Corps of Engineers maintains  
18 an appropriately sized portfolio, prevents project  
19 backlog, and keeps United States infrastructure  
20 competitive.

21 (b) SENSE OF CONGRESS.—It is the sense of Con-  
22 gress that—

23 (1) the missions and authorities of the Corps of  
24 Engineers are a unique function that benefits all  
25 Americans;

1           (2) water resources development projects are  
2           critical to maintaining economic prosperity, national  
3           security, and environmental protection;

4           (3) Congress has required timely delivery of  
5           project and study authorization proposals from non-  
6           Federal project sponsors and the Corps of Engi-  
7           neers; and

8           (4) Congress should consider a Water Re-  
9           sources Development Act at least once every Con-  
10          gress.

11 **SEC. 102. YOUTH SERVICE AND CONSERVATION CORPS OR-**  
12 **GANIZATIONS.**

13          Section 213 of the Water Resources Development Act  
14 of 2000 (33 U.S.C. 2339) is amended—

15           (1) by redesignating subsection (c) as sub-  
16           section (d); and

17           (2) by inserting after subsection (b) the fol-  
18           lowing:

19          “(c) YOUTH SERVICE AND CONSERVATION CORPS  
20 ORGANIZATIONS.—The Secretary shall, to the maximum  
21 extent practicable, enter into cooperative agreements with  
22 qualified youth service and conservation corps organiza-  
23 tions for services relating to projects under the jurisdiction  
24 of the Secretary and shall do so in a manner that ensures

1 the maximum participation and opportunities for such or-  
2 ganizations.”.

3 **SEC. 103. NAVIGATION SAFETY.**

4 The Secretary shall use section 5 of the Act of March  
5 4, 1915 (38 Stat. 1053, chapter 142; 33 U.S.C. 562), to  
6 carry out navigation safety activities at those projects eli-  
7 gible for operation and maintenance under section 204(f)  
8 of the Water Resources Development Act of 1986 (33  
9 U.S.C. 2232(f)).

10 **SEC. 104. EMERGING HARBORS.**

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

13 (1) in subsection (e)(3) by striking “for each of  
14 fiscal years 2015 through 2022” and inserting “for  
15 each fiscal year”; and

16 (2) in subsection (d)(1)(A)—

17 (A) in the matter preceding clause (i) by  
18 striking “For each of fiscal years 2015 through  
19 2024” and inserting “For each fiscal year”;

20 (B) in clause (i) by striking “90” and in-  
21 serting “Not more than 90”; and

22 (C) in clause (ii) by striking “10” and in-  
23 serting “At least 10”.

1 **SEC. 105. FEDERAL BREAKWATERS AND JETTIES.**

2 (a) IN GENERAL.—The Secretary shall, at Federal  
3 expense, establish an inventory and conduct an assessment  
4 of the general structural condition of all Federal break-  
5 waters and jetties protecting harbors and inland harbors  
6 within the United States.

7 (b) CONTENTS.—The inventory and assessment car-  
8 ried out under subsection (a) shall include—

9 (1) compiling location information for all Fed-  
10 eral breakwaters and jetties protecting harbors and  
11 inland harbors within the United States;

12 (2) determining the general structural condition  
13 of each breakwater and jetty;

14 (3) analyzing the potential risks to navigational  
15 safety, and the impact on the periodic maintenance  
16 dredging needs of protected harbors and inland har-  
17 bors, resulting from the general structural condition  
18 of each breakwater and jetty; and

19 (4) estimating the costs, for each breakwater  
20 and jetty, to restore or maintain the breakwater or  
21 jetty to authorized levels and the total of all such  
22 costs.

23 (c) REPORT TO CONGRESS.—Not later than 1 year  
24 after the date of enactment of this Act, the Secretary shall  
25 submit to Congress a report on the results of the inventory  
26 and assessment carried out under subsection (a).

1 **SEC. 106. DONOR PORTS AND ENERGY TRANSFER PORTS.**

2 Section 2106(a)(2)(B) of the Water Resources Re-  
3 form and Development Act of 2014 (33 U.S.C.  
4 2238c(a)(2)(B)) is amended by striking “\$15,000,000”  
5 and inserting “\$5,000,000”.

6 **SEC. 107. REMOTE AND SUBSISTENCE HARBORS.**

7 Section 2006 of the Water Resources Development  
8 Act of 2007 (33 U.S.C. 2242) is amended—

9 (1) in subsection (a)(3) by inserting “in which  
10 the project is located, or the long-term viability of a  
11 community that is located in the region that is  
12 served by the project and that will rely on the  
13 project,” after “community”; and

14 (2) in subsection (b)—

15 (A) in paragraph (1) by inserting “and  
16 communities that are located in the region to be  
17 served by the project and that will rely on the  
18 project” after “community”;

19 (B) in paragraph (4) by striking “local  
20 population” and inserting “regional population  
21 to be served by the project”; and

22 (C) in paragraph (5) by striking “commu-  
23 nity” and inserting “local community and com-  
24 munities that are located in the region to be  
25 served by the project and that will rely on the  
26 project”.

1 **SEC. 108. BENEFICIAL USE OF DREDGED MATERIAL.**

2 (a) IN GENERAL.—Not later than 90 days after the  
3 date of enactment of this Act, the Secretary shall establish  
4 a pilot program to carry out projects for the beneficial  
5 use of dredged material, including projects for the pur-  
6 poses of—

7 (1) reducing storm damage to property and in-  
8 frastructure;

9 (2) promoting public safety;

10 (3) protecting, restoring, and creating aquatic  
11 ecosystem habitats;

12 (4) stabilizing stream systems and enhancing  
13 shorelines;

14 (5) promoting recreation;

15 (6) supporting risk management adaptation  
16 strategies; and

17 (7) reducing the costs of dredging and dredged  
18 material placement or disposal, such as projects that  
19 use dredged material for—

20 (A) construction or fill material;

21 (B) civic improvement objectives; and

22 (C) other innovative uses and placement  
23 alternatives that produce public economic or en-  
24 vironmental benefits.

25 (b) PROJECT SELECTION.—In carrying out the pilot  
26 program, the Secretary shall—

1           (1) identify for inclusion in the pilot program  
2 and carry out 10 projects for the beneficial use of  
3 dredged material;

4           (2) consult with relevant State agencies in se-  
5 lecting projects; and

6           (3) select projects solely on the basis of—

7                 (A) the environmental, economic, and so-  
8 cial benefits of the projects, including monetary  
9 and nonmonetary benefits; and

10                (B) the need for a diversity of project  
11 types and geographical project locations.

12           (c) REGIONAL BENEFICIAL USE TEAMS.—

13                 (1) IN GENERAL.—In carrying out the pilot  
14 program, the Secretary shall establish regional bene-  
15 ficial use teams to identify and assist in the imple-  
16 mentation of projects under the pilot program.

17                 (2) COMPOSITION.—

18                     (A) LEADERSHIP.—For each regional ben-  
19 efiticial use team established under paragraph  
20 (1), the Secretary shall appoint the Commander  
21 of the relevant division of the Corps of Engi-  
22 neers to serve as the head of the team.

23                     (B) MEMBERSHIP.—The membership of  
24 each regional beneficial use team shall in-  
25 clude—

1 (i) representatives of relevant Corps  
2 of Engineers districts and divisions;

3 (ii) representatives of relevant State  
4 and local agencies; and

5 (iii) representatives of Federal agen-  
6 cies and such other entities as the Sec-  
7 retary determines appropriate, consistent  
8 with the purposes of this section.

9 (d) CONSIDERATIONS.—The Secretary shall carry out  
10 the pilot program in a manner that—

11 (1) maximizes the beneficial placement of  
12 dredged material from Federal and non-Federal  
13 navigation channels;

14 (2) incorporates, to the maximum extent prac-  
15 ticable, 2 or more Federal navigation, flood control,  
16 storm damage reduction, or environmental restora-  
17 tion projects;

18 (3) coordinates the mobilization of dredges and  
19 related equipment, including through the use of such  
20 efficiencies in contracting and environmental permit-  
21 ting as can be implemented under existing laws and  
22 regulations;

23 (4) fosters Federal, State, and local collabora-  
24 tion;

1           (5) implements best practices to maximize the  
2           beneficial use of dredged sand and other sediments;  
3           and

4           (6) ensures that the use of dredged material is  
5           consistent with all applicable environmental laws.

6           (e) COST SHARING.—Projects carried out under this  
7           section shall be subject to the cost-sharing requirements  
8           applicable to projects carried out under section 204 of the  
9           Water Resources Development Act of 1992 (33 U.S.C.  
10          2326).

11          (f) REPORT.—Not later than 2 years after the date  
12          of enactment of this Act, and annually thereafter, the Sec-  
13          retary shall submit to the Committee on Environment and  
14          Public Works of the Senate and the Committee on Trans-  
15          portation and Infrastructure of the House of Representa-  
16          tives a report that includes—

17                 (1) a description of the projects selected to be  
18                 carried out under the pilot program;

19                 (2) documentation supporting each of the  
20                 projects selected;

21                 (3) the findings of regional beneficial use teams  
22                 regarding project selection; and

23                 (4) any recommendations of the Secretary or  
24                 regional beneficial use teams with respect to the  
25                 pilot program.

1 (g) TERMINATION.—The pilot program shall termi-  
2 nate after completion of the 10 projects carried out pursu-  
3 ant to subsection (b)(1).

4 (h) EXEMPTION FROM OTHER STANDARDS.—The  
5 projects carried out under this section shall be carried out  
6 notwithstanding the definition of the term “Federal stand-  
7 ard” in section 335.7 of title 33, Code of Federal Regula-  
8 tions.

9 (i) CLARIFICATION.—Section 156(e) of the Water  
10 Resources Development Act of 1976 (42 U.S.C. 1962d–  
11 5f(e)) is amended by striking “3” and inserting “6”.

12 **SEC. 109. RESERVOIR SEDIMENT.**

13 (a) IN GENERAL.—Section 215 of the Water Re-  
14 sources Development Act of 2000 (33 U.S.C. 2326c) is  
15 amended to read as follows:

16 **“SEC. 215. RESERVOIR SEDIMENT.**

17 “(a) IN GENERAL.—Not later than 180 days after  
18 the date of enactment of the Water Resources Develop-  
19 ment Act of 2016 and after providing public notice, the  
20 Secretary shall establish, using available funds, a pilot  
21 program to accept services provided by a non-Federal in-  
22 terest or commercial entity for removal of sediment cap-  
23 tured behind a dam owned or operated by the United  
24 States and under the jurisdiction of the Secretary for the

1 purpose of restoring the authorized storage capacity of the  
2 project concerned.

3 “(b) REQUIREMENTS.—In carrying out this section,  
4 the Secretary shall—

5 “(1) review the services of the non-Federal in-  
6 terest or commercial entity to ensure that the serv-  
7 ices are consistent with the authorized purposes of  
8 the project concerned;

9 “(2) ensure that the non-Federal interest or  
10 commercial entity will indemnify the United States  
11 for, or has entered into an agreement approved by  
12 the Secretary to address, any adverse impact to the  
13 dam as a result of such services;

14 “(3) require the non-Federal interest or com-  
15 mercial entity, prior to initiating the services and  
16 upon completion of the services, to conduct sediment  
17 surveys to determine the pre- and post-services sedi-  
18 ment profile and sediment quality; and

19 “(4) limit the number of dams for which serv-  
20 ices are accepted to 10.

21 “(c) LIMITATION.—

22 “(1) IN GENERAL.—The Secretary may not ac-  
23 cept services under subsection (a) if the Secretary,  
24 after consultation with the Chief of Engineers, de-

1       termines that accepting the services is not advan-  
2       tageous to the United States.

3               “(2) REPORT TO CONGRESS.—If the Secretary  
4       makes a determination under paragraph (1), the  
5       Secretary shall provide to the Committee on Trans-  
6       portation and Infrastructure of the House of Rep-  
7       resentatives and the Committee on Environment and  
8       Public Works of the Senate written notice describing  
9       the reasoning for the determination.

10              “(d) DISPOSITION OF REMOVED SEDIMENT.—In ex-  
11      change for providing services under subsection (a), a non-  
12      Federal interest or commercial entity is authorized to re-  
13      tain, use, recycle, sell, or otherwise dispose of any sedi-  
14      ment removed in connection with the services and the  
15      Corps of Engineers may not seek any compensation for  
16      the value of the sediment.

17              “(e) CONGRESSIONAL NOTIFICATION.—Prior to ac-  
18      cepting services provided by a non-Federal interest or  
19      commercial entity under this section, the Secretary shall  
20      provide to the Committee on Transportation and Infra-  
21      structure of the House of Representatives and the Com-  
22      mittee on Environment and Public Works of the Senate  
23      written notice of the acceptance of the services.

24              “(f) REPORT TO CONGRESS.—Upon completion of  
25      services at the 10 dams allowed under subsection (b)(4),

1 the Secretary shall make publicly available and submit to  
2 the Committee on Transportation and Infrastructure of  
3 the House of Representatives and the Committee on Envi-  
4 ronment and Public Works of the Senate a report docu-  
5 menting the results of the services.”.

6 (b) CLERICAL AMENDMENT.—The table of contents  
7 in section 1(b) of the Water Resources Development Act  
8 of 2000 is amended by striking the item relating to section  
9 215 and inserting the following:

“Sec. 215. Reservoir sediment.”.

10 **SEC. 110. CONTRIBUTED FUNDS FOR RESERVOIR OPER-**  
11 **ATIONS.**

12 Section 5 of the Act of June 22, 1936 (49 Stat. 1572,  
13 chapter 688; 33 U.S.C. 701h), is amended by inserting  
14 after “authorized purposes of the project:” the following:  
15 “*Provided further*, That the Secretary is authorized to re-  
16 ceive and expend funds from a State or a political subdivi-  
17 sion thereof, and other non-Federal interests, to formu-  
18 late, review, or revise operational documents for any res-  
19 ervoir for which the Secretary is authorized to prescribe  
20 regulations for the use of storage allocated for flood risk  
21 management or navigation pursuant to section 7 of the  
22 Act of December 22, 1944 (58 Stat. 890, chapter 665;  
23 33 U.S.C. 709):”.

1 **SEC. 111. WATER SUPPLY CONSERVATION.**

2 (a) IN GENERAL.—In a State in which a drought  
3 emergency has been declared or was in effect during the  
4 1-year period ending on the date of enactment of this Act,  
5 the Secretary is authorized—

6 (1) to conduct an evaluation for purposes of ap-  
7 proving water supply conservation measures that are  
8 consistent with the authorized purposes of water re-  
9 sources development projects under the jurisdiction  
10 of the Secretary; and

11 (2) to enter into written agreements pursuant  
12 to section 221 of the Flood Control Act of 1970 (42  
13 U.S.C. 1962d–5b) with non-Federal interests to  
14 carry out the conservation measures approved by  
15 such evaluations.

16 (b) ELIGIBILITY.—Water supply conservation meas-  
17 ures evaluated under subsection (a) may include the fol-  
18 lowing:

19 (1) Storm water capture.

20 (2) Releases for ground water replenishment or  
21 aquifer storage and recovery.

22 (3) Releases to augment water supply at an-  
23 other Federal or non-Federal storage facility.

24 (4) Other conservation measures that enhance  
25 usage of a Corps of Engineers project for water sup-  
26 ply.

1 (c) COSTS.—A non-Federal interest shall pay only the  
2 separable costs associated with the evaluation, implemen-  
3 tation, operation, and maintenance of an approved water  
4 supply conservation measure, which payments may be ac-  
5 cepted and expended by the Corps of Engineers to cover  
6 such costs.

7 (d) STATUTORY CONSTRUCTION.—Nothing in this  
8 section may be construed to modify or alter the obligations  
9 of a non-Federal interest under existing or future agree-  
10 ments for—

11 (1) water supply storage pursuant to section  
12 301 of the Water Supply Act of 1958 (43 U.S.C.  
13 390b); or

14 (2) surplus water use pursuant to section 6 of  
15 the Act of December 22, 1944 (58 Stat. 890, chap-  
16 ter 665; 33 U.S.C. 708).

17 (e) LIMITATIONS.—Nothing in this section—

18 (1) affects, modifies, or changes the authorized  
19 purposes of a Corps of Engineers project;

20 (2) affects existing Corps of Engineers authori-  
21 ties, including its authorities with respect to naviga-  
22 tion, flood damage reduction, and environmental  
23 protection and restoration;

24 (3) affects the Corps of Engineers ability to  
25 provide for temporary deviations;

1           (4) affects the application of a cost-share re-  
2           quirement under section 101, 102, or 103 of the  
3           Water Resources Development Act of 1986 (33  
4           U.S.C. 2211, 2212, and 2213);

5           (5) supersedes or modifies any written agree-  
6           ment between the Federal Government and a non-  
7           Federal interest that is in effect on the date of en-  
8           actment of this Act;

9           (6) supersedes or modifies any amendment to  
10          an existing multistate water control plan, including  
11          those water control plans along the Missouri River  
12          and those water control plans in the Apalachicola-  
13          Chattahoochee-Flint and Alabama-Coosa-Tallapoosa  
14          basins;

15          (7) affects any water right in existence on the  
16          date of enactment of this Act; or

17          (8) preempts or affects any State water law or  
18          interstate compact governing water.

19 **SEC. 112. INTERSTATE COMPACTS.**

20          Section 301 of the Water Supply Act of 1958 (43  
21          U.S.C. 390b) is amended by striking subsection (f).

22 **SEC. 113. NONSTRUCTURAL ALTERNATIVES.**

23          Section 5(a)(1) of the Act of August 18, 1941 (55  
24          Stat. 650, chapter 377; 33 U.S.C. 701n(a)(1)), is amend-  
25          ed by striking “if requested” each place it appears and

1 inserting “after consultation with the non-Federal sponsor  
2 and if requested and agreed to”.

3 **SEC. 114. OPERATION AND MAINTENANCE OF ENVIRON-**  
4 **MENTAL PROTECTION AND RESTORATION**  
5 **AND AQUATIC ECOSYSTEM RESTORATION**  
6 **PROJECTS.**

7 (a) NON-FEDERAL OBLIGATIONS.—Notwithstanding  
8 section 103(j) of the Water Resources Development Act  
9 of 1986 (33 U.S.C. 2213(j)), a non-Federal interest is re-  
10 leased from any obligation to operate and maintain the  
11 nonstructural and nonmechanical components of a water  
12 resources development project carried out for the purposes  
13 of environmental protection and restoration or aquatic  
14 ecosystem restoration, including a project carried out  
15 under section 206 of the Water Resources Development  
16 Act of 1996 (33 U.S.C. 2330) or section 1135 of the  
17 Water Resources Development Act of 1986 (33 U.S.C.  
18 2309a), if the Secretary determines that—

19 (1) the 50-year period that began on the date  
20 on which project construction was completed has  
21 concluded; or

22 (2) the criteria identified in the guidance issued  
23 under subsection (c) have been met with respect to  
24 the project.

1 (b) FEDERAL OBLIGATIONS.—The Secretary is not  
2 responsible for the operation or maintenance of any com-  
3 ponents of a project with respect to which a non-Federal  
4 interest is released from obligations under subsection (a).

5 (c) GUIDANCE.—In consultation with non-Federal in-  
6 terests, and not later than 1 year after the date of enact-  
7 ment of this Act, the Secretary shall issue guidance that  
8 identifies criteria for determining, using the best available  
9 science, when the purpose of a project for environmental  
10 protection and restoration or aquatic ecosystem restora-  
11 tion has been achieved, including criteria for determining  
12 when a project has resulted in the return of the project  
13 location to a condition where natural hydrologic and eco-  
14 logical functions are the predominant factors in the condi-  
15 tion, functionality, and durability of the location.

16 **SEC. 115. ESTUARY RESTORATION.**

17 (a) PARTICIPATION OF NON-FEDERAL INTERESTS.—  
18 Section 104(f) of the Estuary Restoration Act of 2000 (33  
19 U.S.C. 2903(f)) is amended by adding at the end the fol-  
20 lowing:

21 “(3) PROJECT AGREEMENTS.—For a project  
22 carried out under this title, the requirements of sec-  
23 tion 103(j)(1) of the Water Resources Development  
24 Act of 1986 (33 U.S.C. 2213(j)(1)) may be fulfilled  
25 by a nongovernmental organization serving as the

1 non-Federal interest for the project pursuant to  
2 paragraph (2).”.

3 (b) EXTENSION.—Section 109(a) of the Estuary Res-  
4 toration Act of 2000 (33 U.S.C. 2908(a)) is amended by  
5 striking “2012” each place it appears and inserting  
6 “2021”.

7 **SEC. 116. GREAT LAKES FISHERY AND ECOSYSTEM RES-**  
8 **TORATION.**

9 Section 506(g) of the Water Resources Development  
10 Act of 2000 (42 U.S.C. 1962d–22(g)) is repealed.

11 **SEC. 117. AGREEMENTS.**

12 Section 2036(c) of the Water Resources Development  
13 Act of 2007 (33 U.S.C. 2317b) is repealed.

14 **SEC. 118. CORPS OF ENGINEERS OPERATION OF UN-**  
15 **MANNED AIRCRAFT SYSTEMS.**

16 (a) IN GENERAL.—The Secretary shall designate an  
17 individual, within the headquarters office of the Corps of  
18 Engineers, who shall serve as the coordinator and prin-  
19 cipal approving official for developing the process and pro-  
20 cedures by which the Corps of Engineers—

21 (1) operates and maintains small unmanned  
22 aircraft (as defined in section 331 of the FAA Mod-  
23 ernization and Reform Act of 2012 (49 U.S.C.  
24 40101 note)) systems in support of civil works and

1 emergency response missions of the Corps of Engi-  
2 neers; and

3 (2) acquires, applies for, and receives any nec-  
4 essary Federal Aviation Administration authoriza-  
5 tions for such operations and systems.

