

In the House of Representatives, U. S.,

September 13, 2018.

Resolved, That the bill from the Senate (S. 3021) entitled “An Act to designate the United States courthouse located at 300 South Fourth Street in Minneapolis, Minnesota, as the ‘Diana E. Murphy United States Courthouse’.”, do pass with the following

AMENDMENTS:

Strike out all after the enacting clause and insert:

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

2 (a) *SHORT TITLE*.—*This Act may be cited as “Amer-*
3 *ica’s Water Infrastructure Act of 2018”.*

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

Sec. 1. Short title; table of contents.

TITLE I—WATER RESOURCES DEVELOPMENT

Sec. 101. Short title.

Sec. 102. Secretary defined.

Subtitle A—General Provisions

Sec. 1101. Sense of Congress regarding water resources development bills.

Sec. 1102. Study of the future of the United States Army Corps of Engineers.

Sec. 1103. Study on economic and budgetary analyses.

Sec. 1104. Dissemination of information.

Sec. 1105. Non-Federal engagement and review.

Sec. 1106. Lake Okeechobee regulation schedule review.

Sec. 1107. Access to real estate data.

Sec. 1108. Aquatic invasive species research.

Sec. 1109. Harmful algal bloom technology demonstration.

Sec. 1110. Bubbly Creek, Chicago ecosystem restoration.

Sec. 1111. Dredge pilot program.

Sec. 1112. Hurricane and storm damage protection program.

- Sec. 1113. Operation and maintenance of existing infrastructure.*
- Sec. 1114. Assistance relating to water supply.*
- Sec. 1115. Property acquisition.*
- Sec. 1116. Dredged material management plans.*
- Sec. 1117. Inclusion of project or facility in Corps of Engineers workplan.*
- Sec. 1118. Geomatic data.*
- Sec. 1119. Local government reservoir permit review.*
- Sec. 1120. Transparency and accountability in cost sharing for water resources development projects.*
- Sec. 1121. Upper Missouri Mainstem Reservoir water withdrawal intake easement review.*
- Sec. 1122. Limitation on contract execution.*
- Sec. 1123. Certain levee improvements.*
- Sec. 1124. Cost-share payment for certain projects.*
- Sec. 1125. Locks on Allegheny River.*
- Sec. 1126. Purpose and need.*
- Sec. 1127. Prior project authorization.*
- Sec. 1128. Mississippi River and Tributaries Project.*
- Sec. 1129. Inclusion of Tribal interests in project consultations.*
- Sec. 1130. Beneficial use of dredged material.*
- Sec. 1131. Ice jam prevention and mitigation.*
- Sec. 1132. Rehabilitation of Corps of Engineers constructed dams.*
- Sec. 1133. Columbia River.*
- Sec. 1134. Missouri River Reservoir sediment management.*
- Sec. 1135. Reauthorization of lock operations pilot program.*
- Sec. 1136. Credit or reimbursement.*
- Sec. 1137. Non-Federal implementation pilot program.*
- Sec. 1138. Surplus water contracts and water storage agreements.*
- Sec. 1139. Post-disaster watershed assessments in territories of the United States.*
- Sec. 1140. Expedited consideration.*
- Sec. 1141. Project studies subject to independent peer review.*
- Sec. 1142. Feasibility of Chicago Sanitary and Ship Canal Dispersal Barriers Project, Illinois.*
- Sec. 1143. Acknowledgment of credit.*
- Sec. 1144. Levee safety initiative reauthorization.*
- Sec. 1145. Funding to process permits.*
- Sec. 1146. Reservoir sediment.*
- Sec. 1147. Clarification for integral determination.*
- Sec. 1148. Beneficial use of dredged sediment.*
- Sec. 1149. Inclusion of alternative measures for aquatic ecosystem restoration.*
- Sec. 1150. Regional sediment management.*
- Sec. 1151. Operation and maintenance of navigation and hydroelectric facilities.*
- Sec. 1152. Study of water resources development projects by non-Federal interests.*
- Sec. 1153. Construction of water resources development projects by non-Federal interests.*
- Sec. 1154. Corps budgeting; project deauthorizations; comprehensive backlog report.*
- Sec. 1155. Indian Tribes.*
- Sec. 1156. Inflation adjustment of cost-sharing provisions for territories and Indian Tribes.*
- Sec. 1157. Corps of Engineers continuing authorities program.*
- Sec. 1158. Hurricane and storm damage reduction.*
- Sec. 1159. Regional coalitions and higher education.*
- Sec. 1160. Emergency response to natural disasters.*
- Sec. 1161. Cost and benefit feasibility assessment.*

- Sec. 1162. Extended community assistance by the Corps of Engineers.*
- Sec. 1163. Dam safety.*
- Sec. 1164. Local government water management plans.*
- Sec. 1165. Structures and facilities constructed by Secretary.*
- Sec. 1166. Advanced funds for water resources development studies and projects.*
- Sec. 1167. Costs in excess of Federal participation limit.*
- Sec. 1168. Disposition of projects.*
- Sec. 1169. Contributed funds for non-Federal reservoir operations.*
- Sec. 1170. Watercraft inspection stations.*
- Sec. 1171. Restricted areas at Corps of Engineers dams.*
- Sec. 1172. Coastal erosion.*
- Sec. 1173. Prohibition on surplus water fees, Lake Cumberland Watershed, Kentucky and Tennessee.*
- Sec. 1174. Middle Rio Grande peak flow restoration.*
- Sec. 1175. Prohibition of administrative fees in implementing Rough River Lake Flowage Easement Encroachment Resolution Plan.*
- Sec. 1176. Preconstruction engineering design demonstration program.*

Subtitle B—Studies and Reports

- Sec. 1201. Authorization of proposed feasibility studies.*
- Sec. 1202. Additional studies.*
- Sec. 1203. Expedited completion.*
- Sec. 1204. GAO study on benefit-cost analysis reforms.*
- Sec. 1205. Harbor Maintenance Trust Fund report.*
- Sec. 1206. Identification of nonpowered dams for hydropower development.*
- Sec. 1207. Study on innovative ports for offshore wind development.*
- Sec. 1208. Innovative materials and advanced technologies report.*
- Sec. 1209. Study and report on expediting certain waiver processes.*
- Sec. 1210. Report on debris removal.*
- Sec. 1211. Corps flood policy within urban areas.*
- Sec. 1212. Feasibility studies for mitigation of damage.*
- Sec. 1213. Applications of military leasing authorities.*
- Sec. 1214. Community engagement.*
- Sec. 1215. Transparency in administrative expenses.*
- Sec. 1216. Assessment of harbors and inland harbors.*
- Sec. 1217. Maintenance of high-risk flood control projects.*
- Sec. 1218. North Atlantic Division report on hurricane barriers and harbors of refuge.*
- Sec. 1219. Great Lakes coastal resiliency study.*
- Sec. 1220. McMicken Dam, Arizona, and Muddy River, Massachusetts.*
- Sec. 1221. Table Rock Lake, Arkansas and Missouri.*
- Sec. 1222. Forecast-informed reservoir operations.*
- Sec. 1223. Cedar River, Iowa.*
- Sec. 1224. Old River control structure, Louisiana.*
- Sec. 1225. Upper Mississippi River protection.*
- Sec. 1226. Missouri River.*
- Sec. 1227. Lower Missouri River bank stabilization and navigation.*
- Sec. 1228. Coastal Texas study.*
- Sec. 1229. Report on water supply contract, Wright Patman Lake, Texas.*

Subtitle C—Deauthorizations, Modifications, and Related Provisions

- Sec. 1301. Deauthorization of inactive projects.*
- Sec. 1302. Backlog prevention.*
- Sec. 1303. Project modifications.*