6 (b) REQUIREMENTS.—A small unmanned aircraft  
7 system acquired, operated, or maintained for carrying out  
8 the missions specified in subsection (a) shall be operated  
9 in accordance with regulations of the Federal Aviation Ad-  
10 ministration as a civil aircraft or public aircraft, at the  
11 discretion of the Secretary, and shall be exempt from regu-  
12 lations of the Department of Defense, including the De-  
13 partment of the Army, governing such system.

14 (c) LIMITATION.—A small unmanned aircraft system  
15 acquired, operated, or maintained by the Corps of Engi-  
16 neers is excluded from use by the Department of Defense,  
17 including the Department of the Army, for any mission  
18 of the Department of Defense other than a mission speci-  
19 fied in subsection (a).

20 **SEC. 119. FEDERAL DREDGE FLEET.**

21 (a) STUDY.—The Comptroller General of the United  
22 States shall conduct a study on the costs and benefits of  
23 expanding, reducing, or maintaining the current configu-  
24 ration with respect to the size and makeup of the federally  
25 owned hopper dredge fleet.

1 (b) FACTORS.—In carrying out the study, the Comp-  
2 troller General shall evaluate—

3 (1) the current and anticipated configuration  
4 and capacity of the Federal and private hopper  
5 dredge fleet;

6 (2) the current and anticipated trends for the  
7 volume and type of dredge work required over the  
8 next 10 years, and the alignment of the size of the  
9 existing Federal and private hopper dredge fleet  
10 with future dredging needs;

11 (3) available historic data on the costs, effi-  
12 ciency, and time required to initiate and complete  
13 dredging work carried out by Federal and private  
14 hopper dredge fleets, respectively;

15 (4) whether the requirements of section 3 of the  
16 Act of August 11, 1888 (25 Stat. 423, chapter 860;  
17 33 U.S.C. 622), have any demonstrable impacts on  
18 the factors identified in paragraphs (1) through (3),  
19 and whether such requirements are most economical  
20 and advantageous to the United States; and

21 (5) other factors that the Comptroller General  
22 determines are necessary to evaluate whether it is  
23 economical and advantageous to the United States  
24 to expand, reduce, or maintain the current configu-  
25 ration of the federally owned hopper dredge fleet.

1 (c) REPORT.—Not later than 1 year after the date  
2 of enactment of this Act, the Comptroller General shall  
3 submit to Congress a report on the results of the study.

4 **SEC. 120. CORPS OF ENGINEERS ASSETS.**

5 Section 6002 of the Water Resources Reform and De-  
6 velopment Act of 2014 (Public Law 113–121; 128 Stat.  
7 1349) is amended—

8 (1) in subsection (a) by striking “the date of  
9 enactment of this Act” and inserting “the date of  
10 enactment of the Water Resources Development Act  
11 of 2016”; and

12 (2) in subsection (b) by adding at the end the  
13 following:

14 “(6) The extent to which the property has eco-  
15 nomic, cultural, historic, or recreational significance,  
16 or impacts at the national, State, or local level.”.

17 **SEC. 121. FUNDING TO PROCESS PERMITS.**

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

20 (1) in paragraph (1) by adding at the end the  
21 following:

22 “(C) RAILROAD CARRIER.—The term ‘rail-  
23 road carrier’ has the meaning given the term in  
24 section 20102 of title 49, United States Code.”;

25 (2) in paragraph (2)—

1 (A) by striking “or natural gas company”  
2 and inserting “, natural gas company, or rail-  
3 road carrier”; and

4 (B) by striking “or company” and insert-  
5 ing “, company, or carrier”;

6 (3) by striking paragraph (3);

7 (4) by redesignating paragraphs (4) and (5) as  
8 paragraphs (3) and (4), respectively; and

9 (5) in paragraph (4) (as so redesignated) by  
10 striking “and natural gas companies” and inserting  
11 “, natural gas companies, and railroad carriers”.

12 **SEC. 122. CREDIT IN LIEU OF REIMBURSEMENT.**

13 Section 1022 of the Water Resources Reform and De-  
14 velopment Act of 2014 (33 U.S.C. 2225) is amended—

15 (1) in subsection (a) by striking “that has been  
16 constructed by a non-Federal interest under section  
17 211 of the Water Resources Development Act of  
18 1996 (33 U.S.C. 701b–13) before the date of enact-  
19 ment of this Act” and inserting “for which a written  
20 agreement with the Corps of Engineers for construc-  
21 tion was finalized on or before December 31, 2014,  
22 under section 211 of the Water Resources Develop-  
23 ment Act of 1996 (33 U.S.C. 701b–13)”; and

24 (2) in subsection (b) by striking “share of the  
25 cost of the non-Federal interest of carrying out

1 other flood damage reduction projects or studies”  
2 and inserting “non-Federal share of the cost of car-  
3 rying out other water resources development projects  
4 or studies of the non-Federal interest”.

5 **SEC. 123. CLARIFICATION OF CONTRIBUTIONS DURING**  
6 **EMERGENCY EVENTS.**

7 Section 1024(a) of the Water Resources Reform and  
8 Development Act of 2014 (33 U.S.C. 2325a(a)) is amend-  
9 ed by inserting after “emergency” the following: “, or that  
10 has had or may have an equipment failure (including a  
11 failure caused by a lack of or deferred maintenance),”.

12 **SEC. 124. STUDY OF WATER RESOURCES DEVELOPMENT**  
13 **PROJECTS BY NON-FEDERAL INTERESTS.**

14 Section 203 of the Water Resources Development Act  
15 of 1986 (33 U.S.C. 2231) is amended by adding at the  
16 end the following:

17 “(e) TECHNICAL ASSISTANCE.—At the request of a  
18 non-Federal interest, the Secretary may provide to the  
19 non-Federal interest technical assistance relating to any  
20 aspect of a feasibility study if the non-Federal interest  
21 contracts with the Secretary to pay all costs of providing  
22 such technical assistance.”.

1 **SEC. 125. NON-FEDERAL CONSTRUCTION OF AUTHORIZED**  
2 **FLOOD DAMAGE REDUCTION PROJECTS.**

3 Section 204(d) of the Water Resources Development  
4 Act of 1986 (33 U.S.C. 2232(d)) is amended by adding  
5 at the end the following:

6 “(5) DISCRETE SEGMENTS.—

7 “(A) IN GENERAL.—The Secretary may  
8 authorize credit or reimbursement under this  
9 subsection for a discrete segment of a flood  
10 damage reduction project, or separable element  
11 thereof, before final completion of the project or  
12 separable element if—

13 “(i) except as provided in clause (ii),  
14 the Secretary determines that the discrete  
15 segment satisfies the requirements of para-  
16 graphs (1) through (4) in the same man-  
17 ner as the project or separable element;  
18 and

19 “(ii) notwithstanding paragraph  
20 (1)(A)(ii), the Secretary determines, before  
21 the approval of the plans under paragraph  
22 (1)(A)(i), that the discrete segment is tech-  
23 nically feasible and environmentally accept-  
24 able.

25 “(B) DETERMINATION.—Credit or reim-  
26 bursement may not be made available to a non-

1 Federal interest pursuant to this paragraph  
2 until the Secretary determines that—

3 “(i) the construction of the discrete  
4 segment for which credit or reimbursement  
5 is requested is complete; and

6 “(ii) the construction is consistent  
7 with the authorization of the applicable  
8 flood damage reduction project, or sepa-  
9 rable element thereof, and the plans ap-  
10 proved under paragraph (1)(A)(i).

11 “(C) WRITTEN AGREEMENT.—

12 “(i) IN GENERAL.—As part of the  
13 written agreement required under para-  
14 graph (1)(A)(iii), a non-Federal interest to  
15 be eligible for credit or reimbursement  
16 under this paragraph shall—

17 “(I) identify any discrete seg-  
18 ment that the non-Federal interest  
19 may carry out; and

20 “(II) agree to the completion of  
21 the flood damage reduction project, or  
22 separable element thereof, with re-  
23 spect to which the discrete segment is  
24 a part and establish a timeframe for  
25 such completion.

1                   “(ii) REMITTANCE.—If a non-Federal  
 2                   interest fails to complete a flood damage  
 3                   reduction project, or separable element  
 4                   thereof, that it agreed to complete under  
 5                   clause (i)(II), the non-Federal interest  
 6                   shall remit any reimbursements received  
 7                   under this paragraph for a discrete seg-  
 8                   ment of such project or separable element.

9                   “(D) DISCRETE SEGMENT DEFINED.—In  
 10                  this paragraph, the term ‘discrete segment’  
 11                  means a physical portion of a flood damage re-  
 12                  duction project, or separable element thereof—

13                         “(i) described by a non-Federal inter-  
 14                         est in a written agreement required under  
 15                         paragraph (1)(A)(iii); and

16                         “(ii) that the non-Federal interest can  
 17                         operate and maintain, independently and  
 18                         without creating a hazard, in advance of  
 19                         final completion of the flood damage reduc-  
 20                         tion project, or separable element there-  
 21                         of.”.

22 **SEC. 126. MULTISTATE ACTIVITIES.**

23                  Section 22 of the Water Resources Development Act  
 24 of 1974 (42 U.S.C. 1962d–16) is amended—

25                         (1) in subsection (a)(1)—

1 (A) by striking “or other non-Federal in-  
2 terest” and inserting “, group of States, or  
3 non-Federal interest”;

4 (B) by inserting “or group of States” after  
5 “working with a State”; and

6 (C) by inserting “or group of States” after  
7 “boundaries of such State”; and

8 (2) in subsection (e)(1) by adding at the end  
9 the following: “The Secretary may allow 2 or more  
10 States to combine all or a portion of the funds that  
11 the Secretary makes available to the States in car-  
12 rying out subsection (a)(1).”.

13 **SEC. 127. REGIONAL PARTICIPATION ASSURANCE FOR**  
14 **LEVEE SAFETY ACTIVITIES.**

15 (a) NATIONAL LEVEE SAFETY PROGRAM.—Section  
16 9002 of the Water Resources Development Act of 2007  
17 (33 U.S.C. 3301) is amended—

18 (1) in paragraph (11) by striking “State or In-  
19 dian tribe” and inserting “State, regional district, or  
20 Indian tribe”;

21 (2) by redesignating paragraphs (12) through  
22 (16) as paragraphs (13) through (17), respectively;  
23 and

24 (3) by inserting after paragraph (11) the fol-  
25 lowing:

1           “(12) REGIONAL DISTRICT.—The term ‘re-  
2           gional district’ means a subdivision of a State gov-  
3           ernment, or a subdivision of multiple State govern-  
4           ments, that is authorized to acquire, construct, oper-  
5           ate, and maintain projects for the purpose of flood  
6           damage reduction.”.

7           (b) INVENTORY AND INSPECTION OF LEVEES.—Sec-  
8           tion 9004 of the Water Resources Development Act of  
9           2007 (33 U.S.C. 3303) is amended—

10           (1) in subsection (a)—

11           (A) in paragraph (1) by striking “one year  
12           after the date of enactment of this Act” and in-  
13           serting “1 year after the date of enactment of  
14           the Water Resources Development Act of  
15           2016”;

16           (B) in paragraph (2)(A) by striking  
17           “States, Indian tribes, Federal agencies, and  
18           other entities” and inserting “States, regional  
19           districts, Indian tribes, Federal agencies, and  
20           other entities”; and

21           (C) in paragraph (3)—

22           (i) in the heading for subparagraph  
23           (A) by striking “FEDERAL, STATE, AND  
24           LOCAL” and inserting “FEDERAL, STATE,  
25           REGIONAL, TRIBAL, AND LOCAL”; and

1 (ii) in subparagraph (A) by striking  
2 “Federal, State, and local” and inserting  
3 “Federal, State, regional, tribal, and  
4 local”; and

5 (2) in subsection (c)—

6 (A) in paragraph (4)—

7 (i) in the paragraph heading by strik-  
8 ing “STATE AND TRIBAL” and inserting  
9 “STATE, REGIONAL, AND TRIBAL”; and

10 (ii) by striking “State or Indian tribe”  
11 each place it appears and inserting “State,  
12 regional district, or Indian tribe”; and

13 (B) in paragraph (5)—

14 (i) by striking “State or Indian tribe”  
15 and inserting “State, regional district, or  
16 Indian tribe”; and

17 (ii) by striking “chief executive of the  
18 tribal government” and inserting “chief ex-  
19 ecutive of the regional district or tribal  
20 government”.

21 (c) LEVEE SAFETY INITIATIVE.—Section 9005 of the  
22 Water Resources Development Act of 2007 (33 U.S.C.  
23 3303a) is amended—

24 (1) in subsection (c)—

25 (A) in paragraph (1)—

1 (i) in the matter preceding subpara-  
2 graph (A)—

3 (I) by striking “1 year after the  
4 date of enactment of this subsection”  
5 and inserting “1 year after the date of  
6 enactment of the Water Resources  
7 Development Act of 2016”; and

8 (II) by striking “State, local, and  
9 tribal governments and organizations”  
10 and inserting “State, regional, local,  
11 and tribal governments and organiza-  
12 tions”; and

13 (ii) in subparagraph (A) by striking  
14 “Federal, State, tribal, and local agencies”  
15 and inserting “Federal, State, regional,  
16 local, and tribal agencies”;

17 (B) in paragraph (3)—

18 (i) in subparagraph (A) by striking  
19 “State, local, and tribal governments” and  
20 inserting “State, regional, local, and tribal  
21 governments”; and

22 (ii) in subparagraph (B) by inserting  
23 “, regional, or tribal” after “State” each  
24 place it appears; and

1 (C) in paragraph (5)(A) by striking  
2 “States, non-Federal interests, and other ap-  
3 propriate stakeholders” and inserting “States,  
4 regional districts, Indian tribes, non-Federal in-  
5 terests, and other appropriate stakeholders”;

6 (2) in subsection (e)(1) in the matter preceding  
7 subparagraph (A) by striking “States, communities,  
8 and levee owners” and inserting “States, regional  
9 districts, Indian tribes, communities, and levee own-  
10 ers”;

11 (3) in subsection (g)—

12 (A) in the subsection heading by striking  
13 “STATE AND TRIBAL” and inserting “STATE,  
14 REGIONAL, AND TRIBAL”;

15 (B) in paragraph (1)—

16 (i) in subparagraph (A)—

17 (I) by striking “1 year after the  
18 date of enactment of this subsection”  
19 and inserting “1 year after the date of  
20 enactment of the Water Resources  
21 Development Act of 2016”; and

22 (II) by striking “State or tribal”  
23 and inserting “State, regional, or trib-  
24 al”; and

25 (ii) in subparagraph (B)—

1 (I) by striking “State and Indian  
2 tribe” and inserting “State, regional  
3 district, and Indian tribe”; and

4 (II) by striking “State or Indian  
5 tribe” and inserting “State, regional  
6 district, or Indian tribe”; and

7 (C) in paragraph (2)—

8 (i) in the paragraph heading by strik-  
9 ing “STATES” and inserting “STATES, RE-  
10 GIONAL DISTRICTS, AND INDIAN TRIBES”;

11 (ii) in subparagraph (A) by striking  
12 “States and Indian tribes” and inserting  
13 “States, regional districts, and Indian  
14 tribes”;

15 (iii) in subparagraph (B)—

16 (I) in the matter preceding clause  
17 (i) by striking “State or Indian tribe”  
18 and inserting “State, regional district,  
19 or Indian tribe”;

20 (II) in clause (ii) by striking  
21 “levees within the State” and insert-  
22 ing “levees within the State or re-  
23 gional district”; and

24 (III) in clause (iii) by striking  
25 “State or Indian tribe” and inserting

1 “State, regional district, or Indian  
2 tribe”;

3 (iv) in subparagraph (C)(ii) in the  
4 matter preceding subclause (I) by striking  
5 “State or tribal” and inserting “State, re-  
6 gional, or tribal”; and

7 (v) in subparagraph (E)—

8 (I) by striking “States and In-  
9 dian tribes” each place it appears and  
10 inserting “States, regional districts,  
11 and Indian tribes”;

12 (II) in clause (ii)(II)—

13 (aa) in the matter preceding  
14 item (aa) by striking “State or  
15 Indian tribe” and inserting  
16 “State, regional district, or In-  
17 dian tribe”;

18 (bb) in item (aa) by striking  
19 “miles of levees in the State” and  
20 inserting “miles of levees in the  
21 State or regional district”; and

22 (cc) in item (bb) by striking  
23 “miles of levees in all States”  
24 and inserting “miles of levees in

1 all States and regional districts”;

2 and

3 (III) in clause (iii)—

4 (aa) by striking “State or  
5 Indian tribe” and inserting

6 “State, regional district, or In-  
7 dian tribe”; and

8 (bb) by striking “State or  
9 tribal” and inserting “State, re-

10 gional, or tribal”; and

11 (4) in subsection (h)—

12 (A) in paragraph (1) by striking “States,  
13 Indian tribes, and local governments” and in-  
14 serting “States, regional districts, Indian tribes,  
15 and local governments”;

16 (B) in paragraph (2)—

17 (i) in the matter preceding subpara-  
18 graph (A) by striking “State, Indian tribe,  
19 or local government” and inserting “State,  
20 regional district, Indian tribe, or local gov-  
21 ernment”; and

22 (ii) in subparagraph (E) in the matter  
23 preceding clause (i) by striking “State or  
24 tribal” and inserting “State, regional, or  
25 tribal”;

1 (C) in paragraph (3)—

2 (i) in subparagraph (A) by striking  
3 “State, Indian tribe, or local government”  
4 and inserting “State, regional district, In-  
5 dian tribe, or local government”; and

6 (ii) in subparagraph (D) by striking  
7 “180 days after the date of enactment of  
8 this subsection” and inserting “180 days  
9 after the date of enactment of the Water  
10 Resources Development Act of 2016”; and

11 (D) in paragraph (4)(A)(i) by striking  
12 “State or tribal” and inserting “State, regional,  
13 or tribal”.

14 (d) REPORTS.—Section 9006 of the Water Resources  
15 Development Act of 2007 (33 U.S.C. 3303b) is amend-  
16 ed—

17 (1) in subsection (a)(1)—

18 (A) in the matter preceding subparagraph  
19 (A) by striking “1 year after the date of enact-  
20 ment of this subsection” and inserting “1 year  
21 after the date of enactment of the Water Re-  
22 sources Development Act of 2016”; and

23 (B) in subparagraph (B) by striking  
24 “State and tribal” and inserting “State, re-  
25 gional, and tribal”;

1 (2) in subsection (c)—

2 (A) in the matter preceding paragraph

3 (1)—

4 (i) by striking “2 years after the date  
5 of enactment of this subsection” and in-  
6 serting “2 years after the date of enact-  
7 ment of the Water Resources Development  
8 Act of 2016”; and

9 (ii) by striking “State, tribal, and  
10 local” and inserting “State, regional, trib-  
11 al, and local”;

12 (B) in paragraph (2) by striking “State  
13 and tribal” and inserting “State, regional, and  
14 tribal”; and

15 (C) in paragraph (4) by striking “State  
16 and local” and inserting “State, regional, tribal,  
17 and local”; and

18 (3) in subsection (d)—

19 (A) in the matter preceding paragraph (1)  
20 by striking “1 year after the date of enactment  
21 of this subsection” and inserting “1 year after  
22 the date of enactment of the Water Resources  
23 Development Act of 2016”; and

1 (B) in paragraph (2) by striking “State or  
2 tribal” and inserting “State, regional, or trib-  
3 al”.

4 **SEC. 128. PARTICIPATION OF NON-FEDERAL INTERESTS.**

5 Section 221(b)(1) of the Flood Control Act of 1970  
6 (42 U.S.C. 1962d–5b(b)(1)) is amended by inserting  
7 “and, as defined in section 3 of the Alaska Native Claims  
8 Settlement Act (43 U.S.C. 1602), a Native village, Re-  
9 gional Corporation, and Village Corporation” after “In-  
10 dian tribe”.

11 **SEC. 129. INDIAN TRIBES.**

12 Section 1156 of the Water Resources Development  
13 Act of 1986 (33 U.S.C. 2310) is amended—

14 (1) in the section heading by inserting “**AND**  
15 **INDIAN TRIBES**” after “**TERRITORIES**”; and

16 (2) in subsection (a)—

17 (A) by striking “projects in American” and  
18 inserting “projects—

19 “(1) in American”;

20 (B) by striking the period at the end and  
21 inserting “; and”; and

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

23 “(2) for a federally recognized Indian tribe.”.

1 **SEC. 130. DISSEMINATION OF INFORMATION ON THE AN-**  
2 **NUAL REPORT PROCESS.**

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

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

7 (2) The Water Resources Reform and Develop-  
8 ment Act of 2014 (Public Law 113–121) established  
9 a new and transparent process to review and  
10 prioritize the water resources development activities  
11 of the Corps of Engineers with strong congressional  
12 oversight.

13 (3) Section 7001 of the Water Resources Re-  
14 form and Development Act of 2014 (33 U.S.C.  
15 2282d) requires the Secretary to develop and submit  
16 to Congress each year a Report to Congress on Fu-  
17 ture Water Resources Development and, as part of  
18 the annual report process, to—

19 (A) publish a notice in the Federal Reg-  
20 ister that requests from non-Federal interests  
21 proposed feasibility studies and proposed modi-  
22 fications to authorized water resources develop-  
23 ment projects and feasibility studies for inclu-  
24 sion in the report; and

25 (B) review the proposals submitted and in-  
26 clude in the report those proposed feasibility

1 studies and proposed modifications that meet  
2 the criteria for inclusion established under sec-  
3 tion 7001.

4 (4) Congress will use the information provided  
5 in the annual Report to Congress on Future Water  
6 Resources Development to determine authorization  
7 needs and priorities for purposes of water resources  
8 development legislation.

9 (5) To ensure that Congress can gain a thor-  
10 ough understanding of the water resources develop-  
11 ment needs and priorities of the United States, it is  
12 important that the Secretary take sufficient steps to  
13 ensure that non-Federal interests are made aware of  
14 the new annual report process, including the need  
15 for non-Federal interests to submit proposals during  
16 the Secretary's annual request for proposals in order  
17 for such proposals to be eligible for consideration by  
18 Congress.

19 (b) DISSEMINATION OF PROCESS INFORMATION.—  
20 The Secretary shall develop, support, and implement edu-  
21 cation and awareness efforts for non-Federal interests  
22 with respect to the annual Report to Congress on Future  
23 Water Resources Development required under section  
24 7001 of the Water Resources Reform and Development  
25 Act of 2014 (33 U.S.C. 2282d), including efforts to—

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

4           (2) provide written notice to previous and po-  
5 tential non-Federal interests and local elected offi-  
6 cials on the annual process and on opportunities to  
7 address local water resources challenges through the  
8 missions and authorities of the Corps of Engineers;

9           (3) issue guidance for non-Federal interests to  
10 assist such interests in developing proposals for  
11 water resources development projects that satisfy the  
12 requirements of section 7001; and

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

17 **SEC. 131. SCOPE OF PROJECTS.**

18           Section 7001(f) of the Water Resources Reform and  
19 Development Act of 2014 (33 U.S.C. 2282d(f)) is amend-  
20 ed by adding at the end the following:

21           “(5) WATER RESOURCES DEVELOPMENT  
22 PROJECT.—The term ‘water resources development  
23 project’ includes a project under an environmental  
24 infrastructure assistance program.”.

1 **SEC. 132. PRELIMINARY FEASIBILITY STUDY ACTIVITIES.**

2 At the request of a non-Federal interest with respect  
3 to a proposed water resources development project, the  
4 Secretary shall meet with the non-Federal interest, prior  
5 to initiating a feasibility study relating to the proposed  
6 project, to review a preliminary analysis of the Federal  
7 interest in the proposed project and the costs, benefits,  
8 and environmental impacts of the proposed project, includ-  
9 ing an estimate of the costs of preparing a feasibility re-  
10 port.

11 **SEC. 133. POST-AUTHORIZATION CHANGE REPORTS.**

12 (a) IN GENERAL.—The completion of a post-author-  
13 ization change report prepared by the Corps of Engineers  
14 for a water resources development project—

15 (1) may not be delayed as a result of consider-  
16 ation being given to changes in policy or priority  
17 with respect to project consideration; and

18 (2) shall be submitted, upon completion, to—

19 (A) the Committee on Environment and  
20 Public Works of the Senate; and

21 (B) the Committee on Transportation and  
22 Infrastructure of the House of Representatives.

23 (b) COMPLETION REVIEW.—With respect to a post-  
24 authorization change report subject to review by the Sec-  
25 retary, the Secretary shall, not later than 120 days after  
26 the date of completion of such report—

1 (1) review the report; and

2 (2) provide to Congress any recommendations  
3 of the Secretary regarding modification of the appli-  
4 cable water resources development project.

5 (c) PRIOR REPORTS.—Not later than 120 days after  
6 the date of enactment of this Act, with respect to any post-  
7 authorization change report that was completed prior to  
8 the date of enactment of this Act and is subject to a review  
9 by the Secretary that has yet to be completed, the Sec-  
10 retary shall complete review of, and provide recommenda-  
11 tions to Congress with respect to, the report.

12 (d) POST-AUTHORIZATION CHANGE REPORT INCLU-  
13 SIONS.—In this section, the term “post-authorization  
14 change report” includes—

15 (1) a general reevaluation report;

16 (2) a limited reevaluation report; and

17 (3) any other report that recommends the modi-  
18 fication of an authorized water resources develop-  
19 ment project.

20 **SEC. 134. MAINTENANCE DREDGING DATA.**

21 (a) IN GENERAL.—The Secretary shall establish,  
22 maintain, and make publicly available a database on main-  
23 tenance dredging carried out by the Secretary, which shall  
24 include information on maintenance dredging carried out  
25 by Federal and non-Federal vessels.

1 (b) SCOPE.—The Secretary shall include in the data-  
2 base maintained under subsection (a), for each mainte-  
3 nance dredging project and contract, data on—

4 (1) the volume of dredged material removed;

5 (2) the initial cost estimate of the Corps of En-  
6 gineers;

7 (3) the total cost;

8 (4) the party and vessel carrying out the work;

9 and

10 (5) the number of private contractor bids re-  
11 ceived and the bid amounts, including bids that did  
12 not win the final contract award.

13 **SEC. 135. ELECTRONIC SUBMISSION AND TRACKING OF**  
14 **PERMIT APPLICATIONS.**

15 (a) IN GENERAL.—Section 2040 of the Water Re-  
16 sources Development Act of 2007 (33 U.S.C. 2345) is  
17 amended to read as follows:

18 **“SEC. 2040. ELECTRONIC SUBMISSION AND TRACKING OF**  
19 **PERMIT APPLICATIONS.**

20 **“(a) DEVELOPMENT OF ELECTRONIC SYSTEM.—**

21 **“(1) IN GENERAL.—**The Secretary shall re-  
22 search, develop, and implement an electronic system  
23 to allow the electronic preparation and submission of  
24 applications for permits and requests for jurisdic-

1 tional determinations under the jurisdiction of the  
2 Secretary.

3 “(2) INCLUSION.—The electronic system re-  
4 quired under paragraph (1) shall address—

5 “(A) applications for standard individual  
6 permits;

7 “(B) applications for letters of permission;

8 “(C) joint applications with States for  
9 State and Federal permits;

10 “(D) applications for emergency permits;

11 “(E) applications or requests for jurisdic-  
12 tional determinations; and

13 “(F) preconstruction notification submis-  
14 sions, when required for a nationwide or other  
15 general permit.

16 “(3) IMPROVING EXISTING DATA SYSTEMS.—  
17 The Secretary shall seek to incorporate the elec-  
18 tronic system required under paragraph (1) into ex-  
19 isting systems and databases of the Corps of Engi-  
20 neers to the maximum extent practicable.

21 “(4) PROTECTION OF INFORMATION.—The elec-  
22 tronic system required under paragraph (1) shall  
23 provide for the protection of personal, private, privi-  
24 leged, confidential, and proprietary information, and

1 information the disclosure of which is otherwise pro-  
2 hibited by law.

3 “(b) SYSTEM REQUIREMENTS.—The electronic sys-  
4 tem required under subsection (a) shall—

5 “(1) enable an applicant or requester to prepare  
6 electronically an application for a permit or request;

7 “(2) enable an applicant or requester to submit  
8 to the Secretary, by email or other means through  
9 the Internet, the completed application form or re-  
10 quest;

11 “(3) enable an applicant or requester to submit  
12 to the Secretary, by email or other means through  
13 the Internet, data and other information in support  
14 of the permit application or request;

15 “(4) provide an online interactive guide to pro-  
16 vide assistance to an applicant or requester at any  
17 time while filling out the permit application or re-  
18 quest; and

19 “(5) enable an applicant or requester (or a des-  
20 ignated agent) to track the status of a permit appli-  
21 cation or request in a manner that will—

22 “(A) allow the applicant or requester to  
23 determine whether the application is pending or  
24 final and the disposition of the request;

1           “(B) allow the applicant or requester to re-  
2           search previously submitted permit applications  
3           and requests within a given geographic area  
4           and the results of such applications or requests;  
5           and

6           “(C) allow identification and display of the  
7           location of the activities subject to a permit or  
8           request through a map-based interface.

9           “(c) DOCUMENTATION.—All permit decisions and ju-  
10          risdictional determinations made by the Secretary shall be  
11          in writing and include documentation supporting the basis  
12          for the decision or determination. The Secretary shall pre-  
13          scribe means for documenting all decisions or determina-  
14          tions to be made by the Secretary.

15          “(d) RECORD OF DETERMINATIONS.—

16                 “(1) IN GENERAL.—The Secretary shall main-  
17                 tain, for a minimum of 5 years, a record of all per-  
18                 mit decisions and jurisdictional determinations made  
19                 by the Secretary, including documentation sup-  
20                 porting the basis of the decisions and determina-  
21                 tions.

22                 “(2) ARCHIVING OF INFORMATION.—The Sec-  
23                 retary shall explore and implement an appropriate  
24                 mechanism for archiving records of permit decisions  
25                 and jurisdictional determinations, including docu-

1       mentation supporting the basis of the decisions and  
2       determinations, after the 5-year maintenance period  
3       described in paragraph (1).

4       “(e) AVAILABILITY OF DETERMINATIONS.—

5             “(1) IN GENERAL.—The Secretary shall make  
6       the records of all permit decisions and jurisdictional  
7       determinations made by the Secretary available to  
8       the public for review and reproduction.

9             “(2) PROTECTION OF INFORMATION.—The Sec-  
10       retary shall provide for the protection of personal,  
11       private, privileged, confidential, and proprietary in-  
12       formation, and information the disclosure of which is  
13       prohibited by law, which may be excluded from dis-  
14       closure.

15       “(f) DEADLINE FOR ELECTRONIC SYSTEM IMPLE-  
16       MENTATION.—

17             “(1) IN GENERAL.—The Secretary shall develop  
18       and implement, to the maximum extent practicable,  
19       the electronic system required under subsection (a)  
20       not later than 2 years after the date of enactment  
21       of the Water Resources Development Act of 2016.

22             “(2) REPORT ON ELECTRONIC SYSTEM IMPLE-  
23       MENTATION.—Not later than 180 days after the ex-  
24       piration of the deadline under paragraph (1), the  
25       Secretary shall submit to the Committee on Trans-

1 portation and Infrastructure of the House of Rep-  
2 resentatives and the Committee on Environment and  
3 Public Works of the Senate a report describing the  
4 measures implemented and barriers faced in car-  
5 rying out this section.

6 “(g) **APPLICABILITY.**—The requirements described in  
7 subsections (c), (d), and (e) shall apply to permit applica-  
8 tions and requests for jurisdictional determinations sub-  
9 mitted to the Secretary after the date of enactment of the  
10 Water Resources Development Act of 2016.

11 “(h) **LIMITATION.**—This section shall not preclude  
12 the submission to the Secretary, acting through the Chief  
13 of Engineers, of a physical copy of a permit application  
14 or a request for a jurisdictional determination.”.

15 (b) **CLERICAL AMENDMENT.**—The table of contents  
16 in section 1(b) of the Water Resources Development Act  
17 of 2007 is amended by striking the item relating to section  
18 2040 and inserting the following:

“Sec. 2040. Electronic submission and tracking of permit applications.”.

19 **SEC. 136. DATA TRANSPARENCY.**

20 Section 2017 of the Water Resources Development  
21 Act of 2007 (33 U.S.C. 2342) is amended to read as fol-  
22 lows:

23 **“SEC. 2017. ACCESS TO WATER RESOURCE DATA.**

24 “(a) **IN GENERAL.**—Using available funds, the Sec-  
25 retary shall make publicly available, including on the

1 Internet, all data in the custody of the Corps of Engineers  
2 on—

3 “(1) the planning, design, construction, oper-  
4 ation, and maintenance of water resources develop-  
5 ment projects; and

6 “(2) water quality and water management of  
7 projects owned, operated, or managed by the Corps  
8 of Engineers.

9 “(b) LIMITATION.—Nothing in this section may be  
10 construed to compel or authorize the disclosure of data  
11 or other information determined by the Secretary to be  
12 confidential information, privileged information, law en-  
13 forcement information, national security information, in-  
14 frastructure security information, personal information, or  
15 information the disclosure of which is otherwise prohibited  
16 by law.

17 “(c) TIMING.—The Secretary shall ensure that data  
18 is made publicly available under subsection (a) as quickly  
19 as practicable after the data is generated by the Corps  
20 of Engineers.

21 “(d) PARTNERSHIPS.—In carrying out this section,  
22 the Secretary may develop partnerships, including through  
23 cooperative agreements, with State, tribal, and local gov-  
24 ernments and other Federal agencies.”.

1 **SEC. 137. BACKLOG PREVENTION.**

2 (a) **PROJECT DEAUTHORIZATION.**—

3 (1) **IN GENERAL.**—A water resources develop-  
4 ment project, or separable element of such a project,  
5 authorized for construction by this Act shall not be  
6 authorized after the last day of the 7-year period be-  
7 ginning on the date of enactment of this Act unless  
8 funds have been obligated for construction of such  
9 project during that period.

10 (2) **IDENTIFICATION OF PROJECTS.**—Not later  
11 than 60 days after the expiration of the 7-year pe-  
12 riod referred to in paragraph (1), the Secretary shall  
13 submit to the Committee on Environment and Pub-  
14 lic Works of the Senate and the Committee on  
15 Transportation and Infrastructure of the House of  
16 Representatives a report that identifies the projects  
17 deauthorized under paragraph (1).

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

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

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

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

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

12 **SEC. 138. QUALITY CONTROL.**

13       (a) IN GENERAL.—Paragraph (a) of the first section  
14 of the Act of December 22, 1944 (58 Stat. 888, chapter  
15 665; 33 U.S.C. 701–1(a)), is amended by inserting “and  
16 shall be made publicly available” before the period at the  
17 end.

18       (b) PROJECT ADMINISTRATION.—Section 2041(b)(1)  
19 of the Water Resources Development Act of 2007 (33  
20 U.S.C. 2346(b)(1)) is amended by inserting “final post-  
21 authorization change report,” after “final reevaluation re-  
22 port,”.

23 **SEC. 139. BUDGET DEVELOPMENT AND PRIORITIZATION.**

24       (a) IN GENERAL.—In conjunction with the Presi-  
25 dent’s budget submission to Congress with respect to fiscal

1 year 2018 under section 1105(a) of title 31, United States  
2 Code, and biennially thereafter in conjunction with the  
3 President’s budget submission, the Secretary shall submit  
4 to the Committee on Environment and Public Works and  
5 the Committee on Appropriations of the Senate and the  
6 Committee on Transportation and Infrastructure and the  
7 Committee on Appropriations of the House of Representa-  
8 tives a report that describes—

9           (1) the metrics used in developing the civil  
10 works budget for the applicable fiscal year;

11           (2) the metrics used in developing each business  
12 line in the civil works budget; and

13           (3) how projects are prioritized in the applica-  
14 ble budget submission, including how the Secretary  
15 determines those projects for which construction ini-  
16 tiation is recommended.

17 (b) NOTIFICATION.—

18           (1) REQUIREMENT.—If the Secretary proposes  
19 a covered revised budget estimate, the Secretary  
20 shall notify, in writing, each Member of Congress  
21 representing a congressional district affected by the  
22 study, project, or activity subject to the revised esti-  
23 mate.

24           (2) COVERED REVISED BUDGET ESTIMATE DE-  
25 FINED.—In this subsection, the term “covered re-



1 and use of natural and nature-based features in car-  
2 rying out water resources development projects.

3 **SEC. 141. ANNUAL REPORT ON PURCHASE OF FOREIGN**  
4 **MANUFACTURED ARTICLES.**

5 Section 213(a) of the Water Resources Development  
6 Act of 1992 (Public Law 102–580; 106 Stat. 4831) is  
7 amended by adding at the end the following:

8 “(4) ANNUAL REPORT ON PURCHASE OF FOR-  
9 EIGN MANUFACTURED ARTICLES.—

10 “(A) IN GENERAL.—Not later than 90  
11 days after the last day of each fiscal year, the  
12 Secretary shall submit to Congress a report on  
13 the amount of acquisitions in such fiscal year  
14 made by the Corps of Engineers for civil works  
15 projects from entities that manufactured the ar-  
16 ticles, materials, or supplies outside of the  
17 United States.

18 “(B) CONTENTS.—The report required  
19 under subparagraph (A) shall indicate, for each  
20 acquisition—

21 “(i) the dollar value of any articles,  
22 materials, or supplies purchased that were  
23 manufactured outside of the United States;  
24 and

1                   “(ii) a summary of the total procure-  
2                   ment funds spent on goods manufactured  
3                   in the United States and the total procure-  
4                   ment funds spent on goods manufactured  
5                   outside of the United States.

6                   “(C) PUBLIC AVAILABILITY.—Not later  
7                   than 30 days after the submission of a report  
8                   under subparagraph (A), the Secretary shall  
9                   make such report publicly available on the  
10                  agency’s Web site.”.

11 **SEC. 142. INTEGRATED WATER RESOURCES PLANNING.**

12                  In carrying out a feasibility study for a water re-  
13                  sources development project, the Secretary shall coordi-  
14                  nate with communities in the watershed covered by such  
15                  study to determine if a local or regional water manage-  
16                  ment plan exists or is under development for the purposes  
17                  of stormwater management, water quality improvement,  
18                  aquifer recharge, or water reuse. If such a local or regional  
19                  water management plan exists for the watershed, the Sec-  
20                  retary shall, in cooperation with the non-Federal sponsor  
21                  for the plan and affected local public entities, avoid ad-  
22                  versely affecting the purposes of the plan and, where fea-  
23                  sible, incorporate the purposes of the plan into the Sec-  
24                  retary’s feasibility study.

1 **SEC. 143. EVALUATION OF PROJECT PARTNERSHIP AGREEMENTS.**  
2

3 To the maximum extent practicable, the Secretary  
4 shall prioritize and complete the activities required of the  
5 Secretary under section 1013 of the Water Resources Re-  
6 form and Development Act of 2014 (Public Law 113–121;  
7 128 Stat. 1218).

8 **SEC. 144. ADDITIONAL MEASURES AT DONOR PORTS AND**  
9 **ENERGY TRANSFER PORTS.**

10 Section 2106 of the Water Resources Reform and De-  
11 velopment Act of 2014 (33 U.S.C. 2238c) is amended—

12 (1) in subsection (a)(4)(A) by striking “Code of  
13 Federal Regulation” and inserting “Code of Federal  
14 Regulations”; and

15 (2) in subsection (f)—

16 (A) in paragraph (1) by striking “2018”  
17 and inserting “2020”; and

18 (B) in paragraph (3)—

19 (i) by striking “2015 through 2018”  
20 and inserting “2016 through 2020”; and

21 (ii) by striking “2019 through 2022”  
22 and inserting “2021 through 2025”.

23 **SEC. 145. ARCTIC DEEP DRAFT PORT DEVELOPMENT PART-**  
24 **NERSHIPS.**

25 Section 2105 of the Water Resources Reform and De-  
26 velopment Act of 2014 (33 U.S.C. 2243) is amended—

1           (1) by striking “(25 U.S.C. 450b))” each place  
2           it appears and inserting “(25 U.S.C. 450b)) and  
3           Native villages, Regional Corporations, and Village  
4           Corporations (as those terms are defined in section  
5           3 of the Alaska Native Claims Settlement Act (43  
6           U.S.C. 1602))”;

7           (2) by redesignating subsection (d) as sub-  
8           section (e); and

9           (3) by inserting after subsection (c) the fol-  
10          lowing:

11          “(d) **CONSIDERATION OF NATIONAL SECURITY IN-**  
12 **TERESTS.**—In carrying out a study of the feasibility of  
13 an Arctic deep draft port, the Secretary shall consult with  
14 the Secretary of Homeland Security and the Secretary of  
15 Defense to identify national security benefits associated  
16 with the Arctic deep draft port.”.

17 **SEC. 146. INTERNATIONAL OUTREACH PROGRAM.**

18          Section 401(a) of the Water Resources Development  
19 Act of 1992 (33 U.S.C. 2329(a)) is amended to read as  
20 follows:

21          “(a) **AUTHORIZATION.**—

22               “(1) **IN GENERAL.**—The Secretary may engage  
23               in activities to inform the United States of techno-  
24               logical innovations abroad that could significantly

1 improve water resources development in the United  
2 States.

3 “(2) INCLUSIONS.—Activities under paragraph  
4 (1) may include—

5 “(A) development, monitoring, assessment,  
6 and dissemination of information about foreign  
7 water resources projects that could significantly  
8 improve water resources development in the  
9 United States;

10 “(B) research, development, training, and  
11 other forms of technology transfer and ex-  
12 change; and

13 “(C) offering technical services that cannot  
14 be readily obtained in the private sector to be  
15 incorporated into water resources projects if the  
16 costs for assistance will be recovered under the  
17 terms of each project.”.