- Sec. 1304. Lytle and Cajon Creeks, California.*
- Sec. 1305. Yuba River Basin, California.*
- Sec. 1306. Bridgeport Harbor, Connecticut.*
- Sec. 1307. Delaware River navigation project.*
- Sec. 1308. Comprehensive Everglades restoration plan, Central and Southern Florida, Everglades Agricultural Area, Florida.*
- Sec. 1309. Kissimmee River restoration, Florida.*
- Sec. 1310. Levee L-212, Four River Basin, Ocklawaha River, Florida.*
- Sec. 1311. Green River and Barren River Locks and Dams, Kentucky.*
- Sec. 1312. Cape Arundel Disposal Site, Maine.*
- Sec. 1313. Penobscot River, Maine.*
- Sec. 1314. Boston harbor reserved channel deauthorizations.*
- Sec. 1315. Corps of Engineers bridge repair program for New England evacuation routes.*
- Sec. 1316. Plymouth Harbor, Massachusetts.*
- Sec. 1317. Portsmouth Harbor and Piscataqua River.*
- Sec. 1318. Missouri River and tributaries at Kansas Cities, Missouri and Kansas.*
- Sec. 1319. Hampton Harbor, New Hampshire, navigation improvement project.*
- Sec. 1320. Passaic River Federal Navigation Channel, New Jersey.*
- Sec. 1321. Fargo-Moorhead Metropolitan Area Diversion Project, North Dakota.*
- Sec. 1322. Clatsop County, Oregon.*
- Sec. 1323. Svensen Island, Oregon.*
- Sec. 1324. West Tennessee Tributaries project, Tennessee.*
- Sec. 1325. Puget Sound nearshore ecosystem restoration.*
- Sec. 1326. Milwaukee Harbor, Milwaukee, Wisconsin.*
- Sec. 1327. Project completion for disaster areas.*
- Sec. 1328. Federal assistance.*
- Sec. 1329. Expedited initiation.*
- Sec. 1330. Project deauthorization and study extensions.*
- Sec. 1331. Conveyances.*
- Sec. 1332. Report on future water resources development.*

Subtitle D—Water Resources Infrastructure

- Sec. 1401. Project authorizations.*
- Sec. 1402. Special rules.*
- Sec. 1403. Norfolk Harbor and Channels, Virginia.*

TITLE II—DRINKING WATER SYSTEM IMPROVEMENT

- Sec. 2001. Indian reservation drinking water program.*
- Sec. 2002. Clean, safe, reliable water infrastructure.*
- Sec. 2003. Study on intractable water systems.*
- Sec. 2004. Sense of Congress relating to access to nonpotable water.*
- Sec. 2005. Drinking water infrastructure resilience and sustainability.*
- Sec. 2006. Voluntary school and child care program lead testing grant program enhancement.*
- Sec. 2007. Innovative water technology grant program.*
- Sec. 2008. Improved consumer confidence reports.*
- Sec. 2009. Contractual agreements.*
- Sec. 2010. Additional considerations for compliance.*
- Sec. 2011. Improved accuracy and availability of compliance monitoring data.*
- Sec. 2012. Asset management.*
- Sec. 2013. Community water system risk and resilience.*
- Sec. 2014. Authorization for grants for State programs.*

- Sec. 2015. State revolving loan funds.*
- Sec. 2016. Authorization for source water petition programs.*
- Sec. 2017. Review of technologies.*
- Sec. 2018. Source water.*
- Sec. 2019. Report on Federal cross-cutting requirements.*
- Sec. 2020. Assistance for areas affected by natural disasters.*
- Sec. 2021. Monitoring for unregulated contaminants.*
- Sec. 2022. American iron and steel products.*
- Sec. 2023. Authorization for capitalization grants to States for State drinking water treatment revolving loan funds.*

TITLE III—ENERGY

- Sec. 3001. Modernizing authorizations for necessary hydropower approvals.*
- Sec. 3002. Qualifying conduit hydropower facilities.*
- Sec. 3003. Promoting hydropower development at existing nonpowered dams.*
- Sec. 3004. Closed-Loop pumped storage projects.*
- Sec. 3005. Considerations for relicensing terms.*
- Sec. 3006. Fair ratepayer accountability, transparency, and efficiency standards.*
- Sec. 3007. J. Bennett Johnston Waterway hydropower extension.*
- Sec. 3008. Stay and Reinstatement of FERC License No. 11393 for the Mahoney Lake Hydroelectric Project.*
- Sec. 3009. Strategic Petroleum Reserve drawdown.*

TITLE IV—OTHER MATTERS

Subtitle A—Clean Water

- Sec. 4101. Stormwater infrastructure funding task force.*
- Sec. 4102. Wastewater technology clearinghouse.*
- Sec. 4103. Technical assistance for treatment works.*
- Sec. 4104. Amendments to Long Island Sound programs.*
- Sec. 4105. Authorization of appropriations for Columbia river basin restoration.*
- Sec. 4106. Sewer overflow control grants.*
- Sec. 4107. Assistance for individual household decentralized wastewater systems of individuals with low or moderate income.*

Subtitle B—WIFIA Reauthorization and Innovative Financing for State Loan Funds

- Sec. 4201. WIFIA reauthorization and innovative financing for State loan funds.*

Subtitle C—Miscellaneous

- Sec. 4301. Agreement with Commissioner of Reclamation.*
- Sec. 4302. Snake River Basin flood prevention action plan.*
- Sec. 4303. GAO audit of contracts and Tainter gate repairs of Harlan County Dam.*
- Sec. 4304. Water infrastructure and workforce investment.*
- Sec. 4305. Regional liaisons for minority, Tribal, and low-income communities.*
- Sec. 4306. WaterSense.*
- Sec. 4307. Predatory and other wild animals.*
- Sec. 4308. Klamath project water and power.*
- Sec. 4309. Certain Bureau of Reclamation dikes.*
- Sec. 4310. Authority to make entire active capacity of Fontenelle Reservoir available for use.*
- Sec. 4311. Blackfoot water rights settlement.*

Sec. 4312. Indian irrigation fund reauthorization.

Sec. 4313. Reauthorization of repair, replacement, and maintenance of certain Indian irrigation projects.

Sec. 4314. Indian dam safety reauthorization.

Sec. 4315. Diana E. Murphy United States Courthouse.

TITLE I—WATER RESOURCES DEVELOPMENT

SEC. 101. SHORT TITLE.

This title may be cited as the “Water Resources Development Act of 2018”.

SEC. 102. SECRETARY DEFINED.

In this title, the term “Secretary” means the Secretary of the Army.

Subtitle A—General Provisions

SEC. 1101. SENSE OF CONGRESS REGARDING WATER RESOURCES DEVELOPMENT BILLS.

It is the sense of Congress that, because the missions of the Corps of Engineers for navigation, flood control, beach erosion control and shoreline protection, hydroelectric power, recreation, water supply, environmental protection, restoration, and enhancement, and fish and wildlife mitigation benefit all Americans, and because water resources development projects are critical to maintaining the country’s economic prosperity, national security, and environmental protection, Congress should consider a water resources development bill not less often than once every Congress.

1 **SEC. 1102. STUDY OF THE FUTURE OF THE UNITED STATES**

2 **ARMY CORPS OF ENGINEERS.**

3 (a) *IN GENERAL.*—The Secretary shall enter into an
4 agreement with the National Academy of Sciences to con-
5 vene a committee of experts to carry out a comprehensive
6 study on—

7 (1) *the ability of the Corps of Engineers to carry*
8 *out its statutory missions and responsibilities, and*
9 *the potential effects of transferring the functions (in-*
10 *cluding regulatory obligations), personnel, assets, and*
11 *civilian staff responsibilities of the Secretary relating*
12 *to civil works from the Department of Defense to a*
13 *new or existing agency or subagency of the Federal*
14 *Government, including how such a transfer might af-*
15 *fect the Federal Government's ability to meet the cur-*
16 *rent statutory missions and responsibilities of the*
17 *Corps of Engineers; and*

18 (2) *improving the Corps of Engineers' project de-*
19 *livery processes, including recommendations for such*
20 *improvements, taking into account factors includ-*
21 *ing—*

22 (A) *the effect of the annual appropriations*
23 *process on the ability of the Corps of Engineers*
24 *to efficiently secure and carry out contracts for*
25 *water resources development projects and per-*
26 *form regulatory obligations;*