18 **SEC. 147. COMPREHENSIVE STUDY.**

19 (a) IN GENERAL.—The Secretary shall conduct a  
20 comprehensive study on the flood risks for vulnerable  
21 coastal populations in areas within the boundaries of the  
22 South Atlantic Division of the Corps of Engineers.

23 (b) INCLUSIONS.—In carrying out the study, the Sec-  
24 retary shall identify—

1           (1) activities that warrant additional analysis  
2           by the Corps of Engineers; and

3           (2) institutional and other barriers to providing  
4           protection to the vulnerable coastal populations.

5           (c) COORDINATION.—The Secretary shall conduct the  
6           study in coordination with appropriate Federal agencies  
7           and State, local, and tribal entities to ensure consistency  
8           with related plans.

9           (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
10          authorized to be appropriated \$6,000,000 to carry out this  
11          section.

12       **SEC. 148. ALTERNATIVE MODELS FOR MANAGING INLAND**  
13                               **WATERWAYS TRUST FUND.**

14          (a) STUDY.—The Comptroller General of the United  
15          States shall conduct a study to analyze alternative models  
16          for managing the Inland Waterways Trust Fund, includ-  
17          ing the management of—

18               (1) project schedules for projects receiving as-  
19               sistance from the fund; and

20               (2) expenditures from the fund.

21          (b) CONTENTS.—In conducting the study, the Comp-  
22          troller General shall examine, at a minimum, the costs and  
23          benefits of transferring management of the fund to a not-  
24          for-profit corporation or government-owned corporation.

1           (c) CONSIDERATIONS.—In assessing costs and bene-  
2 fits under subsection (b), the Comptroller General shall  
3 consider, among other factors—

4           (1) the benefits to the taxpayer;

5           (2) the impact on project delivery; and

6           (3) the impact on jobs.

7           (d) REPORT.—Not later than 1 year after the date  
8 of enactment of this Act, the Comptroller General shall  
9 submit to Congress a report on the results of the study.

10 **SEC. 149. ALTERNATIVE PROJECTS TO MAINTENANCE**

11                           **DREDGING.**

12           The Secretary may enter into agreements to assume  
13 the operation and maintenance costs of an alternative  
14 project to maintenance dredging for a channel if the alter-  
15 native project would lower the overall costs of maintaining  
16 the channel.

17 **SEC. 150. FISH HATCHERIES.**

18           (a) IN GENERAL.—Notwithstanding any other provi-  
19 sion of law, the Secretary may operate a fish hatchery for  
20 the purpose of restoring a population of fish species lo-  
21 cated in the region surrounding the fish hatchery that is  
22 listed as a threatened species or an endangered species  
23 under the Endangered Species Act of 1973 (16 U.S.C.  
24 1531 et seq.) or a similar State law.

1 (b) COSTS.—A non-Federal entity, a Federal agency  
2 other than the Department of Defense, or a group of non-  
3 Federal entities or such Federal agencies shall be respon-  
4 sible for 100 percent of the costs associated with man-  
5 aging a fish hatchery for the purpose described in sub-  
6 section (a) that are not authorized as of the date of enact-  
7 ment of this Act for the fish hatchery.

8 **SEC. 151. ENVIRONMENTAL BANKS.**

9 (a) ESTABLISHMENT.—Not later than 180 days after  
10 the date of enactment of this Act, the Chairperson of the  
11 Gulf Coast Ecosystem Restoration Council, with the con-  
12 currence of two-thirds of the Council, shall issue such reg-  
13 ulations as are necessary for the establishment of proce-  
14 dures and processes for the use, maintenance, and over-  
15 sight of environmental banks for purposes of mitigating  
16 adverse environmental impacts sustained by construction  
17 or other activities as required by law or regulation.

18 (b) REQUIREMENTS.—The regulations issued pursu-  
19 ant to subsection (a) shall—

20 (1) set forth procedures for certification of envi-  
21 ronmental banks, including criteria for adoption of  
22 an environmental banking instrument;

23 (2) provide a mechanism for the transfer of en-  
24 vironmental credits;

1           (3) provide for priority certification to environ-  
2           mental banks that enhance the resilience of coastal  
3           resources to inundation and coastal erosion, includ-  
4           ing the restoration of resources within the scope of  
5           a project authorized for construction;

6           (4) ensure certification is given only to banks  
7           with secured adequate financial assurance and ap-  
8           propriate legally enforceable protection for restored  
9           lands or resources;

10          (5) stipulate conditions under which cross-cred-  
11          iting of environmental services may occur and pro-  
12          vide standards for the conversion of such crediting;

13          (6) establish performance criteria for environ-  
14          mental banks;

15          (7) establish criteria for the operation and mon-  
16          itoring of environmental banks; and

17          (8) establish a framework whereby the purchase  
18          of credit from an environmental bank may be used  
19          to offset or satisfy past, current, or future adverse  
20          environmental impacts or liability under law to wet-  
21          lands, water, wildlife, or other natural resources.

22          (c) CONSIDERATION.—In developing the regulations  
23          required under subsection (a), the Chairperson shall take  
24          into consideration habitat equivalency analysis.

1 (d) MODIFICATIONS.—The Chairperson may modify  
2 or update the regulations issued pursuant to this section,  
3 subject to appropriate consultation and public participa-  
4 tion, provided that two-thirds of the Gulf Coast Ecosystem  
5 Restoration Council approves the modification or update.

6 (e) DEFINITION OF ENVIRONMENTAL BANK.—In this  
7 section, the term “environmental bank” means a project,  
8 project increment, or projects for purposes of restoring,  
9 creating, enhancing, or preserving natural resources in a  
10 designated site to provide for credits to offset adverse envi-  
11 ronmental impacts.

12 (f) SAVINGS CLAUSE.—Nothing in this section—

13 (1) affects the requirements of section 906 of  
14 the Water Resources Development Act of 1986 (33  
15 U.S.C. 2283); or

16 (2) affects the obligations or requirements of  
17 any Federal environmental law.

18 **SEC. 152. COST SHARE REQUIREMENT.**

19 The Secretary shall carry out the project for eco-  
20 system restoration and recreation, Los Angeles River,  
21 California, as authorized by this Act, substantially in ac-  
22 cordance with the terms and conditions described in the  
23 Report of the Chief of Engineers, dated December 18,  
24 2015, including, notwithstanding section 2008(c) of the

1 Water Resources Development Act of 2007 (121 Stat.  
2 1074), the recommended cost sharing.

3 **SEC. 153. PUBLIC ACCESS.**

4 (a) RECREATIONAL ACCESS PERMITTED.—The  
5 Board of Directors of the Tennessee Valley Authority may  
6 approve and allow the construction and use of a floating  
7 cabin on waters under the jurisdiction of the Tennessee  
8 Valley Authority if—

9 (1) the floating cabin is maintained by the  
10 owner to reasonable health, safety, and environ-  
11 mental standards, as required by the Board of Di-  
12 rectors; and

13 (2) the Tennessee Valley Authority has author-  
14 ized the use of recreational vessels on such waters.

15 (b) FEES.—The Board of Directors may levy fees on  
16 the owner of a floating cabin on waters under the jurisdic-  
17 tion of the Tennessee Valley Authority for purposes of en-  
18 suring compliance with subsection (a), so long as such fees  
19 are necessary and reasonable for such purposes.

20 (c) CONTINUED RECREATIONAL USE.—With respect  
21 to a floating cabin located on waters under the jurisdiction  
22 of the Tennessee Valley Authority on the date of enact-  
23 ment of this Act, the Board of Directors—

24 (1) may not require the removal of such float-  
25 ing cabin—

1 (A) in the case of a floating cabin that was  
2 granted a permit by the Tennessee Valley Au-  
3 thority before the date of enactment of this Act,  
4 for a period of 15 years beginning on such date;  
5 and

6 (B) in the case of a floating cabin not  
7 granted a permit by the Tennessee Valley Au-  
8 thority before the date of enactment of this Act,  
9 for a period of 5 years beginning on such date;  
10 and

11 (2) shall approve and allow the use of the float-  
12 ing cabin on waters under the jurisdiction of the  
13 Tennessee Valley Authority at such time, and for  
14 such duration, as the floating cabin meets the re-  
15 quirements of subsection (a) and the owner of such  
16 cabin has paid any fee levied pursuant to subsection  
17 (b).

18 (d) NEW CONSTRUCTION.—The Tennessee Valley  
19 Authority may establish regulations to prevent the con-  
20 struction of new floating cabins.

21 (e) FLOATING CABIN DEFINED.—In this section, the  
22 term “floating cabin” means every description of  
23 watercraft or other floating structure primarily designed  
24 and used for human habitation or occupation and not pri-

1 marily designed or used for navigation or transportation  
2 on water.

3 (f) SAVINGS PROVISION.—Nothing in this section re-  
4 stricts the ability of the Tennessee Valley Authority to en-  
5 force reasonable health, safety, or environmental stand-  
6 ards.

7 **SEC. 154. TRIBAL DISPLACEMENT.**

8 (a) IN GENERAL.—The Comptroller General of the  
9 United States shall conduct a study related to any remain-  
10 ing Federal obligations to Indian people displaced by the  
11 construction of the Bonneville Dam, the Dalles Dam, or  
12 the John Day Dam on the Columbia River in Oregon and  
13 Washington.

14 (b) FACTORS.—The study shall include—

15 (1) a determination as to the number and loca-  
16 tion of Indian people displaced by the construction  
17 of the Bonneville Dam, the Dalles Dam, or the John  
18 Day Dam;

19 (2) a determination of the amounts and types  
20 of assistance provided by the Federal Government to  
21 Indian people displaced by the construction of such  
22 dams to the present; and

23 (3) a determination of whether and how much  
24 assistance is necessary to meet any remaining Fed-

1       eral obligations to compensate Indian people dis-  
2       placed by the construction of such dams.

3       (c) REPORT.—Not later than 1 year after the date  
4 of enactment of this Act, the Comptroller General shall  
5 submit to Congress a report on the results of the study.

6 **SEC. 155. DROUGHT EMERGENCIES.**

7       (a) AUTHORIZED ACTIVITIES.—With respect to a  
8 State in which a drought emergency is in effect on the  
9 date of enactment of this Act, or was in effect at any time  
10 during the 1-year period ending on such date of enact-  
11 ment, and upon the request of the Governor of the State,  
12 the Secretary is authorized to—

13           (1) prioritize the updating of the water control  
14 manuals for control structures under the jurisdiction  
15 of the Secretary that are located in the State; and

16           (2) incorporate into the update seasonal oper-  
17 ations for water conservation and water supply for  
18 such control structures.

19       (b) COORDINATION.—The Secretary shall carry out  
20 the update under subsection (a) in coordination with all  
21 appropriate Federal agencies, elected officials, and mem-  
22 bers of the public.

23 **SEC. 156. GAO STUDY.**

24       (a) IN GENERAL.—Not later than 1 year after the  
25 date of enactment of this Act, the Comptroller General

1 of the United States shall submit to the Committee on  
2 Environment and Public Works of the Senate and the  
3 Committee on Transportation and Infrastructure of the  
4 House of Representatives an analysis of the President's  
5 budget requests for the Corps of Engineers Civil Works  
6 Program for each of fiscal years 2008 through 2017.

7 (b) CONSIDERATIONS.—The analysis to be submitted  
8 under subsection (a) shall evaluate—

9 (1) the extent to which there is geographic di-  
10 versity among the projects included in such budget  
11 requests; and

12 (2) whether the methodologies used by the  
13 Corps of Engineers to calculate benefit-cost ratios  
14 for projects impact the geographic diversity of  
15 projects included in such budget requests.

16 **SEC. 157. WORK DEFINED.**

17 Section 14 of the Act of March 3, 1899 (30 Stat.  
18 1152, chapter 425; 33 U.S.C. 408), is amended—

19 (1) by striking “It shall not be lawful” and in-  
20 serting the following:

21 “(a) IN GENERAL.—It shall not be lawful”; and

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

23 “(b) WORK DEFINED.—

1           “(1) IN GENERAL.—In this section, the term  
2           ‘work’ means engineered structures that serve a par-  
3           ticular function.

4           “(2) INCLUSIONS.—In this section, the term  
5           ‘work’ includes only structures of like kind with  
6           those identified in subsection (a).

7           “(3) EXCLUSIONS.—In this section, the term  
8           ‘work’ does not include—

9                   “(A) the river channel as such, whether or  
10                  not dredging is necessary to maintain naviga-  
11                  tional depths;

12                   “(B) unimproved real estate; or

13                   “(C) a particular feature or structure  
14                  merely because the feature or structure is  
15                  present within a Federal project.”.

16 **SEC. 158. AUTHORIZATION OF FEDERALLY MAINTAINED**  
17 **TRIBUTARY CHANNELS AS PART OF CHAN-**  
18 **NEL SYSTEM.**

19           A project that has been assumed for maintenance by  
20 the Secretary under any authority granted by Congress  
21 shall—

22                   (1) be treated as a project authorized by Con-  
23                  gress; and

24                   (2) be planned, operated, managed, or modified  
25                  in a manner consistent with authorized projects.

1 **SEC. 159. DAM SAFETY REPAIR PROJECTS.**

2 The Secretary shall issue guidance—

3 (1) on the types of circumstances under which  
4 the requirement in section 1203(a) of the Water Re-  
5 sources Development Act of 1986 (33 U.S.C.  
6 467n(a)) relating to state-of-the-art design or con-  
7 struction criteria deemed necessary for safety pur-  
8 poses applies to a dam safety repair project;

9 (2) to assist district offices of the Corps of En-  
10 gineers in communicating with non-Federal interests  
11 when entering into and implementing cost-sharing  
12 agreements for dam safety repair projects; and

13 (3) to assist the Corps of Engineers in commu-  
14 nicating with non-Federal interests concerning the  
15 estimated and final cost-share responsibilities of the  
16 non-Federal interests under agreements for dam  
17 safety repair projects.

18 **SEC. 160. EXPEDITED COMPLETION OF AUTHORIZED**  
19 **PROJECT FOR FLOOD RISK MANAGEMENT.**

20 The Secretary shall expedite the completion of the  
21 project for flood risk management, Cedar River, Cedar  
22 Rapids, Iowa, authorized by item 3 of the table in section  
23 7002(2) of the Water Resources Development Act of 2014  
24 (Public Law 113–121; 128 Stat. 1366).

1 **SEC. 161. REVIEW OF BENEFITS.**

2       When reviewing requests for repair or restoration of  
3 a flood risk management project under the authority of  
4 section 5(a)(1) of the Act of August 18, 1941, (33 U.S.C.  
5 701n(a)(1)), the Army Corps of Engineers is authorized  
6 to consider all benefits to the public that may accrue from  
7 the proposed rehabilitation work, including, flood risk  
8 management, navigation, recreation, and ecosystem res-  
9 toration.

10 **SEC. 162. FEDERAL COST LIMITATION OF ECOSYSTEM RES-**  
11 **TORATION COSTS FOR CERTAIN PROJECTS.**

12       Section 506(c) of the Water Resources Development  
13 Act of 2000 is amended by adding at the end the fol-  
14 lowing:

15               “(5) A project carried out pursuant to this sub-  
16 section may include compatible recreation features  
17 as determined by the Secretary, except that the Fed-  
18 eral cost of such features may not exceed 10 percent  
19 of the ecosystem restoration costs of the project.”.

20 **SEC. 163. LOCAL FLOOD PROTECTION WORKS.**

21               (1) IN GENERAL.—Permission for alterations by  
22 a non-Federal interest to a Federal levee, floodwall,  
23 or flood risk management channel project and asso-  
24 ciated features may be granted by a District Engi-  
25 neer of the Department of the Army or an author-  
26 ized representative.

1           (2) **TIMELY APPROVAL OF PERMITS.**—On the  
2 date that is 120 days after the date on which the  
3 Secretary receives an application for a permit pursu-  
4 ant to section 14 of the Act of March 3, 1899 (com-  
5 monly known as the “Rivers and Harbors Appro-  
6 priation Act of 1899”) (33 U.S.C. 408), the applica-  
7 tion shall be approved if—

8           (A) the Secretary has not made a deter-  
9 mination on the approval or disapproval of the  
10 application; and

11           (B) the plans detailed in the application  
12 were prepared and certified by a professional  
13 engineer licensed by the State in which the  
14 project is located.

15 **SEC. 164. FLOOD MITIGATION AND RIVERINE RESTORA-**  
16 **TION PROGRAM.**

17           The Secretary shall expedite carrying out the projects  
18 listed under paragraphs (29) through (33) of section  
19 212(e) of the Water Resources Development Act of 1999  
20 (33 U.S.C. 2332(e)) and is authorized to proceed to con-  
21 struction on such any such project if the Chief of Engi-  
22 neers determines the project is feasible.

23 **SEC. 165. TABLE ROCK LAKE, ARKANSAS AND MISSOURI.**

24           (a) **IN GENERAL.**—Notwithstanding any other provi-  
25 sion of law, the Secretary—

1           (1) shall include a 60-day public comment pe-  
2           riod for a Table Rock Lake Master Plan and Table  
3           Rock Lake Shoreline Management Plan revision;  
4           and

5           (2) shall not finalize a revision for the Table  
6           Rock Lake Master Plan and Table Rock Lake  
7           Shoreline Management Plan during the 5-year pe-  
8           riod beginning on the date of enactment of this Act.

9           (b) SHORELINE USE PERMITS.—During the period  
10          described in subsection (a)(2), the Secretary shall lift or  
11          suspend the moratorium on the issuance of new, and modi-  
12          fications to existing, shoreline use permits based on the  
13          existing Table Rock Lake Master Plan and Table Rock  
14          Lake Shoreline Management Plan.

15          (c) STUDY.—

16               (1) IN GENERAL.—The Secretary shall—

17                       (A) carry out a study on the need to revise  
18                       permit fees relating to Table Rock Lake to bet-  
19                       ter reflect the cost of issuing those fees and  
20                       achieve cost savings; and

21                       (B) submit to Congress a report on the re-  
22                       sults of the study described in subparagraph  
23                       (A).

24               (2) REQUIREMENT.—The Secretary shall com-  
25          plete the study under paragraph (1)(A) before

1       adopting any revision to the Table Rock Lake Shore-  
2       line Management Plan.

3       **SEC. 166. ADJUSTMENT TO COST BENEFIT RATIO.**

4       For any navigation project carried out by the Army  
5       Corps of Engineers with non-Federal funds, the Secretary  
6       may, after completion of any portion of the authorized  
7       project, adjust the authorized benefit cost ratio.

8       **SEC. 167. LAND TRANSFER AND TRUST LAND FOR THE**  
9                                   **MUSCOGEE (CREEK) NATION.**

10       (a) TRANSFER.—

11               (1) IN GENERAL.—Subject to paragraph (2)  
12       and for the consideration described in subsection (c),  
13       the Secretary shall transfer to the Secretary of the  
14       Interior the land described in subsection (b) to be  
15       held in trust for the benefit of the Muscogee (Creek)  
16       Nation.

17               (2) CONDITIONS.—The land transfer under this  
18       subsection shall be subject to the following condi-  
19       tions:

20                       (A) The transfer—

21                               (i) shall not interfere with the Corps  
22                               of Engineers operation of the Eufaula  
23                               Lake Project or any other authorized civil  
24                               works projects; and

1                   (ii) shall be subject to such other  
2                   terms and conditions as the Secretary de-  
3                   termines to be necessary and appropriate  
4                   to ensure the continued operation of the  
5                   Eufaula Lake Project or any other author-  
6                   ized civil works project.

7                   (B) The Secretary shall retain the right to  
8                   inundate with water the land transferred to the  
9                   Secretary of the Interior under this subsection,  
10                  as necessary to carry out an authorized purpose  
11                  of the Eufaula Lake Project or any other civil  
12                  works project.

13                  (C) No gaming activities may be conducted  
14                  on the land transferred under this subsection.

15                  (b) LAND DESCRIPTION.—

16                   (1) IN GENERAL.—The land to be transferred  
17                   pursuant to subsection (a) is the approximately  
18                   18.38 acres of land located in the Northwest Quar-  
19                   ter (NW 1/4) of sec. 3, T. 10 N., R. 16 E.,  
20                   McIntosh County, Oklahoma, generally depicted as  
21                   “USACE” on the map entitled “Muscoogie (Creek)  
22                   Nation Proposed Land Acquisition” and dated Octo-  
23                   ber 16, 2014.

24                   (2) SURVEY.—The exact acreage and legal de-  
25                   scription of the land to be transferred under sub-

1 section (a) shall be determined by a survey satisfac-  
2 tory to the Secretary and the Secretary of the Inte-  
3 rior.

4 (c) CONSIDERATION.—The Muscogee (Creek) Nation  
5 shall pay—

6 (1) to the Secretary an amount that is equal to  
7 the fair market value of the land transferred under  
8 subsection (a), as determined by the Secretary,  
9 which funds may be accepted and expended by the  
10 Secretary; and

11 (2) all costs and administrative expenses associ-  
12 ated with the transfer of land under subsection (a),  
13 including the costs of—

14 (A) the survey under subsection (b)(2);

15 (B) compliance with the National Environ-  
16 mental Policy Act of 1969 (42 U.S.C. 4321 et  
17 seq.); and

18 (C) any coordination necessary with re-  
19 spect to requirements related to endangered  
20 species, cultural resources, clean water, and  
21 clean air.