1 *(B) the effect that the current Corps of En-*
2 *gineers leadership and geographic structure at*
3 *the division and district levels has on its ability*
4 *to carry out its missions in a cost-effective man-*
5 *ner; and*

6 *(C) the effect of the frequency of rotations of*
7 *senior leaders of the Corps of Engineers and how*
8 *such frequency affects the function of the district.*

9 *(b) CONSIDERATIONS.—The study carried out under*
10 *subsection (a) shall include consideration of—*

11 *(1) effects on the national security of the United*
12 *States;*

13 *(2) the ability of the Corps of Engineers to*
14 *maintain sufficient engineering capability and capac-*
15 *ity to assist ongoing and future operations of the*
16 *United States armed services;*

17 *(3) emergency and natural disaster response ob-*
18 *ligations of the Federal Government that are carried*
19 *out by the Corps of Engineers; and*

20 *(4) the ability of the Corps of Engineers to in-*
21 *crease efficiency, coordination, transparency, and cost*
22 *savings of the project delivery process.*

23 *(c) SUBMISSION TO CONGRESS.—The Secretary shall*
24 *submit the final report of the National Academy containing*
25 *the findings of the study carried out under subsection (a)*

1 *to the Committee on Transportation and Infrastructure of*
 2 *the House of Representatives and the Committee on Envi-*
 3 *ronment and Public Works of the Senate not later than 2*
 4 *years after the date of enactment of this Act.*

5 (d) CONGRESSIONAL APPROVAL.—*The Secretary may*
 6 *not implement the findings of the study carried out under*
 7 *subsection (a) unless expressly authorized by Congress.*

8 **SEC. 1103. STUDY ON ECONOMIC AND BUDGETARY ANAL-**
 9 **YSES.**

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

13 (1) *carry out a study on the economic principles*
 14 *and analytical methodologies currently used by or ap-*
 15 *plied to the Corps of Engineers to formulate, evaluate,*
 16 *and budget for water resources development projects;*
 17 *and*

18 (2) *make recommendations to Congress on poten-*
 19 *tial changes to such principles and methodologies to*
 20 *improve transparency, return on Federal investment,*
 21 *cost savings, and prioritization, in the formulation,*
 22 *evaluation, and budgeting of such projects.*

23 (b) CONSIDERATIONS.—*The study under subsection (a)*
 24 *shall include—*

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

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

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

20 (4) *an analysis of whether such principles and*
21 *methodologies fully account for all of the costs of*
22 *project alternatives, including potential societal costs,*
23 *such as lost ecosystem services, and full lifecycle costs*
24 *for such alternatives;*

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

6 (6) *an analysis of whether or not the Corps of*
 7 *Engineers—*

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

11 (B) *uses the benefits referred to in subpara-*
 12 *graph (A) for purposes of benefit-cost analysis*
 13 *for project justification for potential projects*
 14 *within such Master Plans; and*

15 (7) *consideration of the report submitted under*
 16 *section 1204, if that report is submitted prior to com-*
 17 *pletion of the study under this section.*

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

22 (1) *submit a report containing the results of the*
 23 *study and the recommendations to the Committee on*
 24 *Environment and Public Works of the Senate and the*

1 *Committee on Transportation and Infrastructure of*
 2 *the House of Representatives; and*

3 *(2) make a copy of such report available on a*
 4 *publicly accessible website.*

5 **SEC. 1104. DISSEMINATION OF INFORMATION.**

6 *(a) FINDINGS.—Congress finds the following:*

7 *(1) Congress plays a central role in identifying,*
 8 *prioritizing, and authorizing vital water resources in-*
 9 *frastructure activities throughout the United States.*

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

16 *(3) Section 7001 of the Water Resources Reform*
 17 *and Development Act of 2014 (33 U.S.C. 2282d) re-*
 18 *quires the Secretary to develop and submit to Con-*
 19 *gress each year a Report to Congress on Future Water*
 20 *Resources Development and, as part of the annual re-*
 21 *port process, to—*

22 *(A) publish a notice in the Federal Register*
 23 *that requests from non-Federal interests proposed*
 24 *feasibility studies and proposed modifications to*
 25 *authorized water resources development projects*

1 *and feasibility studies for inclusion in the re-*
2 *port; and*

3 *(B) review the proposals submitted and in-*
4 *clude in the report those proposed feasibility*
5 *studies and proposed modifications that meet the*
6 *criteria for inclusion established under such sec-*
7 *tion 7001.*

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

13 *(5) To ensure that Congress can gain a thorough*
14 *understanding of the water resources development*
15 *needs and priorities of the United States, it is impor-*
16 *tant that the Secretary take sufficient steps to ensure*
17 *that non-Federal interests are made aware of the new*
18 *annual report process, including the need for non-*
19 *Federal interests to submit proposals during the Sec-*
20 *retary's annual request for proposals in order for such*
21 *proposals to be eligible for consideration by Congress.*

22 *(b) DISSEMINATION OF PROCESS INFORMATION.—The*
23 *Secretary shall develop, support, and implement education*
24 *and awareness efforts for non-Federal interests with respect*
25 *to the annual Report to Congress on Future Water Re-*

1 *sources Development required under section 7001 of the*
 2 *Water Resources Reform and Development Act of 2014 (33*
 3 *U.S.C. 2282d), including efforts to—*

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

7 *(2) provide written notice to local elected offi-*
 8 *cials and previous and potential non-Federal interests*
 9 *on the annual process and on opportunities to address*
 10 *local water resources challenges through the missions*
 11 *and authorities of the Corps of Engineers;*

12 *(3) issue guidance for non-Federal interests to*
 13 *assist such interests in developing proposals for water*
 14 *resources development projects that satisfy the require-*
 15 *ments of such section 7001; and*

16 *(4) provide, at the request of a non-Federal in-*
 17 *terest, assistance with researching and identifying ex-*
 18 *isting project authorizations and Corps of Engineers*
 19 *decision documents.*

20 **SEC. 1105. NON-FEDERAL ENGAGEMENT AND REVIEW.**

21 *(a) ISSUANCE.—The Secretary shall expeditiously*
 22 *issue guidance to implement each covered provision of law*
 23 *in accordance with this section.*

24 *(b) PUBLIC NOTICE.—*

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

5 (A) informs potentially interested non-Fed-
 6 eral stakeholders of the Secretary’s intent to de-
 7 velop and issue such guidance; and

8 (B) provides an opportunity for interested
 9 non-Federal stakeholders to engage with, and
 10 provide input and recommendations to, the Sec-
 11 retary on the development and issuance of such
 12 guidance.

13 (2) *ISSUANCE OF NOTICE.*—The Secretary shall
 14 issue the notice under paragraph (1) through a post-
 15 ing on a publicly accessible website dedicated to pro-
 16 viding notice on the development and issuance of im-
 17 plementation guidance for a covered water resources
 18 development law.

19 (c) *STAKEHOLDER ENGAGEMENT.*—

20 (1) *INPUT.*—The Secretary shall allow a min-
 21 imum of 60 days after issuance of the public notice
 22 under subsection (b) for non-Federal stakeholders to
 23 provide input and recommendations to the Secretary,
 24 prior to finalizing implementation guidance for a
 25 covered water resources development law.

1 (2) *OUTREACH.*—*The Secretary may, as appro-*
 2 *priate (as determined by the Secretary), reach out to*
 3 *non-Federal stakeholders and circulate drafts of im-*
 4 *plementation guidance for a covered water resources*
 5 *development law for informal input and recommenda-*
 6 *tions.*

7 (d) *SUBMISSION.*—*The Secretary shall submit to the*
 8 *Committee on Transportation and Infrastructure of the*
 9 *House of Representatives and the Committee on Environ-*
 10 *ment and Public Works of the Senate a copy of all input*
 11 *and recommendations received pursuant to subsection (c)*
 12 *and a description of any consideration of such input and*
 13 *recommendations.*

14 (e) *DEVELOPMENT OF GUIDANCE.*—*When developing*
 15 *implementation guidance for a covered water resources de-*
 16 *velopment law, the Secretary shall take into consideration*
 17 *the input and recommendations received from non-Federal*
 18 *stakeholders, and make the final guidance available to the*
 19 *public on the publicly accessible website described in sub-*
 20 *section (b)(2).*

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

22 (1) *COVERED PROVISION OF LAW.*—*The term*
 23 *“covered provision of law” means a provision of law*
 24 *under the jurisdiction of the Secretary contained in,*

1 or amended by, a covered water resources development
2 law, with respect to which—

3 (A) the Secretary determines guidance is
4 necessary in order to implement the provision;
5 and

6 (B) no such guidance has been issued as of
7 the date of enactment of this Act.

8 (2) *COVERED WATER RESOURCES DEVELOPMENT*
9 *LAW.*—The term “covered water resources development
10 law” means—

11 (A) the Water Resources Reform and Devel-
12 opment Act of 2014;

13 (B) the Water Resources Development Act of
14 2016;

15 (C) this Act; and

16 (D) any Federal water resources develop-
17 ment law enacted after the date of enactment of
18 this Act.

19 **SEC. 1106. LAKE OKEECHOBEE REGULATION SCHEDULE RE-**
20 **VIEW.**

21 The Secretary shall expedite completion of the Lake
22 Okeechobee regulation schedule to coincide with the comple-
23 tion of the Herbert Hoover Dike project, and may consider
24 all relevant aspects of the Comprehensive Everglades Res-

1 *toration Plan described in section 601 of the Water Re-*
 2 *sources Development Act of 2000 (114 Stat. 2680).*

3 **SEC. 1107. ACCESS TO REAL ESTATE DATA.**

4 (a) *IN GENERAL.*—Using available funds, the Sec-
 5 retary shall make publicly available, including on a pub-
 6 licly accessible website, information on all Federal real es-
 7 tate assets in the United States that are owned, operated,
 8 or managed by, or in the custody of, the Corps of Engineers.

9 (b) *REQUIREMENTS.*—

10 (1) *IN GENERAL.*—The real estate information
 11 made available under subsection (a) shall include—

12 (A) existing standardized real estate plat
 13 descriptions of assets described in subsection (a);
 14 and

15 (B) existing geographic information systems
 16 and geospatial information associated with such
 17 assets.

18 (2) *COLLABORATION.*—In making information
 19 available under subsection (a), the Secretary shall
 20 consult with the Administrator of General Services.
 21 Such information may be made available, in whole or
 22 in part, in the Federal real property database pub-
 23 lished under section 21 of the Federal Assets Sale and
 24 Transfer Act of 2016 (Public Law 114–287), as deter-
 25 mined appropriate by the Administrator of General

1 *Services. Nothing in this paragraph shall be con-*
 2 *strued as requiring the Administrator of General*
 3 *Services to add additional data elements or features*
 4 *to such Federal real property database if such addi-*
 5 *tions are impractical or would add additional costs*
 6 *to such database.*

7 *(c) LIMITATION.—Nothing in this section shall compel*
 8 *or authorize the disclosure of data or other information de-*
 9 *termined by the Secretary to be confidential, privileged, na-*
 10 *tional security information, personal information, or infor-*
 11 *mation the disclosure of which is otherwise prohibited by*
 12 *law.*

13 *(d) TIMING.—The Secretary shall ensure that the im-*
 14 *plementation of subsection (a) occurs as soon as practicable.*

15 *(e) EFFECT ON OTHER LAWS.—Nothing in this section*
 16 *shall be construed as modifying, or exempting the Corps of*
 17 *Engineers from, the requirements of the Federal real prop-*
 18 *erty database published under section 21 of the Federal As-*
 19 *sets Sale and Transfer Act of 2016 (Public Law 114–287).*

20 **SEC. 1108. AQUATIC INVASIVE SPECIES RESEARCH.**

21 *(a) IN GENERAL.—As part of the ongoing activities*
 22 *of the Engineer Research and Development Center to ad-*
 23 *dress the spread and impacts of aquatic invasive species,*
 24 *the Secretary shall undertake research on the management*

1 *and eradication of aquatic invasive species, including*
 2 *Asian carp and zebra mussels.*

3 (b) *LOCATIONS.*—*In carrying out subsection (a), the*
 4 *Secretary shall work with Corps of Engineers district offices*
 5 *representing diverse geographical regions of the continental*
 6 *United States that are impacted by aquatic invasive spe-*
 7 *cies, such as the Atlantic, Pacific, and Gulf coasts and the*
 8 *Great Lakes.*

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

16 **SEC. 1109. HARMFUL ALGAL BLOOM TECHNOLOGY DEM-**
 17 **ONSTRATION.**

18 (a) *IN GENERAL.*—*The Secretary, acting through the*
 19 *Engineer Research and Development Center, shall imple-*
 20 *ment a 5-year harmful algal bloom technology development*
 21 *demonstration program under the Aquatic Nuisance Re-*
 22 *search Program. To the extent practicable, the Secretary*
 23 *shall support research that will identify and develop im-*
 24 *proved strategies for early detection, prevention, and man-*
 25 *agement techniques and procedures to reduce the occurrence*

1 *and effects of harmful algal blooms in the Nation's water*
 2 *resources.*

3 (b) *SCALABILITY REQUIREMENT.*—*The Secretary shall*
 4 *ensure that technologies identified, tested, and deployed*
 5 *under the harmful algal bloom technology development dem-*
 6 *onstration program have the ability to scale up to meet the*
 7 *needs of harmful-algal-bloom-related events.*

8 **SEC. 1110. BUBBLY CREEK, CHICAGO ECOSYSTEM RESTORA-**
 9 **TION.**

10 *The Secretary shall enter into a memorandum of un-*
 11 *derstanding with the Administrator of the Environmental*
 12 *Protection Agency to facilitate ecosystem restoration activi-*
 13 *ties at the South Fork of the South Branch of the Chicago*
 14 *River (commonly known as Bubbly Creek).*

15 **SEC. 1111. DREDGE PILOT PROGRAM.**

16 (a) *IN GENERAL.*—*The Secretary is authorized to*
 17 *carry out a pilot program to award contracts with a dura-*
 18 *tion of up to 5 years for the operation and maintenance*
 19 *of harbors and inland harbors referred to in section*
 20 *210(a)(2) of the Water Resources Development Act of 1986*
 21 *(33 U.S.C. 2238(a)(2)).*

22 (b) *SCOPE.*—*In carrying out the pilot program under*
 23 *subsection (a), the Secretary may award a contract de-*
 24 *scribed in such subsection, which may address one or more*
 25 *harbors or inland harbors in a geographical region, if the*

1 *Secretary determines that the contract provides cost savings*
 2 *compared to the awarding of such work on an annual basis*
 3 *or on a project-by-project basis.*

4 *(c) REPORT TO CONGRESS.—Not later than 1 year*
 5 *after the date on which the first contract is awarded pursu-*
 6 *ant to the pilot program carried out under subsection (a),*
 7 *the Secretary shall submit to Congress a report evaluating,*
 8 *with respect to the pilot program and any contracts award-*
 9 *ed under the pilot program—*

10 *(1) cost effectiveness;*

11 *(2) reliability and performance;*

12 *(3) cost savings attributable to mobilization and*
 13 *demobilization of dredge equipment; and*

14 *(4) response times to address navigational im-*
 15 *pediments.*

16 *(d) SUNSET.—The authority of the Secretary to enter*
 17 *into contracts pursuant to the pilot program carried out*
 18 *under subsection (a), shall expire on the date that is 10*
 19 *years after the date of enactment of this Act.*

20 **SEC. 1112. HURRICANE AND STORM DAMAGE PROTECTION**
 21 **PROGRAM.**

22 *(a) IN GENERAL.—The Secretary is authorized to*
 23 *carry out a pilot program to award single contracts for*
 24 *more than one authorized hurricane and storm damage re-*
 25 *duction project in a geographical region, including projects*

1 across more than one Corps of Engineers district, if the Sec-
 2 retary determines that the contract provides cost savings
 3 compared to the awarding of such work on a project-by-
 4 project basis.

5 (b) *PROJECT SELECTION*.—In carrying out the pilot
 6 program under subsection (a), the Secretary shall consult
 7 with relevant State agencies in selecting projects.