22 **SEC. 168. LAKE KEMP, TEXAS.**

23 Section 3149(a) of the Water Resources Development  
24 Act of 2007 is amended—

1           (1) by striking “2020” and inserting “2025”;  
2           and

3           (2) by striking “this Act” and inserting “the  
4           Water Resources Development Act of 2016”.

5 **SEC. 169. COASTAL TEXAS ECOSYSTEM PROTECTION AND**  
6 **RESTORATION, TEXAS.**

7           In carrying out the comprehensive planning author-  
8 ized by section 4091 of the Water Resources Development  
9 Act of 2007 (Public Law 110–114; 121 Stat. 1187), the  
10 Secretary shall consider studies, data, and information de-  
11 veloped by the Gulf Coast Community Protection and Re-  
12 covery District to expedite completion of the plan.

13 **SEC. 170. CORPS LEVEES THAT AFFECT COMMUNITY-**  
14 **OWNED LEVEES.**

15           Where Federally owned and operated levees increase  
16 flood risk and compromise the accreditation of commu-  
17 nity-owned local flood protection systems, it shall be the  
18 policy of the Corps of Engineers to act expeditiously with  
19 actions required to authorize, fund, identify, and imple-  
20 ment improvements to reduce and negate negative impacts  
21 to community-owned flood protection system accredita-  
22 tion.

1 **SEC. 171. CORROSION PREVENTION.**

2 Section 1033 of the Water Resources Reform and De-  
3 velopment Act of 2014 (33 U.S.C. 2350) is amended by  
4 adding at the end the following:

5 “(d) REPORT.—Not later than 1 year after the date  
6 of enactment of this subsection, and annually thereafter,  
7 the Secretary shall submit to the Committee on Environ-  
8 ment and Public Works of the Senate and the Committee  
9 on Transportation and Infrastructure of the House of  
10 Representatives a report on the corrosion prevention ac-  
11 tivities encouraged under this section that includes—

12 “(1) a description of the actions the Secretary  
13 has taken to implement this section; and

14 “(2) a description of the projects utilizing cor-  
15 rosion prevention activities, including which activi-  
16 ties were undertaken.”.

17 **SEC. 172. NORTH ATLANTIC COASTAL REGION.**

18 Section 4009 of the Water Resources Reform and De-  
19 velopment Act of 2014 (Public Law 113–121; 128 Stat.  
20 1316) is amended—

21 (1) in subsection (a) by striking “a study to de-  
22 termine the feasibility of carrying out projects” and  
23 inserting “a comprehensive assessment and manage-  
24 ment plan”;

25 (2) in subsection (b)—

1 (A) in the subsection heading by striking  
2 “STUDY” and inserting “ASSESSMENT AND  
3 PLAN”; and

4 (B) in the matter preceding paragraph (1),  
5 by striking “study” and inserting “assessment  
6 and plan”; and

7 (3) in subsection (c)(1) by striking “study” and  
8 inserting “assessment and plan”.

9 **SEC. 173. ACQUISITION OF BEACH FILL.**

10 Section 935 of the Water Resources Development Act  
11 of 1986 (33 U.S.C. 2299) is amended by striking “if such  
12 materials are not available from domestic sources for envi-  
13 ronmental or economic reasons”.

14 **SEC. 174. PRIORITIZATION OF CERTAIN PROJECTS.**

15 The Secretary shall give priority to a project for flood  
16 risk management if—

17 (1) there is an executed project partnership  
18 agreement for the project; and

19 (2) the project is located in an area—

20 (A) in which there has been a loss of life  
21 due to flood events; and

22 (B) with respect to which the President  
23 has declared that a major disaster or emergency  
24 exists under section 401 of the Robert T. Staf-

1           ford Disaster Relief and Emergency Assistance  
2           Act (42 U.S.C. 5170).

3 **SEC. 175. WATERCRAFT INSPECTION STATIONS.**

4           Section 104 of the River and Harbor Act of 1958  
5 (33 U.S.C. 610) is amended—

6           (1) in subsection (d)—

7                   (A) by striking paragraph (1) and insert-  
8           ing the following:

9           “(1) IN GENERAL.—In carrying out this sec-  
10          tion, the Secretary may establish, operate, and main-  
11          tain new or existing watercraft inspection stations to  
12          protect the Columbia River Basin to be located in  
13          the States of Idaho, Montana, Oregon, and Wash-  
14          ington at locations, as determined by the Secretary  
15          in consultation with such States with the highest  
16          likelihood of preventing the spread of aquatic  
17          invasive species at reservoirs operated and main-  
18          tained by the Secretary. The Secretary shall also as-  
19          sist the States referred to in this paragraph with  
20          rapid response of any Quagga or Zebra mussel infes-  
21          tation.”.

22                   (B) in paragraph (3) by inserting “Gov-  
23          ernors of the” before “States”; and

24           (2) in subsection (e) by striking paragraph (3)  
25          and inserting the following:

1           “(3) assist the States in early detection of  
2           Quagga and Zebra mussels;”.

3 **SEC. 176. GULF COAST OYSTER BED RECOVERY ASSESS-**  
4 **MENT.**

5           (a) DEFINITIONS.—In this section:

6           (1) GULF STATES.—The term “Gulf States”  
7           means each of the States of Alabama, Florida, Lou-  
8           isiana, Mississippi, and Texas.

9           (2) SECRETARY.—The term “Secretary” means  
10          the Secretary of the Army, acting through the Chief  
11          of Engineers.

12          (b) GULF COAST OYSTER BED RECOVERY ASSESS-  
13          MENT.—The Secretary, in coordination with the Gulf  
14          States, shall conduct an assessment relating to the recov-  
15          ery of oyster beds on the coast of Gulf States that were  
16          damaged by events including—

17                 (1) Hurricane Katrina in 2005;

18                 (2) the Deepwater Horizon oil spill in 2010;

19                 and

20                 (3) floods in 2011 and 2016.

21          (c) INCLUSION.—The assessment conducted under  
22          subsection (b) shall address the beneficial use of dredged  
23          material in providing substrate for oyster bed develop-  
24          ment.

1 (d) REPORT.—Not later than 180 days after the date  
2 of enactment of this Act, the Secretary shall submit to  
3 the Committee on Environment and Public Works of the  
4 Senate and the Committee on Transportation and Infra-  
5 structure of the House of Representatives a report on the  
6 assessment conducted under subsection (b).

7 **SEC. 177. WATER INFRASTRUCTURE FINANCE AND INNOVA-**  
8 **TION.**

9 (a) PROJECTS ELIGIBLE FOR ASSISTANCE.—Section  
10 5026(6) of the Water Infrastructure Finance and Innova-  
11 tion Act of 2014 (33 U.S.C. 3905(6)) is amended by strik-  
12 ing “or a water recycling project” and inserting “a water  
13 recycling project, or a project of the Corps of Engineers  
14 to provide alternative water supplies to reduce aquifer de-  
15 pletion”.

16 (b) CREDIT.—Section 5029(b) of the Water Infra-  
17 structure Finance and Innovation Act of 2014 (33 U.S.C.  
18 3908(b)) is amended by adding at the end the following:

19 “(10) CREDIT.—With respect to a project of  
20 the Corps of Engineers to provide alternative water  
21 supplies to reduce aquifer depletion, any eligible  
22 project costs incurred and the value of any integral  
23 in-kind contributions made before receipt of assist-  
24 ance under this subtitle shall be credited toward the  
25 51 percent of project costs to be provided by sources

1 of funding other than a secured loan under this sub-  
2 title (as described in paragraph (2)(A)).”.

3 **SEC. 178. FLOOD MITIGATION AND RIERINE RESTORATION**  
4 **PROGRAM.**

5 The Secretary shall expedite carrying out the project  
6 for flood risk management, Brays Bayou, Texas, author-  
7 ized by item 6 in section 211(f) of the Water Resources  
8 Development Act of 1996 (Public Law 104–303).

9 **SEC. 179. INITIATING WORK ON SEPARABLE ELEMENTS.**

10 With respect to a water resources development  
11 project that has received construction funds in the pre-  
12 vious 6-year period, for purposes of initiating work on a  
13 separable element of the project—

14 (1) no new start or new investment decision  
15 shall be required; and

16 (2) the work shall be treated as ongoing work.

17 **SEC. 180. LOWER BOIS D’ARC CREEK RESERVOIR PROJECT,**  
18 **FANNIN COUNTY, TEXAS.**

19 (a) FINALIZATION REQUIRED.—Not later than Sep-  
20 tember 30, 2017, the Secretary shall finalize all permit  
21 decisions and publish all decision documents related to the  
22 construction of, impoundment of water in, and operation  
23 of, the Lower Bois d’Arc Creek Reservoir Project, includ-  
24 ing any associated water transmission facilities, by the

1 North Texas Municipal Water District in Fannin County,  
2 Texas.

3 (b) INTERIM REPORT.—Not later than June 30,  
4 2017, the Secretary shall report to Congress on the status  
5 of the permit decisions and related documents described  
6 in subsection (a) and whether or not the Secretary antici-  
7 pates being able to meet the deadline established in such  
8 subsection, including, if applicable, a justification of why  
9 the Secretary may fail to meet such deadline.

10 **SEC. 181. CONSIDERATION OF USE OF NATURAL AND NA-**  
11 **TURE-BASED FEATURE.**

12 In carrying out the design, construction, mainte-  
13 nance, repair, and rehabilitation of development projects,  
14 including flood risk reduction, coastal resiliency, and eco-  
15 system restoration projects, the Secretary shall ensure  
16 that appropriate consideration is given to the use of nat-  
17 ural and nature-based features.

18 **SEC. 182. RECREATIONAL ACCESS.**

19 Section 1035 of the Water Resources Reform and De-  
20 velopment Act of 2014 (Public Law 113–121; 128 Stat.  
21 1234) is amended—

22 (1) by striking subsection (b) and inserting the  
23 following:

24 “(b) RECREATIONAL ACCESS.—The Secretary shall  
25 allow the use of a floating cabin on waters under the juris-

1 diction of the Secretary in the Cumberland River basin  
2 if—

3 “(1) the floating cabin—

4 “(A) is in compliance with, and maintained  
5 by the owner to satisfy the requirements of,  
6 regulations for recreational vessels, including  
7 health and safety standards, issued under chap-  
8 ter 43 of title 46, United States Code, and sec-  
9 tion 312 of the Federal Water Pollution Control  
10 Act (33 U.S.C. 1322); and

11 “(B) is located at a marina leased by the  
12 Corps of Engineers; and

13 “(2) the Secretary has authorized the use of  
14 recreational vessels on such waters.”; and

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

16 “(c) LIMITATION ON STATUTORY CONSTRUCTION.—

17 “(1) IN GENERAL.—Nothing in this section  
18 may be construed to authorize the Secretary to im-  
19 pose requirements on a floating cabin or on any fa-  
20 cility that serves a floating cabin, including marinas  
21 or docks located on waters under the jurisdiction of  
22 the Secretary in the Cumberland River basin, that  
23 are different or more stringent than the require-  
24 ments imposed on all recreational vessels authorized  
25 to use such waters.

1           “(2) DEFINITIONS.—In this subsection, the fol-  
2           lowing definitions apply:

3                   “(A) VESSEL.—The term ‘vessel’ has the  
4                   meaning given that term in section 3 of title 1,  
5                   United States Code.

6                   “(B) REQUIREMENT.—The term ‘require-  
7                   ment’ includes a requirement imposed through  
8                   the utilization of guidance.”.

9   **SEC. 183. NO WAKE ZONES FOR VESSELS.**

10           (a) IN GENERAL.—The Secretary shall work with  
11           State and local officials to establish a no wake zone for  
12           vessels in a covered navigation channel if—

13                   (1) State or local law enforcement officers have  
14                   documented that there exist safety hazards that are  
15                   a direct result of excessive wakes in the channel;

16                   (2) a State law has been enacted to establish a  
17                   no wake zone for the channel or waters adjacent to  
18                   the channel; and

19                   (3) the no wake zone complies with any rec-  
20                   ommendation made by the Commandant of the  
21                   Coast Guard to ensure the safety of vessels oper-  
22                   ating in the zone and the safety of the passengers  
23                   and crew aboard such vessels.

24           (b) EXCEPTION.—A no wake zone established pursu-  
25           ant to this section shall not apply to the operation of a

1 towing vessel, as defined in section 2101 of title 46,  
2 United States Code.

3 (c) COVERED NAVIGATION CHANNEL.—In this sec-  
4 tion, the term “covered navigation channel” means a navi-  
5 gation channel that—

- 6 (1) is federally marked or maintained;
- 7 (2) is part of the Atlantic Intracoastal Water-  
8 way; and
- 9 (3) is adjacent to a marina.

10 **SEC. 184. ICE JAM PREVENTION AND MITIGATION.**

11 (a) IN GENERAL.—The Secretary may carry out  
12 projects under section 205 of the Flood Control Act of  
13 1948 (33 U.S.C. 701s), including planning, design, con-  
14 struction, and monitoring of structural and nonstructural  
15 technologies and measures for preventing and mitigating  
16 flood damages associated with ice jams.

17 (b) INCLUSION.—The projects described in sub-  
18 section (a) may include the development and demonstra-  
19 tion of cost-effective technologies and designs developed in  
20 consultation with—

- 21 (1) the Cold Regions Research and Engineering  
22 Laboratory of the Corps of Engineers;
- 23 (2) universities;
- 24 (3) Federal, State, and local agencies; and
- 25 (4) private organizations.

1 **SEC. 185. TRIBAL CONSULTATION.**

2 (a) REVIEW.—Not later than 60 days after the date  
3 of enactment of this Act, the Secretary shall begin a re-  
4 view of the policies, regulations, and guidance related to  
5 conducting meaningful consultation with Indian tribes re-  
6 garding Corps of Engineers flood control, environmental  
7 restoration, and other projects or requiring the Corps of  
8 Engineers to approve a permit that may have an impact  
9 on tribal cultural or natural resources.

10 (b) CONTENTS.—The review required under sub-  
11 section (a) shall examine and assess the following:

12 (1) How tribal consultation rules apply to the  
13 permitting process, especially for projects not on  
14 tribal lands but which may still be contiguous to  
15 such lands or affect tribal cultural and natural re-  
16 sources.

17 (2) How the Corps of Engineers defines mean-  
18 ingful consultation.

19 (3) Whether the current process adequately  
20 considers tribal interests including environmental,  
21 social, health and well-being of tribal members.

22 (4) How the Corps of Engineers informs tribes  
23 that it will not consider concerns or alternatives  
24 raised during the consultation process.

25 (5) How the Corps of Engineers determines a  
26 project's impact on tribal communities including the

1 Corps ability to protect cultural and natural re-  
2 sources such as water.

3 (6) The specific situations by which tribes have  
4 access to high level Corps of Engineers officials such  
5 as the Assistant Secretary of the Army (Civil  
6 Works) and the Chief of Engineers to dispute or  
7 otherwise direct concerns about pending Corps of  
8 Engineers projects or permits, including examples of  
9 instances in which the Corps of Engineers provided  
10 such access as part of its consultation with a tribe  
11 regarding a particular project.

12 (7) The role of headquarters in overseeing trib-  
13 al consultation being done at the District and Divi-  
14 sion levels.

15 (8) The effectiveness of the dispute resolution  
16 process that has been developed to elevate tribal con-  
17 cerns to higher levels of Corps of Engineers over-  
18 sight and review.

19 (9) Whether the Corps should undertake a rule-  
20 making process related to its tribal consultation poli-  
21 cies and procedures.

22 (c) CONSULTATION.—In completing the review re-  
23 quired under subsection (a), the Secretary shall provide  
24 for public and private meetings with Indian tribes and  
25 other stakeholders.

1 (d) REPORT.—Not later than 1 year after beginning  
2 the review under subsection (a), the Secretary shall submit  
3 to Congress, and publish in the Federal Register, a report  
4 on—

5 (1) the results of the review;

6 (2) any proposed changes to the tribal consulta-  
7 tion policies determined necessary as a result of the  
8 review; and

9 (3) if the Secretary determines that no changes  
10 to the tribal consultation policies are necessary, the  
11 justification for such determination.

12 **SEC. 186. STRUCTURAL HEALTH MONITORING.**

13 (a) IN GENERAL.—The Secretary shall design and  
14 develop a structural health monitoring program to assess  
15 and improve the condition of infrastructure constructed  
16 and maintained by the Corps of Engineers, including re-  
17 search, design, and development of systems and frame-  
18 works for—

19 (1) response to flood and earthquake events;

20 (2) pre-disaster mitigation measures;

21 (3) lengthening the useful life of the infrastruc-  
22 ture; and

23 (4) identifying risks due to sea level rise.

1 (b) CONSULTATION AND CONSIDERATION.—In devel-  
2 oping the program under subsection (a), the Secretary  
3 shall—

4 (1) consult with academic and other experts;  
5 and

6 (2) consider models for maintenance and repair  
7 information, the development of degradation models  
8 for real-time measurements and environmental in-  
9 puts, and research on qualitative inspection data as  
10 surrogate sensors.

11 **SEC. 187. EXPEDITED COMPLETION OF AUTHORIZED**  
12 **PROJECT FOR FLOOD CONTROL.**

13 The Secretary shall expedite the completion of the  
14 project for flood control, Chicagoland Underflow Plan, Illi-  
15 nois, phase 2, as authorized by section 3(a)(5) of the  
16 Water Resources Development Act of 1988 (Public Law  
17 100–676; 102 Stat. 4013) and modified by section 319  
18 of the Water Resources Development Act of 1996 (Public  
19 Law 104–303; 110 Stat. 3715) and section 501 of the  
20 Water Resources Development Act of 1999 (Public Law  
21 106–53; 113 Stat. 334).

22 **SEC. 188. CAMERON COUNTY, TEXAS.**

23 (a) RELEASE.—As soon as practicable after the date  
24 of enactment of this Act, the Secretary shall execute and  
25 file in the appropriate office a deed of release, amended

1 deed, or other appropriate instrument effectuating the re-  
2 lease of the interests of the United States in certain tracts  
3 of land located in Cameron County, Texas, as described  
4 in subsection (e).

5 (b) ADDITIONAL TERMS AND CONDITIONS.—The  
6 Secretary may require that any release under this section  
7 be subject to such additional terms and conditions as the  
8 Secretary considers appropriate and necessary to protect  
9 the interests of the United States.

10 (c) COSTS OF CONVEYANCE.—The Brownsville Navi-  
11 gation District shall be responsible for all reasonable and  
12 necessary costs, including real estate transaction and envi-  
13 ronmental documentation costs, associated with the re-  
14 leases.

15 (d) DESCRIPTION.—The Secretary shall release all or  
16 portions of the interests in the following tracts as deter-  
17 mined by a survey to be paid for by the Brownsville Navi-  
18 gation District, that is satisfactory to the Secretary:

19 (1) Tract No. 1: Being approximately 1,277.80  
20 acres as conveyed by the Brownsville Navigation  
21 District of Cameron County, Texas, to the United  
22 States by instrument dated September 22, 1932,  
23 and recorded at volume 238, pages 578 through  
24 580, in the Deed Records of Cameron County,

1 Texas, to be released and abandoned in its entirety,  
2 save and except the approximately 347.40 acres.

3 (2) Tract No. 2: Being approximately 842.28  
4 acres as condemned by the United States by the  
5 Final Report of Commissioners dated May 6, 1938,  
6 and recorded at volume 281, pages 486 through  
7 488, in the Deed Records of Cameron County,  
8 Texas, to be released and abandoned in its entirety,  
9 save and except approximately 158.14 acres com-  
10 prised of an approximately 500 ft. wide strip cen-  
11 tered on the centerline of the Brownsville Ship  
12 Channel.

13 (3) Tract No. 3: Being approximately 362.00  
14 acres as conveyed by the Manufacturing and Distrib-  
15 uting University to the United States by instrument  
16 dated March 3, 1936, and recorded at volume "R",  
17 page 123, in the Miscellaneous Deed Records of  
18 Cameron County, Texas, to be released and aban-  
19 doned in its entirety.

20 (4) Tract No. 5: Being approximately 10.91  
21 acres as conveyed by the Brownsville Navigation  
22 District of Cameron County, Texas, by instrument  
23 dated March 6, 1939, and recorded at volume 293,  
24 pages 113 through 115, in the Deed Records of  
25 Cameron County, Texas (said 10.91 acres are identi-

1       fied in said instrument as the “Third Tract”), to be  
2       partially released as to the land portion of the tract.

3           (5) Tract No. 9: Being approximately 552.82  
4       acres as condemned by the United States by the  
5       Final Report of Commissioners dated May 6, 1938,  
6       and recorded at volume 281, pages 483 through  
7       486, in the Deed Records of Cameron County,  
8       Texas, to be released and abandoned in its entirety,  
9       save and except approximately 88.04 acres com-  
10      prised of an approximately 450 ft. wide strip along  
11      the new centerline of the Brownsville Ship Channel.

12          (6) Tract No. 10: Being approximately 325.02  
13      acres as condemned by the United States by the  
14      Final Report of Commissioners dated May 7, 1935,  
15      and recorded at volume 281, pages 476 through  
16      483, in the Deed Records of Cameron County,  
17      Texas, to be released and abandoned in its entirety,  
18      save and except approximately 61.58 acres com-  
19      prised of an approximately 500 ft. wide strip cen-  
20      tered on the new centerline of the Brownsville Ship  
21      Channel.