8 (c) *CRITERIA*.—In carrying out the pilot program
 9 under subsection (a), the Secretary shall establish criteria
 10 and other considerations that—

11 (1) foster Federal, State, and local collaboration;

12 (2) evaluate the performance of projects being
 13 carried out under a single contract with respect to
 14 whether such projects yield any regional or multi-dis-
 15 trict benefits; and

16 (3) include other criteria and considerations that
 17 the Secretary determines to be appropriate.

18 (d) *REPORT*.—Not later than 1 year after the date of
 19 enactment of this Act, and annually thereafter, the Sec-
 20 retary shall submit to the Committee on Environment and
 21 Public Works of the Senate and the Committee on Transpor-
 22 tation and Infrastructure of the House of Representatives
 23 a report that includes findings and recommendations of the
 24 Secretary with respect to the projects completed under the
 25 pilot program carried out under subsection (a).

1 (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
 2 *authorized to be appropriated to carry out this section*
 3 *\$75,000,000.*

4 (f) *TERMINATION.*—*The authority of the Secretary to*
 5 *enter into contracts pursuant to the pilot program carried*
 6 *out under subsection (a) shall expire on the date that is*
 7 *10 years after the date of enactment of this Act.*

8 **SEC. 1113. OPERATION AND MAINTENANCE OF EXISTING IN-**
 9 **FRAS****TRUCTURE.**

10 *The Secretary shall improve the reliability, and oper-*
 11 *ation and maintenance of, existing infrastructure of the*
 12 *Corps of Engineers, and, as necessary, improve its resilience*
 13 *to cyber-related threats.*

14 **SEC. 1114. ASSISTANCE RELATING TO WATER SUPPLY.**

15 *The Secretary may provide assistance to municipali-*
 16 *ties the water supply of which is adversely affected by con-*
 17 *struction carried out by the Corps of Engineers.*

18 **SEC. 1115. PROPERTY ACQUISITION.**

19 (a) *IN GENERAL.*—*In acquiring an interest in land,*
 20 *or requiring a non-Federal interest to acquire an interest*
 21 *in land, the Secretary shall, in accordance with the Uni-*
 22 *form Relocation Assistance and Real Property Acquisition*
 23 *Policies Act of 1970, first consider the minimum interest*
 24 *in real property necessary to support the water resources*
 25 *development project for which such interest is acquired.*

1 (b) *DETERMINATION.*—*In determining an interest in*
 2 *land under subsection (a), the Secretary shall first consider*
 3 *a temporary easement or other interest designed to reduce*
 4 *the overall cost of the water resources development project*
 5 *for which such interest is acquired, reduce the time to com-*
 6 *plete such project, and minimize conflict with property*
 7 *owners related to such project.*

8 (c) *PROCEDURES USED IN STATE.*—*In carrying out*
 9 *subsection (a), the Secretary shall consider, with respect to*
 10 *a State, the procedures that the State uses to acquire, or*
 11 *require the acquisition of, interests in land, to the extent*
 12 *that such procedures are generally consistent with the goals*
 13 *of a project or action.*

14 **SEC. 1116. DREDGED MATERIAL MANAGEMENT PLANS.**

15 (a) *IN GENERAL.*—*For purposes of dredged material*
 16 *management plans initiated after the date of enactment of*
 17 *this Act, the Secretary shall expedite the dredged material*
 18 *management plan process in order that such plans make*
 19 *maximum use of existing information, studies, and innova-*
 20 *tive dredged material management practices, and avoid any*
 21 *redundant information collection and studies.*

22 (b) *REPORT.*—*Not later than 60 days after the date*
 23 *of enactment of this Act, the Secretary shall submit to Con-*
 24 *gress a report on how the Corps of Engineers intends to*
 25 *meet the requirements of subsection (a).*

1 **SEC. 1117. INCLUSION OF PROJECT OR FACILITY IN CORPS**
 2 **OF ENGINEERS WORKPLAN.**

3 (a) *IN GENERAL.*—*The Secretary shall, to the max-*
 4 *imum extent practicable, include in the future workplan of*
 5 *the Corps any authorized project or facility of the Corps*
 6 *of Engineers—*

7 (1) *that the Secretary has studied for disposition*
 8 *under an existing authority, including by carrying*
 9 *out a disposition study under section 216 of the Flood*
 10 *Control Act of 1970 (33 U.S.C. 549a); and*

11 (2) *for which a final report by the Director of*
 12 *Civil Works has been completed.*

13 (b) *NOTIFICATION TO COMMITTEES.*—*Upon comple-*
 14 *tion of a final report referred to in subsection (a), the Sec-*
 15 *retary shall transmit a copy of the report to the Committee*
 16 *on Transportation and Infrastructure of the House of Rep-*
 17 *resentatives and the Committee on Environment and Public*
 18 *Works of the Senate.*

19 **SEC. 1118. GEOMATIC DATA.**

20 (a) *IN GENERAL.*—*The Secretary shall develop guid-*
 21 *ance for the acceptance and use of information obtained*
 22 *from a non-Federal interest through geomatic techniques,*
 23 *including remote sensing and land surveying, cartography,*
 24 *geographic information systems, global navigation satellite*
 25 *systems, photogrammetry, or other remote means, in car-*
 26 *rying out any authority of the Secretary.*

1 (b) *CONSIDERATIONS.*—*In carrying out this section,*
 2 *the Secretary shall ensure that use of information described*
 3 *in subsection (a) meets the data quality and operational*
 4 *requirements of the Secretary.*

5 (c) *SAVINGS CLAUSE.*—*Nothing in this section—*

6 (1) *requires the Secretary to accept information*
 7 *that the Secretary determines does not meet the guid-*
 8 *ance developed under this section; or*

9 (2) *changes the current statutory or regulatory*
 10 *requirements of the Corps of Engineers.*

11 **SEC. 1119. LOCAL GOVERNMENT RESERVOIR PERMIT RE-**
 12 **VIEW.**

13 (a) *IN GENERAL.*—*During the 10-year period after the*
 14 *date of enactment of this section, the Secretary shall expe-*
 15 *dite review of applications for covered permits, if the permit*
 16 *applicant is a local governmental entity with jurisdiction*
 17 *over an area for which—*

18 (1) *any portion of the water resources available*
 19 *to the area served by the local governmental entity is*
 20 *polluted by chemicals used at a formerly used defense*
 21 *site under the jurisdiction of the Department of De-*
 22 *fense that is undergoing (or is scheduled to undergo)*
 23 *environmental restoration under chapter 160 of title*
 24 *10, United States Code; and*

1 (2) *mitigation of the pollution described in para-*
 2 *graph (1) is ongoing.*

3 (b) *COVERED PERMIT DEFINED.*—*In this section, the*
 4 *term “covered permit” means a permit to be issued by the*
 5 *Secretary to modify a reservoir owned or operated by the*
 6 *Secretary, with respect to which not less than 80 percent*
 7 *of the water rights are held for drinking water supplies,*
 8 *in order to accommodate projected water supply needs of*
 9 *an area with a population of less than 80,000.*

10 (c) *LIMITATIONS.*—*Nothing in this section affects any*
 11 *obligation to comply with the provisions of any Federal*
 12 *law, including—*

13 (1) *the National Environmental Policy Act of*
 14 *1969 (42 U.S.C. 4321 et seq.); and*

15 (2) *the Federal Water Pollution Control Act (33*
 16 *U.S.C. 1251 et seq.).*

17 **SEC. 1120. TRANSPARENCY AND ACCOUNTABILITY IN COST**
 18 **SHARING FOR WATER RESOURCES DEVELOP-**
 19 **MENT PROJECTS.**

20 (a) *DEFINITION OF BALANCE SHEET.*—*In this section,*
 21 *the term “balance sheet” means a document that describes—*

22 (1) *the funds provided by each Federal and non-*
 23 *Federal interest for a water resources development*
 24 *project; and*

25 (2) *the status of those funds.*

1 (b) *ESTABLISHMENT OF BALANCE SHEET.*—Each dis-
 2 trict of the Corps of Engineers shall, using the authority
 3 of the Secretary under section 10 of the Water Resources
 4 Development Act of 1988 (33 U.S.C. 2315)—

5 (1) *maintain a balance sheet for each water re-*
 6 sources development project carried out by the Sec-
 7 retary for which a non-Federal cost share is required;
 8 and

9 (2) *on request of a non-Federal interest that pro-*
 10 vided funds for the project, provide to the non-Federal
 11 interest a copy of the balance sheet.

12 (c) *UNDER-BUDGET PROJECTS.*—In the case of a
 13 water resources development project carried out by the Sec-
 14 retary that is completed at a cost less than the estimated
 15 cost, the Secretary shall transfer any excess non-Federal
 16 funds to the non-Federal interest in accordance with the
 17 cost-share requirement applicable to the project.

18 **SEC. 1121. UPPER MISSOURI MAINSTEM RESERVOIR WATER**

19 **WITHDRAWAL INTAKE EASEMENT REVIEW.**

20 (a) *IN GENERAL.*—During the 10-year period begin-
 21 ning on the date of enactment of this Act, the Secretary
 22 shall, to the maximum extent practicable, expedite the re-
 23 view of applications for a covered easement.

24 (b) *PROCESS.*—In carrying out this section, the Sec-
 25 retary shall develop an application to obtain a covered ease-

1 *ment that requires an applicant for a covered easement to*
 2 *submit information that includes—*

3 *(1) all permissible locations for the proposed*
 4 *easement;*

5 *(2) the corresponding dimensions of the proposed*
 6 *easement;*

7 *(3) the methods of installation of the water with-*
 8 *drawal intakes; and*

9 *(4) any other information that the Secretary*
 10 *may require to complete the review.*

11 *(c) RESPONSE.—Not later than 30 days after the date*
 12 *on which the Secretary receives an application under sub-*
 13 *section (b), the Secretary shall seek to provide to the appli-*
 14 *cant a written notification that states—*

15 *(1) whether the application is complete; and*

16 *(2) if the application is not complete, what in-*
 17 *formation is needed for the application to be com-*
 18 *plete.*

19 *(d) DETERMINATION.—To the maximum extent prac-*
 20 *ticable, not later than 120 days after the date on which*
 21 *the Secretary receives a complete application for a covered*
 22 *easement, the Secretary shall approve or deny the applica-*
 23 *tion for the covered easement.*

24 *(e) COVERED EASEMENT DEFINED.—In this section,*
 25 *the term “covered easement” means an easement necessary*

1 *to access Federal land under the control of the Secretary*
 2 *for the placement of water withdrawal intakes in the Upper*
 3 *Missouri Mainstem Reservoirs that does not otherwise in-*
 4 *volve the alteration or modification of any structures or fa-*
 5 *cilities located on that Federal land, other than those owned*
 6 *by the non-Federal interest.*

7 (f) *LIMITATIONS.—Nothing in this section affects any*
 8 *obligation to comply with the provisions of any Federal*
 9 *law, including—*

10 (1) *the National Environmental Policy Act of*
 11 *1969 (42 U.S.C. 4321 et seq.); and*

12 (2) *the Federal Water Pollution Control Act (33*
 13 *U.S.C. 1251 et seq.).*

14 **SEC. 1122. LIMITATION ON CONTRACT EXECUTION.**

15 (a) *LIMITATION.—For any new covered contract en-*
 16 *tered into during the period beginning on the date of enact-*
 17 *ment of this Act and ending on December 31, 2020, any*
 18 *local governmental entity that is a party to a covered con-*
 19 *tract entered into before such period shall be required to*
 20 *pay not more than 110 percent of the contractual rate per*
 21 *acre-foot in effect under the most recent such covered con-*
 22 *tract.*

23 (b) *COVERED CONTRACT.—In this section, the term*
 24 *“covered contract” means a contract between a local govern-*

1 *mental entity and the Secretary for water supply storage*
 2 *in a nonhydropower lake within the Verdigris River Basin.*

3 **SEC. 1123. CERTAIN LEVEE IMPROVEMENTS.**

4 (a) *IN GENERAL.*—Notwithstanding section 211 of the
 5 *Water Resources Development Act of 2000 (31 U.S.C. 6505*
 6 *note), the Secretary, at the request of a local government,*
 7 *is authorized to provide technical services, on a reimburs-*
 8 *able basis, to the local government to assess the reasons a*
 9 *federally constructed levee owned or operated by the local*
 10 *government is not accredited by the Federal Emergency*
 11 *Management Agency.*

12 (b) *FEDERAL LEVEES.*—In carrying out this section,
 13 *in a case in which a levee owned and operated by the Sec-*
 14 *retary is hydraulically tied to a levee described in sub-*
 15 *section (a), the Secretary is encouraged to cooperate, to the*
 16 *maximum extent practicable, with the relevant local govern-*
 17 *mental entities in assessing the reasons the levee described*
 18 *in subsection (a) is not accredited.*

19 (c) *LIMITATION.*—Nothing in this section—

20 (1) *affects the responsibilities of a local govern-*
 21 *ment to operate and maintain its flood control infra-*
 22 *structure; or*

23 (2) *obligates the Secretary to expend additional*
 24 *Federal resources on levees owned and operated by the*
 25 *Secretary.*

1 **SEC. 1124. COST-SHARE PAYMENT FOR CERTAIN PROJECTS.**

2 *The Secretary shall, subject to the availability of ap-*
 3 *propriations, pay the outstanding balance of the Federal*
 4 *cost share for any project carried out under section 593 of*
 5 *the Water Resources Development Act of 1999 (113 Stat.*
 6 *380).*

7 **SEC. 1125. LOCKS ON ALLEGHENY RIVER.**

8 *The Corps of Engineers may consider, in making fund-*
 9 *ing determinations with respect to the operation and main-*
 10 *tenance of locks on the Allegheny River—*

11 *(1) recreational boat traffic levels; and*

12 *(2) related economic benefits.*

13 **SEC. 1126. PURPOSE AND NEED.**

14 *(a) PURPOSE AND NEED STATEMENTS.—*

15 *(1) IN GENERAL.—Not later than 90 days after*
 16 *the date of receipt of a complete application for a*
 17 *water storage project, the District Engineer shall de-*
 18 *velop and provide to the applicant a purpose and*
 19 *need statement that describes—*

20 *(A) whether the District Engineer concurs*
 21 *with the assessment of the purpose of and need*
 22 *for the water storage project proposed by the ap-*
 23 *plicant; and*

24 *(B) in any case in which the District Engi-*
 25 *neer does not concur as described in subpara-*

1 graph (A), an assessment by the District Engi-
 2 neer of the purpose of and need for the project.

3 (2) *EFFECT ON ENVIRONMENTAL IMPACT STATE-*
 4 *MENTS.*—No environmental impact statement or envi-
 5 ronmental assessment required under the National
 6 Environmental Policy Act of 1969 (42 U.S.C. 4321 *et*
 7 *seq.*) shall substantially commence with respect to a
 8 water storage project until the date on which the Dis-
 9 trict Engineer provides to the applicant a purpose
 10 and need statement as required under paragraph (1).

11 (b) *APPEALS REQUEST.*—A non-Federal interest may
 12 use the administrative appeals process described in part
 13 331 of title 33, Code of Federal Regulations (or any suc-
 14 ceeding regulation), in relation to a decision of the Sec-
 15 retary related to an application for a water storage project.

16 **SEC. 1127. PRIOR PROJECT AUTHORIZATION.**

17 In any case in which a project under the jurisdiction
 18 of the Secretary is budgeted under a different business line
 19 than the business line under which the project was origi-
 20 nally authorized, the Secretary shall ensure that the project
 21 is carried out in accordance with any requirements that
 22 apply to the business line under which the project was origi-
 23 nally authorized.

1 **SEC. 1128. MISSISSIPPI RIVER AND TRIBUTARIES PROJECT.**

2 (a) *IN GENERAL.*—After any flood event requiring op-
 3 eration or activation of any floodway or backwater feature
 4 within the Mississippi River and Tributaries Project
 5 through natural overtopping of a Federal levee or artificial
 6 crevassing of a Federal levee to relieve pressure on the levees
 7 elsewhere in the system, the Secretary shall expeditiously
 8 reset and restore the damaged floodway’s levees.