22          (7) Tract No. 11: Being approximately 8.85  
23      acres as conveyed by the Brownsville Navigation  
24      District of Cameron County, Texas, to the United  
25      States by instrument dated January 23, 1939, and

1 recorded at volume 293, pages 115 through 118, in  
2 the Deed Records of Cameron County, Texas (said  
3 8.85 acres are identified in said instrument as the  
4 “First Tract”), to be released and abandoned in its  
5 entirety, save and except a narrow area along the  
6 channel.

7 **SEC. 189. GREAT LAKES NAVIGATION SYSTEM.**

8 Section 210(d)(1)(B) of the Water Resources Devel-  
9 opment Act of 1986 (33 U.S.C. 2238(d)(1)(B)) is amend-  
10 ed in the matter preceding clause (i) by striking “For each  
11 of fiscal years 2015 through 2024” and inserting “For  
12 each fiscal year”.

13 **SEC. 190. KENNEWICK MAN.**

14 (a) DEFINITIONS.—In this section:

15 (1) CLAIMANT TRIBES.—The term “claimant  
16 tribes” means the Confederated Tribes of the  
17 Colville Reservation, the Confederated Tribes and  
18 Bands of the Yakama Nation, the Nez Perce Tribe,  
19 the Confederated Tribes of the Umatilla Reserva-  
20 tion, and the Wanapum Band of Priest Rapids.

21 (2) DEPARTMENT.—The term “Department”  
22 means the Washington State Department of Archae-  
23 ology and Historic Preservation.

24 (3) HUMAN REMAINS.—The term “human re-  
25 mains” means the human remains that—

1           (A) are known as Kennewick Man or the  
2           Ancient One, which includes the projectile point  
3           lodged in the right ilium bone, as well as any  
4           residue from previous sampling and studies;  
5           and

6           (B) are part of archaeological collection  
7           number 45BN495.

8           (b) TRANSFER.—Notwithstanding any other provi-  
9           sion of Federal law, including the Native American Graves  
10          Protection and Repatriation Act (25 U.S.C. 3001 et seq.),  
11          or law of the State of Washington, not later than 90 days  
12          after the date of enactment of this Act, the Secretary, act-  
13          ing through the Chief of Engineers, shall transfer the  
14          human remains to the Department, on the condition that  
15          the Department, acting through the State Historic Preser-  
16          vation Officer, disposes of the remains and repatriates the  
17          remains to claimant tribes.

18          (c) TERMS AND CONDITIONS.—The transfer shall be  
19          subject to the following terms and conditions:

20                (1) The release of the human remains to the  
21                claimant tribes is contingent upon the claimant  
22                tribes entering into agreement with the Department.

23                (2) The claimant tribes are in agreement as to  
24                the final burial place of the human remains.

1           (3) The claimant tribes are in agreement that  
2 the human remains will be buried in the State of  
3 Washington.

4           (4) The claimant tribes are in agreement that  
5 the Department will take custody of the human re-  
6 mains upon the transfer by the Secretary.

7           (d) COST.—The Corps of Engineers shall be respon-  
8 sible for any costs associated with the transfer.

9           (e) LIMITATIONS.—

10           (1) IN GENERAL.—The transfer shall be limited  
11 solely to the human remains portion of the archae-  
12 ological collection.

13           (2) SECRETARY.—The Secretary shall have no  
14 further responsibility for the human remains trans-  
15 ferred pursuant to subsection (b) after the date of  
16 the transfer.

17 **SEC. 191. GREAT LAKES RESTORATION INITIATIVE.**

18           Section 118(c)(7) of the Federal Water Pollution  
19 Control Act (33 U.S.C. 1268(c)(7)) is amended—

20           (1) by striking subparagraphs (B) and (C) and  
21 inserting the following:

22                   “(B) FOCUS AREAS.—In carrying out the  
23 Initiative, the Administrator shall prioritize pro-  
24 grams and projects, to be carried out in coordi-  
25 nation with non-Federal partners, that address

1 the priority areas described in the Initiative Ac-  
2 tion Plan, including—

3 “(i) the remediation of toxic sub-  
4 stances and areas of concern;

5 “(ii) the prevention and control of  
6 invasive species and the impacts of invasive  
7 species;

8 “(iii) the protection and restoration of  
9 nearshore health and the prevention and  
10 mitigation of nonpoint source pollution;

11 “(iv) habitat and wildlife protection  
12 and restoration, including wetlands res-  
13 toration and preservation; and

14 “(v) accountability, monitoring, eval-  
15 uation, communication, and partnership  
16 activities.

17 “(C) PROJECTS.—

18 “(i) IN GENERAL.—In carrying out  
19 the Initiative, the Administrator shall col-  
20 laborate with other Federal partners, in-  
21 cluding the Great Lakes Interagency Task  
22 Force established by Executive Order No.  
23 13340 (69 Fed. Reg. 29043), to select the  
24 best combination of programs and projects  
25 for Great Lakes protection and restoration

1 using appropriate principles and criteria,  
2 including whether a program or project  
3 provides—

4 “(I) the ability to achieve stra-  
5 tegic and measurable environmental  
6 outcomes that implement the Initia-  
7 tive Action Plan and the Great Lakes  
8 Water Quality Agreement;

9 “(II) the feasibility of—

10 “(aa) prompt implementa-  
11 tion;

12 “(bb) timely achievement of  
13 results; and

14 “(cc) resource leveraging;  
15 and

16 “(III) the opportunity to improve  
17 interagency, intergovernmental, and  
18 inter-organizational coordination and  
19 collaboration to reduce duplication  
20 and streamline efforts.

21 “(ii) OUTREACH.—In selecting the  
22 best combination of programs and projects  
23 for Great Lakes protection and restoration  
24 under clause (i), the Administrator shall  
25 consult with the Great Lakes States and

1 Indian tribes and solicit input from other  
2 non-Federal stakeholders.

3 “(iii) HARMFUL ALGAL BLOOM COOR-  
4 DINATOR.—The Administrator shall des-  
5 ignate a point person from an appropriate  
6 Federal partner to coordinate, with Fed-  
7 eral partners and Great Lakes States, In-  
8 dian tribes, and other non-Federal stake-  
9 holders, projects and activities under the  
10 Initiative involving harmful algal blooms in  
11 the Great Lakes.”;

12 (2) in subparagraph (D)—

13 (A) by striking clause (i) and inserting the  
14 following:

15 “(i) IN GENERAL.—Subject to sub-  
16 paragraph (J)(ii), funds made available to  
17 carry out the Initiative shall be used to  
18 strategically implement—

19 “(I) Federal projects;

20 “(II) projects carried out in co-  
21 ordination with States, Indian tribes,  
22 municipalities, institutions of higher  
23 education, and other organizations;  
24 and

1 “(III) operations and activities of  
2 the Program Office, including remedi-  
3 ation of sediment contamination in  
4 areas of concern.”;

5 (B) in clause (ii)(I), by striking “(G)(i)”  
6 and inserting “(J)(i)”; and

7 (C) by inserting after clause (ii) the fol-  
8 lowing:

9 “(iii) AGREEMENTS WITH NON-FED-  
10 ERAL ENTITIES.—

11 “(I) IN GENERAL.—The Admin-  
12 istrator, or the head of any other Fed-  
13 eral department or agency receiving  
14 funds under clause (ii)(I), may make  
15 a grant to, or otherwise enter into an  
16 agreement with, a qualified non-Fed-  
17 eral entity, as determined by the Ad-  
18 ministrator or the applicable head of  
19 the other Federal department or agen-  
20 cy receiving funds, for planning, re-  
21 search, monitoring, outreach, or im-  
22 plementation of a project selected  
23 under subparagraph (C), to support  
24 the Initiative Action Plan or the Great  
25 Lakes Water Quality Agreement.

1                   “(II) QUALIFIED NON-FEDERAL  
2                   ENTITY.—For purposes of this clause,  
3                   a qualified non-Federal entity may in-  
4                   clude a governmental entity, nonprofit  
5                   organization, institution, or indi-  
6                   vidual.”; and

7                   (3) by striking subparagraphs (E) through (G)  
8                   and inserting the following:

9                   “(E) SCOPE.—

10                   “(i) IN GENERAL.—Projects may be  
11                   carried out under the Initiative on multiple  
12                   levels, including—

13                   “(I) locally;

14                   “(II) Great Lakes-wide; or

15                   “(III) Great Lakes basin-wide.

16                   “(ii) LIMITATION.—No funds made  
17                   available to carry out the Initiative may be  
18                   used for any water infrastructure activity  
19                   (other than a green infrastructure project  
20                   that improves habitat and other ecosystem  
21                   functions in the Great Lakes) for which fi-  
22                   nancial assistance is received—

23                   “(I) from a State water pollution  
24                   control revolving fund established  
25                   under title VI;

1 “(II) from a State drinking water  
2 revolving loan fund established under  
3 section 1452 of the Safe Drinking  
4 Water Act (42 U.S.C. 300j–12); or

5 “(III) pursuant to the Water In-  
6 frastructure Finance and Innovation  
7 Act of 2014 (33 U.S.C. 3901 et seq.).

8 “(F) ACTIVITIES BY OTHER FEDERAL  
9 AGENCIES.—Each relevant Federal department  
10 or agency shall, to the maximum extent prac-  
11 ticable—

12 “(i) maintain the base level of funding  
13 for the Great Lakes activities of that de-  
14 partment or agency without regard to  
15 funding under the Initiative; and

16 “(ii) identify new activities and  
17 projects to support the environmental goals  
18 of the Initiative.

19 “(G) REVISION OF INITIATIVE ACTION  
20 PLAN.—

21 “(i) IN GENERAL.—Not less often  
22 than once every 5 years, the Adminis-  
23 trator, in conjunction with the Great Lakes  
24 Interagency Task Force, shall review, and  
25 revise as appropriate, the Initiative Action

1 Plan to guide the activities of the Initiative  
2 in addressing the restoration and protec-  
3 tion of the Great Lakes system.

4 “(ii) OUTREACH.—In reviewing and  
5 revising the Initiative Action Plan under  
6 clause (i), the Administrator shall consult  
7 with the Great Lakes States and Indian  
8 tribes and solicit input from other non-  
9 Federal stakeholders.

10 “(H) MONITORING AND REPORTING.—The  
11 Administrator shall—

12 “(i) establish and maintain a process  
13 for monitoring and periodically reporting  
14 to the public on the progress made in im-  
15 plementing the Initiative Action Plan;

16 “(ii) make information about each  
17 project carried out under the Initiative Ac-  
18 tion Plan available on a public website; and

19 “(iii) provide to the House Committee  
20 on Transportation and Infrastructure and  
21 the Senate Committee on Environment and  
22 Public Works a yearly detailed description  
23 of the progress of the Initiative and  
24 amounts transferred to participating Fed-

1 eral departments and agencies under sub-  
2 paragraph (D)(ii).

3 “(I) INITIATIVE ACTION PLAN DEFINED.—

4 In this paragraph, the term ‘Initiative Action  
5 Plan’ means the comprehensive, multi-year ac-  
6 tion plan for the restoration of the Great  
7 Lakes, first developed pursuant to the Joint  
8 Explanatory Statement of the Conference Re-  
9 port accompanying the Department of the Inte-  
10 rior, Environment, and Related Agencies Ap-  
11 propriations Act, 2010 (Public Law 111–88).

12 “(J) FUNDING.—

13 “(i) IN GENERAL.—There is author-  
14 ized to be appropriated to carry out this  
15 paragraph \$300,000,000 for each of fiscal  
16 years 2017 through 2021.

17 “(ii) LIMITATION.—Nothing in this  
18 paragraph creates, expands, or amends the  
19 authority of the Administrator to imple-  
20 ment programs or projects under—

21 “(I) this section;

22 “(II) the Initiative Action Plan;

23 or

24 “(III) the Great Lakes Water  
25 Quality Agreement.”.

1 **SEC. 192. ADDITIONAL ASSISTANCE.**

2 Section 219 of the Water Resources Development Act  
3 of 1992 (Public Law 102–580; 106 Stat. 4835) is amend-  
4 ed by adding at the end the following:

5 “(g) **ADDITIONAL ASSISTANCE.**—Notwithstanding  
6 any limitation on project purposes identified in subsections  
7 (c) or (f), or limitation on authorization, the Secretary  
8 may provide additional assistance under subsection (a),  
9 and assistance for construction, to any community identi-  
10 fied in subsection (c) or (f), in any State for which the  
11 President has declared an emergency under the Robert T.  
12 Stafford Disaster Relief and Emergency Assistance Act  
13 (42 U.S.C. 5121 et seq.), as a result of the presence of  
14 chemical, physical, or biological constituents, including  
15 lead or other contaminants in the eligible system, for the  
16 repair or replacement of public and private infrastructure.

17 “(h) **AUTHORIZATION OF APPROPRIATIONS.**—For the  
18 purposes under paragraph (g), there is authorized to be  
19 appropriated \$170,000,000 to remain available until ex-  
20 pended.”

21 **TITLE II—STUDIES**

22 **SEC. 201. AUTHORIZATION OF PROPOSED FEASIBILITY**  
23 **STUDIES.**

24 The Secretary is authorized to conduct a feasibility  
25 study for the following projects for water resources devel-  
26 opment and conservation and other purposes, as identified

1 in the reports titled “Report to Congress on Future Water  
2 Resources Development” submitted to Congress on Janu-  
3 ary 29, 2015, and January 29, 2016, respectively, pursu-  
4 ant to section 7001 of the Water Resources Reform and  
5 Development Act of 2014 (33 U.S.C. 2282d) or otherwise  
6 reviewed by Congress:

7 (1) OUACHITA-BLACK RIVERS, ARKANSAS AND  
8 LOUISIANA.—Project for navigation, Ouachita-Black  
9 Rivers, Arkansas and Louisiana.

10 (2) CACHE CREEK SETTling BASIN, CALI-  
11 FORNIA.—Project for flood damage reduction and  
12 ecosystem restoration, Cache Creek Settling Basin,  
13 California.

14 (3) COYOTE VALLEY DAM, CALIFORNIA.—  
15 Project for flood damage reduction, environmental  
16 restoration, and water supply, Coyote Valley Dam,  
17 California.

18 (4) DEL ROSA CHANNEL, CITY OF SAN  
19 BERNARDINO, CALIFORNIA.—Project for flood dam-  
20 age reduction and ecosystem restoration, Del Rosa  
21 Channel, city of San Bernardino, California.

22 (5) MERCED COUNTY STREAMS, CALIFORNIA.—  
23 Project for flood damage reduction, Merced County  
24 Streams, California.

1           (6) MISSION-ZANJA CHANNEL, CITIES OF SAN  
2           BERNARDINO AND REDLANDS, CALIFORNIA.—Project  
3           for flood damage reduction and ecosystem restora-  
4           tion, Mission-Zanja Channel, cities of San  
5           Bernardino and Redlands, California.

6           (7) SOBOBA INDIAN RESERVATION, CALI-  
7           FORNIA.—Project for flood damage reduction,  
8           Soboba Indian Reservation, California.

9           (8) INDIAN RIVER INLET, DELAWARE.—Project  
10          for hurricane and storm damage reduction, Indian  
11          River Inlet, Delaware.

12          (9) LEWES BEACH, DELAWARE.—Project for  
13          hurricane and storm damage reduction, Lewes  
14          Beach, Delaware.

15          (10) MISPELLION COMPLEX, KENT AND SUSSEX  
16          COUNTIES, DELAWARE.—Project for hurricane and  
17          storm damage reduction, Mispillion Complex, Kent  
18          and Sussex Counties, Delaware.

19          (11) DAYTONA BEACH, FLORIDA.—Project for  
20          flood damage reduction, Daytona Beach, Florida.

21          (12) BRUNSWICK HARBOR, GEORGIA.—Project  
22          for navigation, Brunswick Harbor, Georgia.

23          (13) DUBUQUE, IOWA.—Project for flood dam-  
24          age reduction, Dubuque, Iowa.

1           (14) ST. TAMMANY PARISH, LOUISIANA.—  
2           Project for flood damage reduction and ecosystem  
3           restoration, St. Tammany Parish, Louisiana.

4           (15) CATTARAUGUS CREEK, NEW YORK.—  
5           Project for flood damage reduction, Cattaraugus  
6           Creek, New York.

7           (16) CAYUGA INLET, ITHACA, NEW YORK.—  
8           Project for navigation and flood damage reduction,  
9           Cayuga Inlet, Ithaca, New York.

10          (17) DELAWARE RIVER BASIN, NEW YORK, NEW  
11          JERSEY, PENNSYLVANIA, AND DELAWARE.—Projects  
12          for flood control, Delaware River Basin, New York,  
13          New Jersey, Pennsylvania, and Delaware, authorized  
14          by section 408 of the Act of July 24, 1946 (60 Stat.  
15          644, chapter 596), and section 203 of the Flood  
16          Control Act of 1962 (76 Stat. 1182), to review oper-  
17          ations of the projects to enhance opportunities for  
18          ecosystem restoration and water supply.

19          (18) SILVER CREEK, HANOVER, NEW YORK.—  
20          Project for flood damage reduction and ecosystem  
21          restoration, Silver Creek, Hanover, New York.

22          (19) STONYCREEK AND LITTLE CONEMAUGH  
23          RIVERS, PENNSYLVANIA.—Project for flood damage  
24          reduction and recreation, Stonycreek and Little  
25          Conemaugh Rivers, Pennsylvania.

1           (20) TIOGA-HAMMOND LAKE, PENNSYLVANIA.—  
2           Project for ecosystem restoration, Tioga-Hammond  
3           Lake, Pennsylvania.

4           (21) BRAZOS RIVER, FORT BEND COUNTY,  
5           TEXAS.—Project for flood damage reduction in the  
6           vicinity of the Brazos River, Fort Bend County,  
7           Texas.

8           (22) CHACON CREEK, CITY OF LAREDO,  
9           TEXAS.—Project for flood damage reduction, eco-  
10          system restoration, and recreation, Chacon Creek,  
11          city of Laredo, Texas.

12          (23) CORPUS CHRISTI SHIP CHANNEL,  
13          TEXAS.—Project for navigation, Corpus Christi Ship  
14          Channel, Texas.

15          (24) CITY OF EL PASO, TEXAS.—Project for  
16          flood damage reduction, city of El Paso, Texas.

17          (25) GULF INTRACOASTAL WATERWAY,  
18          BRAZORIA AND MATAGORDA COUNTIES, TEXAS.—  
19          Project for navigation and hurricane and storm  
20          damage reduction, Gulf Intracoastal Waterway,  
21          Brazoria and Matagorda Counties, Texas.

22          (26) PORT OF BAY CITY, TEXAS.—Project for  
23          navigation, Port of Bay City, Texas.

24          (27) CHINCOTEAGUE ISLAND, VIRGINIA.—  
25          Project for hurricane and storm damage reduction,

1 navigation, and ecosystem restoration, Chincoteague  
2 Island, Virginia.

3 (28) BURLEY CREEK WATERSHED, KITSAP  
4 COUNTY, WASHINGTON.—Project for flood damage  
5 reduction and ecosystem restoration, Burley Creek  
6 Watershed, Kitsap County, Washington.

7 **SEC. 202. EXPEDITED COMPLETION OF REPORTS FOR CER-**  
8 **TAIN PROJECTS.**

9 (a) FEASIBILITY REPORTS.—The Secretary shall ex-  
10 pedite the completion of a feasibility study for each of the  
11 following projects, and if the Secretary determines that  
12 the project is justified in a completed report, may proceed  
13 directly to preconstruction planning, engineering, and de-  
14 sign of the project:

15 (1) Project for flood risk management, Little  
16 Colorado River at Winslow, Navajo County, Arizona.

17 (2) Project for flood risk management, Lower  
18 San Joaquin River, California. In carrying out the  
19 feasibility study for the project, the Secretary shall  
20 include Reclamation District 17 as part of the study.

21 (3) Project for flood risk management and eco-  
22 system restoration, Sacramento River Flood Control  
23 System, California.

24 (4) Project for hurricane and storm damage  
25 risk reduction, Ft. Pierce, Florida.

1           (5) Project for flood risk management, Des  
2 Moines and Raccoon Rivers, Iowa.

3           (6) Project for navigation, Mississippi River  
4 Ship Channel, Louisiana.

5           (7) Project for flood risk management, North  
6 Branch Ecorse Creek, Wayne County, Michigan.

7           (8) Project for flood risk management, Rahway  
8 River Basin (Upper Basin), New Jersey.

9           (b) POST-AUTHORIZATION CHANGE REPORTS.—The  
10 Secretary shall expedite completion of a post-authorization  
11 change report for each of the following projects:

12           (1) Project for flood damage reduction and en-  
13 vironmental restoration, Hamilton City, California.

14           (2) Project for hurricane and storm damage  
15 risk reduction, New Hanover County, North Caro-  
16 lina.

17 **SEC. 203. TULSA AND WEST TULSA, ARKANSAS RIVER,**  
18 **OKLAHOMA.**

19           (1) IN GENERAL.—The Secretary shall conduct  
20 a study to determine the feasibility of modifying the  
21 projects for flood risk management, Tulsa and West  
22 Tulsa, Oklahoma, authorized by section 3 of the Act  
23 of August 18, 1941 (55 Stat. 645; chapter 377).