9 (b) *CONSULTATION.*—In carrying out subsection (a),
 10 the Secretary shall provide an opportunity for consultation
 11 with affected communities.

12 (c) *MISSISSIPPI RIVER AND TRIBUTARIES PROJECT.*—
 13 The term “Mississippi River and Tributaries Project”
 14 means the Mississippi River and Tributaries project au-
 15 thorized by the Act of May 15, 1928 (Chap. 569; 45 Stat.
 16 534).

17 **SEC. 1129. INCLUSION OF TRIBAL INTERESTS IN PROJECT**
 18 **CONSULTATIONS.**

19 (a) *REPORT REQUIRED.*—As soon as practicable fol-
 20 lowing the date of enactment of this Act, the Secretary shall
 21 submit the report required under section 1120(a)(3) of the
 22 Water Resources Development Act of 2016 (130 Stat. 1643).

23 (b) *CONSULTATION.*—The Secretary shall ensure that
 24 all existing Tribal consultation policies, regulations, and
 25 guidance continue to be implemented, and that consulta-
 26 tions with Federal and State agencies and Indian Tribes

1 *required for a water resources development project are car-*
 2 *ried out.*

3 **SEC. 1130. BENEFICIAL USE OF DREDGED MATERIAL.**

4 *Section 1122 of the Water Resources Development Act*
 5 *of 2016 (33 U.S.C. 2326 note) is amended—*

6 *(1) in subsection (b)(1), by striking “10” and in-*
 7 *serting “20”; and*

8 *(2) in subsection (g), by striking “10” and in-*
 9 *serting “20”.*

10 **SEC. 1131. ICE JAM PREVENTION AND MITIGATION.**

11 *Section 1150(c) of the Water Resources Development*
 12 *Act of 2016 (33 U.S.C. 701s note) is amended—*

13 *(1) in paragraph (1)—*

14 *(A) by striking “During fiscal years 2017*
 15 *through 2022, the Secretary” and inserting “The*
 16 *Secretary”; and*

17 *(B) by striking “10 projects” and inserting*
 18 *“20 projects”; and*

19 *(2) in paragraph (2)—*

20 *(A) by striking “shall ensure” and inserting*
 21 *the following : “shall—*

22 *“(A) ensure”;*

23 *(B) by striking the period at the end and*
 24 *inserting “; and”; and*

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

1 “(B) select not fewer than one project to be
 2 carried out on a reservation (as defined in sec-
 3 tion 3 of the Indian Financing Act of 1974) that
 4 serves more than one Indian tribe (as defined in
 5 section 4 of the Indian Self-Determination and
 6 Education Assistance Act).”.

7 **SEC. 1132. REHABILITATION OF CORPS OF ENGINEERS CON-**
 8 **STRUCTED DAMS.**

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

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

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

15 **SEC. 1133. COLUMBIA RIVER.**

16 (a) *BONNEVILLE DAM, OREGON.*—

17 (1) *IN GENERAL.*—The Secretary, in consultation
 18 with the Secretary of the Interior, shall examine and
 19 assess the extent to which Indians (as defined in sec-
 20 tion 4 of the Indian Self-Determination and Edu-
 21 cation Assistance Act (25 U.S.C. 5304)) have been
 22 displaced as a result of the construction of the Bonne-
 23 ville Dam, Oregon, as authorized by the first section
 24 of the Act of August 30, 1935 (49 Stat. 1032) and the

1 *first section and section 2(a) of the Act of August 20,*
 2 *1937 (16 U.S.C. 832, 832a(a)).*

3 (2) *INCLUSION.—The examination and assess-*
 4 *ment under paragraph (1) may include assessments*
 5 *relating to housing and related facilities.*

6 (3) *ASSISTANCE.—If the Secretary determines,*
 7 *based on the examination and assessment under para-*
 8 *graph (1), that assistance is required or needed, the*
 9 *Secretary may use all existing authorities of the Sec-*
 10 *retary, including under this Act, to provide assistance*
 11 *to Indians who have been displaced as a result of the*
 12 *construction of the Bonneville Dam, Oregon.*

13 (4) *TRIBAL ASSISTANCE.—Section 1178(c)(1)(A)*
 14 *of the Water Resources Development Act of 2016 (130*
 15 *Stat. 1675) is amended by striking “Upon the request*
 16 *of the Secretary of the Interior, the Secretary may*
 17 *provide assistance” and inserting “The Secretary, in*
 18 *consultation with the Secretary of the Interior, may*
 19 *provide assistance”.*

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

21 (1) *IN GENERAL.—The Secretary, in consultation*
 22 *with the Secretary of the Interior, shall examine and*
 23 *assess the extent to which Indians (as defined in sec-*
 24 *tion 4 of the Indian Self-Determination and Edu-*
 25 *cation Assistance Act (25 U.S.C. 5304)) have been*

1 *displaced as a result of the construction of the John*
 2 *Day Dam, Oregon, as authorized by section 204 of the*
 3 *Flood Control Act of 1950 (64 Stat. 179).*

4 (2) *INCLUSION.—The examination and assess-*
 5 *ment under paragraph (1) may include—*

6 (A) *assessments relating to housing and re-*
 7 *lated facilities; and*

8 (B) *the study required by section 1178(c)(2)*
 9 *of the Water Resources Development Act of 2016*
 10 *(130 Stat. 1675).*

11 (3) *ASSISTANCE.—If the Secretary determines,*
 12 *based on the examination and assessment under para-*
 13 *graph (1), that assistance is required or needed, the*
 14 *Secretary may use all existing authorities of the Sec-*
 15 *retary, including under this Act, to provide assistance*
 16 *to Indians who have been displaced as a result of the*
 17 *construction of the John Day Dam, Oregon.*

18 (c) *DALLES DAM, WASHINGTON AND OREGON.—*

19 (1) *IN GENERAL.—The Secretary, in consultation*
 20 *with the Secretary of the Interior, shall complete and*
 21 *carry out a village development plan for any Indian*
 22 *village submerged as a result of the construction of the*
 23 *Dalles Dam, Columbia River, Washington and Or-*
 24 *egon, as authorized by section 204 of the Flood Con-*
 25 *trol Act of 1950 (64 Stat. 179).*

1 (2) *ASSISTANCE.*—*The Secretary may acquire*
 2 *land from willing land owners in carrying out a vil-*
 3 *lage development plan under paragraph (1).*

4 (3) *REQUIREMENTS.*—*A village development*
 5 *plan completed under paragraph (1) shall include, at*
 6 *a minimum, an estimated cost and tentative schedule*
 7 *for the construction of a replacement village.*

8 **SEC. 1134. MISSOURI RIVER RESERVOIR SEDIMENT MAN-**
 9 **AGEMENT.**

10 *Section 1179(a) of the Water Resources Development*
 11 *Act of 2016 (130 Stat. 1675) is amended—*

12 (1) *by redesignating paragraphs (4) through (8)*
 13 *as paragraphs (5) through (9), respectively;*

14 (2) *by inserting after paragraph (3) the fol-*
 15 *lowing:*

16 “(4) *PRIORITIZATION OF SEDIMENT MANAGE-*
 17 *MENT PLANS.*—*In carrying out the pilot project under*
 18 *this subsection, the Secretary shall give priority to de-*
 19 *veloping and implementing sediment management*
 20 *plans that affect reservoirs that cross State lines.”;*
 21 *and*

22 (3) *in paragraph (8) (as so redesignated)—*

23 (A) *by redesignating subparagraph (B) as*
 24 *subparagraph (D); and*

1 *(B) by striking subparagraph (A) and in-*
2 *serting the following:*

3 *“(A) IN GENERAL.—The Secretary shall*
4 *carry out the pilot program established under*
5 *this subsection in partnership with the Secretary*
6 *of the Interior, and the program shall apply to*
7 *reservoirs managed or owned by the Bureau of*
8 *Reclamation.*