24           (2) REQUIREMENTS.—

1           (A) IN GENERAL.—In carrying out the  
2 study under paragraph (1), the Secretary shall  
3 address project deficiencies, uncertainties, and  
4 significant data gaps, including material, con-  
5 struction, and subsurface, which render the  
6 project at risk of overtopping, breaching, or sys-  
7 tem failure.

8           (B) ADDRESSING DEFICIENCIES.—In ad-  
9 dressing deficiencies under subparagraph (A),  
10 the Secretary shall incorporate current design  
11 standards and efficiency improvements, includ-  
12 ing the replacement of mechanical and electrical  
13 components at pumping stations, if the incorpo-  
14 ration does not significantly change the scope,  
15 function, or purpose of the project.

16           (3) PRIORITIZATION TO ADDRESS SIGNIFICANT  
17 RISKS.—In any case in which a levee or levee system  
18 (as defined in section 9002 of the Water Resources  
19 Reform and Development Act of 2007 (33 U.S.C.  
20 3301)) is classified as a Class I or II under the levee  
21 safety action classification tool developed by the  
22 Corps of Engineers, the Secretary shall expedite the  
23 project for budget consideration.

1 **TITLE III—DEAUTHORIZATIONS**  
2 **AND RELATED PROVISIONS**

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

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

5 (1) to identify \$10,000,000,000 in water re-  
6 sources development projects authorized by Congress  
7 that are no longer viable for construction due to—

8 (A) a lack of local support;

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

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

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

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

20 (b) INTERIM DEAUTHORIZATION LIST.—

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

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

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

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

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

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

19                  (2) PUBLIC COMMENT AND CONSULTATION.—

20                   (A) IN GENERAL.—The Secretary shall so-  
21                   licit comments from the public and the Gov-  
22                   ernors of each applicable State on the interim  
23                   deauthorization list developed under paragraph  
24                   (1).

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

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

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

12 (B) publish the revised interim deauthor-  
13 ization list in the Federal Register.

14 (c) FINAL DEAUTHORIZATION LIST.—

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

20 (2) DEAUTHORIZATION AMOUNT.—

21 (A) PROPOSED FINAL LIST.—The Sec-  
22 retary shall prepare a proposed final deauthor-  
23 ization list of projects and separable elements of  
24 projects that have, in the aggregate, an esti-

1 mated Federal cost to complete that is at least  
2 \$10,000,000,000.

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

10 (3) IDENTIFICATION OF PROJECTS.—

11 (A) SEQUENCING OF PROJECTS.—

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

24 (ii) FACTORS TO CONSIDER.—The  
25 Secretary may identify projects and sepa-

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

10 (iii) CONSIDERATION OF PUBLIC COM-  
11 MENTS.—In making determinations under  
12 clause (ii), the Secretary shall consider any  
13 comments received under subsection (b)(3).

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

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

22 (ii) describes the reasons why the  
23 project or separable element is not in-  
24 cluded on the proposed final list.

25 (4) PUBLIC COMMENT AND CONSULTATION.—

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

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

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

12 (A) submit a final deauthorization list and  
13 an appendix to the final deauthorization list in  
14 a report to the Committee on Environment and  
15 Public Works of the Senate and the Committee  
16 on Transportation and Infrastructure of the  
17 House of Representatives; and

18 (B) publish the final deauthorization list  
19 and the appendix to the final deauthorization  
20 list in the Federal Register.

21 (d) DEAUTHORIZATION; CONGRESSIONAL REVIEW.—

22 (1) IN GENERAL.—After the expiration of the  
23 180-day period beginning on the date of submission  
24 of the final deauthorization list and appendix under  
25 subsection (c), a project or separable element of a

1 project identified in the final deauthorization list is  
2 hereby deauthorized, unless Congress passes a joint  
3 resolution disapproving the final deauthorization list  
4 prior to the end of such period.

5 (2) NON-FEDERAL CONTRIBUTIONS.—

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

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

22 (3) PROJECTS IDENTIFIED IN APPENDIX.—A  
23 project or separable element of a project identified  
24 in the appendix to the final deauthorization list shall

1 remain subject to future deauthorization by Con-  
2 gress.

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

11 (f) GENERAL PROVISIONS.—

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

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

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

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

23 (iii) a review conducted under section  
24 216 of the Flood Control Act of 1970 (33

1 U.S.C. 549a), including an initial appraisal  
2 that—

3 (I) demonstrates a Federal inter-  
4 est; and  
5 (II) requires additional analysis  
6 for the project or separable element.

7 (B) WATER RESOURCES DEVELOPMENT  
8 PROJECT.—The term “water resources develop-  
9 ment project” includes an environmental infra-  
10 structure assistance project or program of the  
11 Corps of Engineers.

12 (2) TREATMENT OF PROJECT MODIFICA-  
13 TIONS.—For purposes of this section, if an author-  
14 ized water resources development project or sepa-  
15 rable element of the project has been modified by an  
16 Act of Congress, the date of the authorization of the  
17 project or separable element shall be deemed to be  
18 the date of the most recent such modification.

19 **SEC. 302. VALDEZ, ALASKA.**

20 (a) IN GENERAL.—Subject to subsection (b), the por-  
21 tion of the project for navigation, Valdez, Alaska, identi-  
22 fied as Tract G, Harbor Subdivision, shall not be subject  
23 to navigational servitude beginning on the date of enact-  
24 ment of this Act.

1 (b) ENTRY BY FEDERAL GOVERNMENT.—The Fed-  
2 eral Government may enter upon the property referred to  
3 in subsection (a) to carry out any required operation and  
4 maintenance of the general navigation features of the  
5 project referred to in subsection (a).

6 **SEC. 303. LOS ANGELES COUNTY DRAINAGE AREA, LOS AN-**  
7 **GELES COUNTY, CALIFORNIA.**

8 (a) IN GENERAL.—The Secretary shall—

9 (1) prioritize the updating of the Water Control  
10 Manuals for control structures in the Los Angeles  
11 County Drainage Area, Los Angeles County, Cali-  
12 fornia, authorized by section 101(b) of the Water  
13 Resources Development Act of 1990 (Public Law  
14 101–640; 104 Stat. 4611); and

15 (2) integrate and incorporate into the project  
16 seasonal operations for water conservation and water  
17 supply.

18 (b) PARTICIPATION.—The update referred to in sub-  
19 section (a) shall be done in coordination with all appro-  
20 priate Federal agencies, elected officials, and members of  
21 the public.

22 **SEC. 304. SUTTER BASIN, CALIFORNIA.**

23 (a) IN GENERAL.—The separable element consti-  
24 tuting the locally preferred plan increment reflected in the  
25 report of the Chief of Engineers dated March 12, 2014,

1 and authorized for construction in item 8 of the table con-  
2 tained in section 7002(2) of the Water Resources Reform  
3 and Development Act of 2014 (Public Law 113–121; 128  
4 Stat. 1366) is no longer authorized beginning on the date  
5 of enactment of this Act.

6 (b) SAVINGS PROVISIONS.—The deauthorization  
7 under subsection (a) does not affect—

8 (1) the national economic development plan sep-  
9 arable element reflected in the report of the Chief of  
10 Engineers dated March 12, 2014, and authorized for  
11 construction in item 8 of the table contained in sec-  
12 tion 7002(2) of the Water Resources Reform and  
13 Development Act of 2014 (Public Law 113–121;  
14 128 Stat. 1366); or

15 (2) previous authorizations providing for the  
16 Sacramento River and major and minor tributaries  
17 project, including—

18 (A) section 2 of the Act of March 1, 1917  
19 (39 Stat. 949, chapter 144);

20 (B) section 12 of the Act of December 22,  
21 1944 (58 Stat. 900, chapter 665);

22 (C) section 204 of the Flood Control Act  
23 of 1950 (64 Stat. 177, chapter 188); and

24 (D) any other Acts relating to the author-  
25 ization for the Sacramento River and major and

1           minor tributaries project along the Feather  
2           River right bank between levee stationing  
3           1483+33 and levee stationing 2368+00.

4 **SEC. 305. ESSEX RIVER, MASSACHUSETTS.**

5           (a) DEAUTHORIZATION.—The portions of the project  
6 for navigation, Essex River, Massachusetts, authorized by  
7 the Act of July 13, 1892 (27 Stat. 88, chapter 158), and  
8 modified by the Act of March 3, 1899 (30 Stat. 1121,  
9 chapter 425), and the Act of March 2, 1907 (34 Stat.  
10 1073, chapter 2509), that do not lie within the areas de-  
11 scribed in subsection (b) are no longer authorized begin-  
12 ning on the date of enactment of this Act.

13           (b) DESCRIPTION OF PROJECT AREAS.—The areas  
14 described in this subsection are as follows: Beginning at  
15 a point N3056139.82 E851780.21, thence southwesterly  
16 about 156.88 feet to a point N3055997.75 E851713.67;  
17 thence southwesterly about 64.59 feet to a point  
18 N3055959.37 E851661.72; thence southwesterly about  
19 145.14 feet to a point N3055887.10 E851535.85; thence  
20 southwesterly about 204.91 feet to a point N3055855.12  
21 E851333.45; thence northwesterly about 423.50 feet to a  
22 point N3055976.70 E850927.78; thence northwesterly  
23 about 58.77 feet to a point N3056002.99 E850875.21;  
24 thence northwesterly about 240.57 feet to a point  
25 N3056232.82 E850804.14; thence northwesterly about

1 203.60 feet to a point N3056435.41 E850783.93; thence  
2 northwesterly about 78.63 feet to a point N3056499.63  
3 E850738.56; thence northwesterly about 60.00 feet to a  
4 point N3056526.30 E850684.81; thence southwesterly  
5 about 85.56 feet to a point N3056523.33 E850599.31;  
6 thence southwesterly about 36.20 feet to a point  
7 N3056512.37 E850564.81; thence southwesterly about  
8 80.10 feet to a point N3056467.08 E850498.74; thence  
9 southwesterly about 169.05 feet to a point N3056334.36  
10 E850394.03; thence northwesterly about 48.52 feet to a  
11 point N3056354.38 E850349.83; thence northeasterly  
12 about 83.71 feet to a point N3056436.35 E850366.84;  
13 thence northeasterly about 212.38 feet to a point  
14 N3056548.70 E850547.07; thence northeasterly about  
15 47.60 feet to a point N3056563.12 E850592.43; thence  
16 northeasterly about 101.16 feet to a point N3056566.62  
17 E850693.53; thence southeasterly about 80.22 feet to a  
18 point N3056530.97 E850765.40; thence southeasterly  
19 about 99.29 feet to a point N3056449.88 E850822.69;  
20 thence southeasterly about 210.12 feet to a point  
21 N3056240.79 E850843.54; thence southeasterly about  
22 219.46 feet to a point N3056031.13 E850908.38; thence  
23 southeasterly about 38.23 feet to a point N3056014.02  
24 E850942.57; thence southeasterly about 410.93 feet to a  
25 point N3055896.06 E851336.21; thence northeasterly

1 about 188.43 feet to a point N3055925.46 E851522.33;  
2 thence northeasterly about 135.47 feet to a point  
3 N3055992.91 E851639.80; thence northeasterly about  
4 52.15 feet to a point N3056023.90 E851681.75; thence  
5 northeasterly about 91.57 feet to a point N3056106.82  
6 E851720.59.

7 **SEC. 306. PORT OF CASCADE LOCKS, OREGON.**

8 (a) **EXTINGUISHMENT OF PORTIONS OF EXISTING**  
9 **FLOWAGE EASEMENT.**—With respect to the properties de-  
10 scribed in subsection (b), beginning on the date of enact-  
11 ment of this Act, the flowage easements described in sub-  
12 section (c) are extinguished above elevation 82.2 feet  
13 (NGVD29), the ordinary high water line.

14 (b) **AFFECTED PROPERTIES.**—The properties de-  
15 scribed in this subsection, as recorded in Hood River  
16 County, Oregon, are as follows:

17 (1) Lots 3, 4, 5, and 7 of the “Port of Cascade  
18 Locks Business Park” subdivision, Instrument  
19 Number 2014–00436.

20 (2) Parcels 1, 2, and 3 of Hood River County  
21 Partition, Plat Number 2008–25P.

22 (c) **FLOWAGE EASEMENTS.**—The flowage easements  
23 described in this subsection are identified as Tracts 302E–  
24 1 and 304E–1 on the easement deeds recorded as instru-

1 ments in Hood River County, Oregon, and described as  
2 follows:

3 (1) A flowage easement dated October 3, 1936,  
4 recorded December 1, 1936, book 25, page 531  
5 (Records of Hood River County, Oregon), in favor of  
6 the United States (302E-1-Perpetual Flowage  
7 Easement from 10/5/37, 10/5/36, and 10/3/36; pre-  
8 viously acquired as Tracts OH-36 and OH-41 and  
9 a portion of Tract OH-47).

10 (2) A flowage easement dated October 5, 1936,  
11 recorded October 17, 1936, book 25, page 476  
12 (Records of Hood River County, Oregon), in favor of  
13 the United States, affecting that portion below the  
14 94-foot contour line above main sea level (304 E1-  
15 Perpetual Flowage Easement from 8/10/37 and 10/  
16 3/36; previously acquired as Tract OH-042 and a  
17 portion of Tract OH-47).

18 (d) FEDERAL LIABILITIES; CULTURAL, ENVIRON-  
19 MENTAL, AND OTHER REGULATORY REVIEWS.—

20 (1) FEDERAL LIABILITY.—The United States  
21 shall not be liable for any injury caused by the extin-  
22 guishment of an easement under this section.

23 (2) CULTURAL AND ENVIRONMENTAL REGU-  
24 LATORY ACTIONS.—Nothing in this section estab-

1 lishes any cultural or environmental regulation relat-  
2 ing to the properties described in subsection (b).

3 (e) EFFECT ON OTHER RIGHTS.—Nothing in this  
4 section affects any remaining right or interest of the Corps  
5 of Engineers in the properties described in subsection (b).

6 **SEC. 307. CENTRAL DELAWARE RIVER, PHILADELPHIA,**  
7 **PENNSYLVANIA.**

8 (a) AREA TO BE DECLARED NONNAVIGABLE.—Sub-  
9 ject to subsection (c), unless the Secretary finds, after con-  
10 sultation with local and regional public officials (including  
11 local and regional public planning organizations), that  
12 there are substantive objections, those portions of the  
13 Delaware River, bounded by the former bulkhead and  
14 pierhead lines that were established by the Secretary of  
15 War and successors and described as follows, are declared  
16 to be nonnavigable waters of the United States:

17 (1) Piers 70 South through 38 South, encom-  
18 passing an area bounded by the southern line of  
19 Moore Street extended to the northern line of Cath-  
20 erine Street extended, including the following piers:  
21 Piers 70, 68, 67, 64, 61–63, 60, 57, 55, 53, 48, 46,  
22 40, and 38.

23 (2) Piers 24 North through 72 North, encom-  
24 passing an area bounded by the southern line of Cal-  
25 lowhill Street extended to the northern line of East

1 Fletcher Street extended, including the following  
2 piers: Piers 24, 25, 27–35, 35.5, 36, 37, 38, 39, 49,  
3 51–52, 53–57, 58–65, 66, 67, 69, 70–72, and  
4 Rivercenter.

5 (b) PUBLIC INTEREST DETERMINATION.—The Sec-  
6 retary shall make the public interest determination under  
7 subsection (a) separately for each proposed project to be  
8 undertaken within the boundaries described in subsection  
9 (a), using reasonable discretion, not later than 150 days  
10 after the date of submission of appropriate plans for the  
11 proposed project.

12 (c) LIMITS ON APPLICABILITY; REGULATORY RE-  
13 QUIREMENTS.—The declaration under subsection (a) shall  
14 apply only to those parts of the areas described in sub-  
15 section (a) that are or will be bulkheaded and filled or  
16 otherwise occupied by permanent structures, including  
17 marina and recreation facilities. All such work is subject  
18 to all applicable Federal statutes and regulations, includ-  
19 ing sections 9 and 10 of the Act of March 3, 1899 (30  
20 Stat. 1151, chapter 425; 33 U.S.C. 401 and 403), section  
21 404 of the Federal Water Pollution Control Act (33  
22 U.S.C. 1344), and the National Environmental Policy Act  
23 of 1969 (42 U.S.C. 4321 et seq.).

24 **SEC. 308. HUNTINGDON COUNTY, PENNSYLVANIA.**

25 (a) IN GENERAL.—The Secretary shall—

1           (1) prioritize the updating of the Master Plan  
2           for the Juniata River and tributaries project, Hun-  
3           tingdon County, Pennsylvania, authorized by section  
4           203 of the Flood Control Act of 1962 (Public Law  
5           87–874; 76 Stat. 1182); and

6           (2) ensure that alternatives for additional recre-  
7           ation access and development at the project are fully  
8           assessed, evaluated, and incorporated as a part of  
9           the update.

10          (b) PARTICIPATION.—The update referred to in sub-  
11         section (a) shall be done in coordination with all appro-  
12         priate Federal agencies, elected officials, and members of  
13         the public.

14          (c) INVENTORY.—In carrying out the update under  
15         subsection (a), the Secretary shall include an inventory of  
16         those lands that are not necessary to carry out the author-  
17         ized purposes of the project.

18         **SEC. 309. RIVERCENTER, PHILADELPHIA, PENNSYLVANIA.**

19         Section 38(c) of the Water Resources Development  
20         Act of 1988 (33 U.S.C. 59j–1(c)) is amended—

21                 (1) by striking “(except 30 years from such  
22                 date of enactment, in the case of the area or any  
23                 part thereof described in subsection (a)(5))”; and

24                 (2) by adding at the end the following: “Not-  
25                 withstanding the preceding sentence, the declaration

1 of nonnavigability for the area described in sub-  
2 section (a)(5), or any part thereof, shall not ex-  
3 pire.”.

4 **SEC. 310. JOE POOL LAKE, TEXAS.**

5 The Secretary shall accept from the Trinity River Au-  
6 thority of Texas, if received by December 31, 2016,  
7 \$31,344,841.65 as payment in full of amounts owed to  
8 the United States, including any accrued interest, for the  
9 approximately 61,747.1 acre-feet of water supply storage  
10 space in Joe Pool Lake, Texas (previously known as  
11 Lakeview Lake), for which payment has not commenced  
12 under Article 5.a. (relating to project investment costs)  
13 of contract number DACW63-76-C-0106, as of the date  
14 of enactment of this Act.

15 **SEC. 311. SALT CREEK, GRAHAM, TEXAS.**

16 (a) IN GENERAL.—The project for flood control, envi-  
17 ronmental restoration, and recreation, Salt Creek, Gra-  
18 ham, Texas, authorized by section 101(a)(30) of the  
19 Water Resources Development Act of 1999 (Public Law  
20 106-53; 113 Stat. 278), is no longer authorized as a Fed-  
21 eral project beginning on the date of enactment of this  
22 Act.

23 (b) CERTAIN PROJECT-RELATED CLAIMS.—The non-  
24 Federal interest for the project shall hold and save the

1 United States harmless from any claim that has arisen,  
2 or that may arise, in connection with the project.

3 (c) TRANSFER.—The Secretary is authorized to  
4 transfer any land acquired by the Federal Government for  
5 the project on behalf of the non-Federal interest that re-  
6 mains in Federal ownership on or after the date of enact-  
7 ment of this Act to the non-Federal interest.

8 (d) REVERSION.—If the Secretary determines that  
9 land transferred under subsection (c) ceases to be owned  
10 by the public, all right, title, and interest in and to the  
11 land and improvements thereon shall revert, at the discre-  
12 tion of the Secretary, to the United States.

13 **SEC. 312. TEXAS CITY SHIP CHANNEL, TEXAS CITY, TEXAS.**

14 (a) IN GENERAL.—The portion of the Texas City  
15 Ship Channel, Texas City, Texas, described in subsection  
16 (b) shall not be subject to navigational servitude beginning  
17 on the date of enactment of this Act.

18 (b) DESCRIPTION.—The portion of the Texas City  
19 Ship Channel described in this subsection is a tract or par-  
20 cel containing 393.53 acres (17,142,111 square feet) of  
21 land situated in the City of Texas City Survey, Abstract  
22 Number 681, and State of Texas Submerged Lands  
23 Tracts 98A and 99A, Galveston County, Texas, said  
24 393.53 acre tract being more particularly described as fol-  
25 lows:

1           (1) Beginning at the intersection of an edge of  
2 fill along Galveston Bay with the most northerly east  
3 survey line of said City of Texas City Survey, Ab-  
4 stract No. 681, the same being a called 375.75 acre  
5 tract patented by the State of Texas to the City of  
6 Texas City and recorded in Volume 1941, Page 750  
7 of the Galveston County Deed Records (G.C.D.R.),  
8 from which a found U.S. Army Corps of Engineers  
9 Brass Cap stamped “R 4-3” set in the top of the  
10 Texas City Dike along the east side of Bay Street  
11 bears North  $56^{\circ} 14' 32''$  West, a distance of  
12 6,045.31 feet and from which a found U.S. Army  
13 Corps of Engineers Brass Cap stamped “R 4-2” set  
14 in the top of the Texas City Dike along the east side  
15 of Bay Street bears North  $49^{\circ} 13' 20''$  West, a dis-  
16 tance of 6,693.64 feet.