9 *“(B) MEMORANDUM OF AGREEMENT.—For*
10 *sediment management plans that apply to a res-*
11 *ervoir managed or owned by the Bureau of Rec-*
12 *lamation under subparagraph (A), the Secretary*
13 *and the Secretary of the Interior shall execute a*
14 *memorandum of agreement establishing the*
15 *framework for a partnership and the terms and*
16 *conditions for sharing expertise and resources.*

17 *“(C) PAYMENTS.—The Secretary is author-*
18 *ized to accept and expend funds from the Sec-*
19 *retary of the Interior to complete any work*
20 *under this paragraph at a reservoir managed or*
21 *owned by the Bureau of Reclamation.”.*

1 **SEC. 1135. REAUTHORIZATION OF LOCK OPERATIONS PILOT**
 2 **PROGRAM.**

3 *Section 1017(f) of the Water Resources Reform and De-*
 4 *velopment Act of 2014 (33 U.S.C. 2212 note) is amended*
 5 *by striking “5 years” and inserting “10 years”.*

6 **SEC. 1136. CREDIT OR REIMBURSEMENT.**

7 *(a) IN GENERAL.—Section 1022 of the Water Re-*
 8 *sources Reform and Development Act of 2014 (33 U.S.C.*
 9 *2225) is amended to read as follows:*

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

11 *“(a) REQUESTS FOR CREDITS.—With respect to an*
 12 *authorized flood damage reduction project, or separable ele-*
 13 *ment thereof, that has been constructed by a non-Federal*
 14 *interest under section 211 of the Water Resources Develop-*
 15 *ment Act of 1996 (33 U.S.C. 701b–13), or an authorized*
 16 *coastal navigation project that has been constructed by the*
 17 *Corps of Engineers pursuant to section 11 of the Act of*
 18 *March 3, 1925, before the date of enactment of the Water*
 19 *Resources Development Act of 2018, the Secretary may pro-*
 20 *vide to the non-Federal interest, at the request of the non-*
 21 *Federal interest, a credit in an amount equal to the esti-*
 22 *mated Federal share of the cost of the project or separable*
 23 *element, in lieu of providing to the non-Federal interest a*
 24 *reimbursement in that amount or reimbursement of funds*
 25 *of an equivalent amount, subject to the availability of ap-*
 26 *propriations.*

1 “(b) *APPLICATION OF CREDITS.*—*At the request of the*
 2 *non-Federal interest, the Secretary may apply all or a por-*
 3 *tion of such credit to the share of the cost of the non-Federal*
 4 *interest of carrying out other flood damage reduction and*
 5 *coastal navigation projects or studies.*

6 “(c) *APPLICATION OF REIMBURSEMENT.*—*At the re-*
 7 *quest of the non-Federal interest, the Secretary may apply*
 8 *such funds, subject to the availability of appropriations,*
 9 *equal to the share of the cost of the non-Federal interest*
 10 *of carrying out other flood damage reduction and coastal*
 11 *navigation projects or studies.”.*

12 (b) *CLERICAL AMENDMENT.*—*The table of contents*
 13 *contained in section 1(b) of the Water Resources Reform*
 14 *and Development Act of 2014 (128 Stat. 1193) is amended*
 15 *by striking the item relating to section 1022 and inserting*
 16 *the following:*

“Sec. 1022. Credit or reimbursement.”.

17 **SEC. 1137. NON-FEDERAL IMPLEMENTATION PILOT PRO-**
 18 **GRAM.**

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

22 (1) in paragraph (3)(A)(i)—

23 (A) in the matter preceding subclause (I)—

24 (i) by striking “15” and inserting

25 “20”; and

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

3 (B) in subclause (I)—

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

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

11 (C) in subclause (II)—

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

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

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

19 “(III) not more than 5 projects
20 that have been authorized for construc-
21 tion, but did not receive the authoriza-
22 tion prior to the date of enactment of
23 this Act;”; and

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

1 **SEC. 1138. SURPLUS WATER CONTRACTS AND WATER STOR-**
 2 **AGE AGREEMENTS.**

3 *Section 1046(c) of the Water Resources Reform and*
 4 *Development Act of 2014 (128 Stat. 1254) is amended—*

5 *(1) in paragraph (1)—*

6 *(A) by striking “shall not charge a fee” and*
 7 *inserting the following: “shall not—*

8 *“(A) charge a fee”;*

9 *(B) by striking “Reservoirs.” and inserting*
 10 *“Reservoirs; or”; and*

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

12 *“(B) assess a water storage fee with respect*
 13 *to any water storage in the Upper Missouri*
 14 *Mainstem Reservoirs.”; and*

15 *(2) in paragraph (3), by striking “10” and in-*
 16 *serting “12”.*

17 **SEC. 1139. POST-DISASTER WATERSHED ASSESSMENTS IN**
 18 **TERRITORIES OF THE UNITED STATES.**

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

22 *“(e) ASSESSMENTS IN TERRITORIES OF THE UNITED*
 23 *STATES.—*

24 *“(1) IN GENERAL.—For any major disaster de-*
 25 *clared in a territory of the United States before the*
 26 *date of enactment of this subsection, all activities in*

1 *the territory carried out or undertaken pursuant to*
 2 *the authorities described in this section shall be con-*
 3 *ducted at full Federal expense unless the President de-*
 4 *termines that the territory has the ability to pay the*
 5 *cost share for an assessment under this section with-*
 6 *out the use of loans.*

7 “(2) *TERRITORY DEFINED.*—*In this subsection,*
 8 *the term ‘territory of the United States’ means an in-*
 9 *sular area specified in section 1156(a)(1) of the Water*
 10 *Resources Development Act of 1986 (33 U.S.C.*
 11 *2310(a)(1)).”.*

12 **SEC. 1140. EXPEDITED CONSIDERATION.**

13 *Section 7004(b)(4) of the Water Resources Reform and*
 14 *Development Act of 2014 (128 Stat. 1374) is amended by*
 15 *striking “December 31, 2018” and inserting “December 31,*
 16 *2024”.*

17 **SEC. 1141. PROJECT STUDIES SUBJECT TO INDEPENDENT**
 18 **PEER REVIEW.**

19 *Section 2034(h)(2) of the Water Resources Develop-*
 20 *ment Act of 2007 (33 U.S.C. 2343(h)(2)) is amended by*
 21 *striking “12 years” and inserting “17 years”.*

1 **SEC. 1142. FEASIBILITY OF CHICAGO SANITARY AND SHIP**
 2 **CANAL DISPERSAL BARRIERS PROJECT, ILLI-**
 3 **NOIS.**

4 *Section 3061(d) of the Water Resources Development*
 5 *Act of 2007 (Public Law 110–114; 121 Stat. 1121) is*
 6 *amended—*

7 *(1) by striking “The Secretary” and inserting*
 8 *the following:*

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

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

11 *“(2) OPERATION AND MAINTENANCE.—Operation*
 12 *and maintenance of any project authorized to be car-*
 13 *ried out pursuant to the feasibility study identified in*
 14 *paragraph (1) shall be carried out at 80 percent Fed-*
 15 *eral expense and 20 percent non-Federal expense.*

16 *“(3) CONSULTATION.—After construction of any*
 17 *project authorized to be carried out pursuant to the*
 18 *feasibility study identified in paragraph (1), the Sec-*
 19 *retary shall consult with the Governor of the State in*
 20 *which the project is constructed before any control*
 21 *technologies not included in the Chief’s Report are*
 22 *implemented.”.*

23 **SEC. 1143. ACKNOWLEDGMENT OF CREDIT.**

24 *Section 7007(a) of the Water Resources Development*
 25 *Act of 2007 (121 Stat. 1277; 128 Stat. 1226) is amended*
 26 *by adding at the end the following: “Notwithstanding sec-*

tion 221(a)(4)(C)(i) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)(C)(i)), the Secretary may provide credit for work carried out during the period beginning on November 8, 2007, and ending on the date of enactment of the Water Resources Development Act of 2018 by the non-Federal interest for a project under this title if the Secretary determines that