17           (2) Thence, over and across said State Tracts  
18 98A and 99A and along the edge of fill along said  
19 Galveston Bay, the following eight (8) courses and  
20 distances:

21                   (A) South  $75^{\circ} 49' 13''$  East, a distance of  
22                   298.08 feet to an angle point of the tract herein  
23                   described.

1 (B) South  $81^{\circ} 16' 26''$  East, a distance of  
2 170.58 feet to an angle point of the tract herein  
3 described.

4 (C) South  $79^{\circ} 20' 31''$  East, a distance of  
5 802.34 feet to an angle point of the tract herein  
6 described.

7 (D) South  $75^{\circ} 57' 32''$  East, a distance of  
8 869.68 feet to a point for the beginning of a  
9 non-tangent curve to the right.

10 (E) Easterly along said non-tangent curve  
11 to the right having a radius of 736.80 feet, a  
12 central angle of  $24^{\circ} 55' 59''$ , a chord of South  
13  $68^{\circ} 47' 35''$  East – 318.10 feet, and an arc  
14 length of 320.63 feet to a point for the begin-  
15 ning of a non-tangent curve to the left.

16 (F) Easterly along said non-tangent curve  
17 to the left having a radius of 373.30 feet, a  
18 central angle of  $31^{\circ} 57' 42''$ , a chord of South  
19  $66^{\circ} 10' 42''$  East – 205.55 feet, and an arc  
20 length of 208.24 feet to a point for the begin-  
21 ning of a non-tangent curve to the right.

22 (G) Easterly along said non-tangent curve  
23 to the right having a radius of 15,450.89 feet,  
24 a central angle of  $02^{\circ} 04' 10''$ , a chord of South  
25  $81^{\circ} 56' 20''$  East – 558.04 feet, and an arc

1 length of 558.07 feet to a point for the begin-  
2 ning of a compound curve to the right and the  
3 northeasterly corner of the tract herein de-  
4 scribed.

5 (H) Southerly along said compound curve  
6 to the right and the easterly line of the tract  
7 herein described, having a radius of 1,425.00  
8 feet, a central angle of  $133^{\circ} 08' 00''$ , a chord  
9 of South  $14^{\circ} 20' 15''$  East – 2,614.94 feet, and  
10 an arc length of 3,311.15 feet to a point on a  
11 line lying 125.00 feet northerly of and parallel  
12 with the centerline of an existing levee for the  
13 southeasterly corner of the tract herein de-  
14 scribed.

15 (3) Thence, continuing over and across said  
16 State Tracts 98A and 99A and along lines lying  
17 125.00 feet northerly of, parallel, and concentric  
18 with the centerline of said existing levee, the fol-  
19 lowing twelve (12) courses and distances:

20 (A) North  $78^{\circ} 01' 58''$  West, a distance of  
21 840.90 feet to an angle point of the tract herein  
22 described.

23 (B) North  $76^{\circ} 58' 35''$  West, a distance of  
24 976.66 feet to an angle point of the tract herein  
25 described.

1 (C) North  $76^{\circ} 44' 33''$  West, a distance of  
2 1,757.03 feet to a point for the beginning of a  
3 tangent curve to the left.

4 (D) Southwesterly, along said tangent  
5 curve to the left having a radius of 185.00 feet,  
6 a central angle of  $82^{\circ} 27' 32''$ , a chord of South  
7  $62^{\circ} 01' 41''$  West – 243.86 feet, and an arc  
8 length of 266.25 feet to a point for the begin-  
9 ning of a compound curve to the left.

10 (E) Southerly, along said compound curve  
11 to the left having a radius of 4,535.58 feet, a  
12 central angle of  $11^{\circ} 06' 58''$ , a chord of South  
13  $15^{\circ} 14' 26''$  West – 878.59 feet, and an arc  
14 length of 879.97 feet to an angle point of the  
15 tract herein described.

16 (F) South  $64^{\circ} 37' 11''$  West, a distance of  
17 146.03 feet to an angle point of the tract herein  
18 described.

19 (G) South  $67^{\circ} 08' 21''$  West, a distance of  
20 194.42 feet to an angle point of the tract herein  
21 described.

22 (H) North  $34^{\circ} 48' 22''$  West, a distance of  
23 789.69 feet to an angle point of the tract herein  
24 described.

1 (I) South  $42^{\circ} 47' 10''$  West, a distance of  
2 161.01 feet to an angle point of the tract herein  
3 described.

4 (J) South  $42^{\circ} 47' 10''$  West, a distance of  
5 144.66 feet to a point for the beginning of a  
6 tangent curve to the right.

7 (K) Westerly, along said tangent curve to  
8 the right having a radius of 310.00 feet, a cen-  
9 tral angle of  $59^{\circ} 50' 28''$ , a chord of South  $72^{\circ}$   
10  $42' 24''$  West – 309.26 feet, and an arc length  
11 of 323.77 feet to an angle point of the tract  
12 herein described.

13 (L) North  $77^{\circ} 22' 21''$  West, a distance of  
14 591.41 feet to the intersection of said parallel  
15 line with the edge of fill adjacent to the easterly  
16 edge of the Texas City Turning Basin for the  
17 southwesterly corner of the tract herein de-  
18 scribed, from which a found U.S. Army Corps  
19 of Engineers Brass Cap stamped “SWAN 2”  
20 set in the top of a concrete column set flush in  
21 the ground along the north bank of Swan Lake  
22 bears South  $20^{\circ} 51' 58''$  West, a distance of  
23 4,862.67 feet.

24 (4) Thence, over and across said City of Texas  
25 City Survey and along the edge of fill adjacent to

1 the easterly edge of said Texas City Turning Basin,  
2 the following eighteen (18) courses and distances:

3 (A) North  $01^{\circ} 34' 19''$  East, a distance of  
4 57.40 feet to an angle point of the tract herein  
5 described.

6 (B) North  $05^{\circ} 02' 13''$  West, a distance of  
7 161.85 feet to an angle point of the tract herein  
8 described.

9 (C) North  $06^{\circ} 01' 56''$  East, a distance of  
10 297.75 feet to an angle point of the tract herein  
11 described.

12 (D) North  $06^{\circ} 18' 07''$  West, a distance of  
13 71.33 feet to an angle point of the tract herein  
14 described.

15 (E) North  $07^{\circ} 21' 09''$  West, a distance of  
16 122.45 feet to an angle point of the tract herein  
17 described.

18 (F) North  $26^{\circ} 41' 15''$  West, a distance of  
19 46.02 feet to an angle point of the tract herein  
20 described.

21 (G) North  $01^{\circ} 31' 59''$  West, a distance of  
22 219.78 feet to an angle point of the tract herein  
23 described.

1 (H) North  $15^{\circ} 54' 07''$  West, a distance of  
2 104.89 feet to an angle point of the tract herein  
3 described.

4 (I) North  $04^{\circ} 00' 34''$  East, a distance of  
5 72.94 feet to an angle point of the tract herein  
6 described.

7 (J) North  $06^{\circ} 46' 38''$  West, a distance of  
8 78.89 feet to an angle point of the tract herein  
9 described.

10 (K) North  $12^{\circ} 07' 59''$  West, a distance of  
11 182.79 feet to an angle point of the tract herein  
12 described.

13 (L) North  $20^{\circ} 50' 47''$  West, a distance of  
14 105.74 feet to an angle point of the tract herein  
15 described.

16 (M) North  $02^{\circ} 02' 04''$  West, a distance of  
17 184.50 feet to an angle point of the tract herein  
18 described.

19 (N) North  $08^{\circ} 07' 11''$  East, a distance of  
20 102.23 feet to an angle point of the tract herein  
21 described.

22 (O) North  $08^{\circ} 16' 00''$  West, a distance of  
23 213.45 feet to an angle point of the tract herein  
24 described.

1 (P) North  $03^{\circ} 15' 16''$  West, a distance of  
2 336.45 feet to a point for the beginning of a  
3 non-tangent curve to the left.

4 (Q) Northerly along said non-tangent  
5 curve to the left having a radius of 896.08 feet,  
6 a central angle of  $14^{\circ} 00' 05''$ , a chord of North  
7  $09^{\circ} 36' 03''$  West – 218.43 feet, and an arc  
8 length of 218.97 feet to a point for the begin-  
9 ning of a non-tangent curve to the right.

10 (R) Northerly along said non-tangent  
11 curve to the right having a radius of 483.33  
12 feet, a central angle of  $19^{\circ} 13' 34''$ , a chord of  
13 North  $13^{\circ} 52' 03''$  East – 161.43 feet, and an  
14 arc length of 162.18 feet to a point for the  
15 northwesterly corner of the tract herein de-  
16 scribed.

17 (5) Thence, continuing over and across said  
18 City of Texas City Survey, and along the edge of fill  
19 along said Galveston Bay, the following fifteen (15)  
20 courses and distances:

21 (A) North  $30^{\circ} 45' 02''$  East, a distance of  
22 189.03 feet to an angle point of the tract herein  
23 described.

1 (B) North  $34^{\circ} 20' 49''$  East, a distance of  
2 174.16 feet to a point for the beginning of a  
3 non-tangent curve to the right.

4 (C) Northeasterly along said non-tangent  
5 curve to the right having a radius of 202.01  
6 feet, a central angle of  $25^{\circ} 53' 37''$ , a chord of  
7 North  $33^{\circ} 14' 58''$  East – 90.52 feet, and an  
8 arc length of 91.29 feet to a point for the be-  
9 ginning of a non-tangent curve to the left.

10 (D) Northeasterly along said non-tangent  
11 curve to the left having a radius of 463.30 feet,  
12 a central angle of  $23^{\circ} 23' 57''$ , a chord of North  
13  $48^{\circ} 02' 53''$  East – 187.90 feet, and an arc  
14 length of 189.21 feet to a point for the begin-  
15 ning of a non-tangent curve to the right.

16 (E) Northeasterly along said non-tangent  
17 curve to the right having a radius of 768.99  
18 feet, a central angle of  $16^{\circ} 24' 19''$ , a chord of  
19 North  $43^{\circ} 01' 40''$  East – 219.43 feet, and an  
20 arc length of 220.18 feet to an angle point of  
21 the tract herein described.

22 (F) North  $38^{\circ} 56' 50''$  East, a distance of  
23 126.41 feet to an angle point of the tract herein  
24 described.

1 (G) North  $42^{\circ} 59' 50''$  East, a distance of  
2 128.28 feet to a point for the beginning of a  
3 non-tangent curve to the right.

4 (H) Northerly along said non-tangent  
5 curve to the right having a radius of 151.96  
6 feet, a central angle of  $68^{\circ} 36' 31''$ , a chord of  
7 North  $57^{\circ} 59' 42''$  East – 171.29 feet, and an  
8 arc length of 181.96 feet to a point for the  
9 most northerly corner of the tract herein de-  
10 scribed.

11 (I) South  $77^{\circ} 14' 49''$  East, a distance of  
12 131.60 feet to an angle point of the tract herein  
13 described.

14 (J) South  $84^{\circ} 44' 18''$  East, a distance of  
15 86.58 feet to an angle point of the tract herein  
16 described.

17 (K) South  $58^{\circ} 14' 45''$  East, a distance of  
18 69.62 feet to an angle point of the tract herein  
19 described.

20 (L) South  $49^{\circ} 44' 51''$  East, a distance of  
21 149.00 feet to an angle point of the tract herein  
22 described.

23 (M) South  $44^{\circ} 47' 21''$  East, a distance of  
24 353.77 feet to a point for the beginning of a  
25 non-tangent curve to the left.

1           (N) Easterly along said non-tangent curve  
2           to the left having a radius of 253.99 feet, a  
3           central angle of  $98^{\circ} 53' 23''$ , a chord of South  
4            $83^{\circ} 28' 51''$  East – 385.96 feet, and an arc  
5           length of 438.38 feet to an angle point of the  
6           tract herein described.

7           (O) South  $75^{\circ} 49' 13''$  East, a distance of  
8           321.52 feet to the point of beginning and con-  
9           taining 393.53 acres (17,142,111 square feet)  
10          of land.

11 **SEC. 313. STONINGTON HARBOR, CONNECTICUT.**

12          The portion of the project for navigation, Stonington  
13 Harbor, Connecticut, authorized by the Act of May 23,  
14 1828 (4 Stat. 288; chapter 73) that consists of the inner  
15 stone breakwater that begins at coordinates N.  
16 682,146.42, E. 1231,378.69, running north  $83.587$  de-  
17 grees west  $166.79'$  to a point N. 682,165.05, E.  
18 1,231,212.94, running north  $69.209$  degrees west  $380.89'$   
19 to a point N. 682,300.25, E. 1,230,856.86, is no longer  
20 authorized as a Federal project beginning on the date of  
21 enactment of this Act.

1     **TITLE IV—WATER RESOURCES**  
 2                     **INFRASTRUCTURE**

3     **SEC. 401. PROJECT AUTHORIZATIONS.**

4             The following projects for water resources develop-  
 5     ment and conservation and other purposes, as identified  
 6     in the reports titled “Report to Congress on Future Water  
 7     Resources Development” submitted to Congress on Janu-  
 8     ary 29, 2015, and January 29, 2016, respectively, pursu-  
 9     ant to section 7001 of the Water Resources Reform and  
 10    Development Act of 2014 (33 U.S.C. 2282d) or otherwise  
 11    reviewed by Congress, are authorized to be carried out by  
 12    the Secretary substantially in accordance with the plans,  
 13    and subject to the conditions, described in the respective  
 14    reports designated in this section:

15                     (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. TX	Brazos Island Harbor	Nov. 3, 2014	Federal: \$116,116,000 Non-Federal: \$88,471,000 Total: \$204,587,000
2. LA	Calcasieu Lock	Dec. 2, 2014	Total: \$16,700,000 (to be derived ½ from the general fund of the Treasury and ½ from the Inland Waterways Trust Fund)
3. NH, ME	Portsmouth Harbor and Piscataqua River	Feb. 8, 2015	Federal: \$15,580,000 Non-Federal: \$5,190,000 Total: \$20,770,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
4. FL	Port Everglades	Jun. 25, 2015	Federal: \$220,200,000 Non-Federal: \$102,500,000 Total: \$322,700,000
5. AK	Little Diomedede Harbor	Aug. 10, 2015	Federal: \$26,015,000 Non-Federal: \$2,945,000 Total: \$28,960,000
6. SC	Charleston Har- bor	Sep. 8, 2015	Federal: \$224,300,000 Non-Federal: \$269,000,000 Total: \$493,300,000
7. AK	Craig Harbor	Mar. 16, 2016	Federal: \$29,062,000 Non-Federal: \$3,255,000 Total: \$32,317,000
8. PA	Upper Ohio	Sep. 12, 2016	Federal: \$1,324,235,500 Non-Federal: \$1,324,235,500 Total: \$2,648,471,000

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. TX	Leon Creek Wa- tershed	Jun. 30, 2014	Federal: \$18,314,000 Non-Federal: \$9,861,000 Total: \$28,175,000
2. MO, KS	Armourdale and Central Indus- trial District Levee Units, Missouri River and Tributaries at Kansas Citys	Jan. 27, 2015	Federal: \$207,036,000 Non-Federal: \$111,481,000 Total: \$318,517,000
3. KS	City of Manhattan	Apr. 30, 2015	Federal: \$15,440,100 Non-Federal: \$8,313,900 Total: \$23,754,000
4. TN	Mill Creek	Oct. 16, 2015	Federal: \$17,759,000 Non-Federal: \$10,745,000 Total: \$28,504,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
5. KS	Upper Turkey Creek Basin	Dec. 22, 2015	Federal: \$24,584,000 Non-Federal: \$13,238,000 Total: \$37,822,000
6. NC	Princeville	Feb. 23, 2016	Federal: \$14,001,000 Non-Federal: \$7,539,000 Total: \$21,540,000
7. CA	American River Common Fea- tures	Apr. 26, 2016	Federal: \$876,478,000 Non-Federal: \$689,272,000 Total: \$1,565,750,000
8. CA	West Sacramento	Apr. 26, 2016	Federal: \$776,517,000 Non-Federal: \$414,011,000 Total: \$1,190,528,000.

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 Initial Costs and Estimated Renourishment Costs</b>
1. SC	Colleton County	Sep. 5, 2014	Initial Federal: \$13,733,850 Initial Non-Federal: \$7,395,150 Initial Total: \$21,129,000 Renourishment Federal: \$16,371,000 Renourishment Non-Federal: \$16,371,000 Renourishment Total: \$32,742,000
2. FL	Flagler County	Dec. 23, 2014	Initial Federal: \$9,218,300 Initial Non-Federal: \$4,963,700 Initial Total: \$14,182,000 Renourishment Federal: \$15,390,000 Renourishment Non-Federal: \$15,390,000 Renourishment Total: \$30,780,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Initial Costs and Estimated Renourishment Costs</b>
3. NC	Carteret County	Dec. 23, 2014	Initial Federal: \$24,263,000 Initial Non-Federal: \$13,064,000 Initial Total: \$37,327,000 Renourishment Federal: \$114,728,000 Renourishment Non-Federal: \$114,728,000 Renourishment Total: \$229,456,000
4. NJ	Hereford Inlet to Cape May Inlet, Cape May County	Jan. 23, 2015	Initial Federal: \$14,040,000 Initial Non-Federal: \$7,560,000 Initial Total: \$21,600,000 Renourishment Federal: \$41,215,000 Renourishment Non-Federal: \$41,215,000 Renourishment Total: \$82,430,000
5. LA	West Shore Lake Pontchartrain	Jun. 12, 2015	Federal: \$466,760,000 Non-Federal: \$251,330,000 Total: \$718,090,000
6. CA	San Diego County	Apr. 26, 2016	Initial Federal: \$20,166,000 Initial Non-Federal: \$10,858,000 Initial Total: \$31,024,000 Renourishment Federal: \$68,215,000 Renourishment Non-Federal: \$68,215,000 Renourishment Total: \$136,430,000.

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(4) 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. FL	Central Everglades	Dec. 23, 2014	Federal: \$976,375,000 Non-Federal: \$974,625,000 Total: \$1,951,000,000
2. WA	Skokomish River	Dec. 14, 2015	Federal: \$12,782,000 Non-Federal: \$6,882,000 Total: \$19,664,000
3. WA	Puget Sound	Sep. 16, 2016	Federal: \$293,558,000 Non-Federal: \$158,069,000 Total: \$451,627,000

1                   (5) FLOOD RISK MANAGEMENT AND ECO-  
2                   SYSTEM 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. IL, WI	Upper Des Plaines River and Tributaries	Jun. 8, 2015	Federal: \$199,393,000 Non-Federal: \$107,694,000 Total: \$307,087,000.

3                   (6) FLOOD RISK MANAGEMENT, ECOSYSTEM  
4                   RESTORATION, AND RECREATION.—

<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	South San Francisco Bay Shoreline	Dec. 18, 2015	Federal: \$69,521,000 Non-Federal: \$104,379,000 Total: \$173,900,000.

5                   (7) ECOSYSTEM RESTORATION AND RECRE-  
6                   ATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. OR	Willamette River	Dec. 14, 2015	Federal: \$19,143,000 Non-Federal: \$10,631,000 Total: \$29,774,000
2. CA	Los Angeles River	Dec. 18, 2015	Federal: \$375,773,000 Non-Federal: \$980,835,000 Total: \$1,356,608,000.

1 (8) HURRICANE AND STORM DAMAGE RISK RE-  
2 DUCTION AND 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. LA	Southwest Coastal Louisiana	Jul. 29, 2016	Federal: \$2,011,280,000 Non-Federal: \$1,082,997,000 Total: \$3,094,277,000

3 (9) DEAUTHORIZATIONS, MODIFICATIONS, AND  
4 OTHER PROJECTS.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Decision Document</b>	<b>D. Estimated Costs</b>
1. TX	Upper Trinity River	May 21, 2008	Federal: \$526,500,000 Non-Federal: \$283,500,000 Total: \$810,000,000
2. KY	Green River Locks and Dams 3, 4, 5, 6 and Barren River Lock and Dam 1 Disposition	Apr. 30, 2015	Federal: \$0 Non-Federal: \$0 Total: \$0
3. KS, MO	Turkey Creek Basin	May 13, 2016	Federal: \$97,067,750 Non-Federal: \$55,465,250 Total: \$152,533,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Decision Document</b>	<b>D. Estimated Costs</b>
4. KY	Ohio River Shore- line	May 13, 2016	Federal: \$20,309,900 Non-Federal: \$10,936,100 Total: \$31,246,000
5. MO	Blue River Basin	May 13, 2016	Federal: \$34,860,000 Non-Federal: \$11,620,000 Total: \$46,480,000
6. FL	Picayune Strand	Jul. 15, 2016	Federal: \$308,983,500 Non-Federal: \$308,983,500 Total: \$617,967,000
7. MO	Swope Park In- dustrial Area, Blue River	Jul. 15, 2016	Federal: \$20,205,250 Non-Federal: \$10,879,750 Total: \$31,085,000

Passed the House of Representatives September 28,  
2016.

Attest:

*Clerk.*



114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

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# H. R. 5303

## AN ACT

To provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes.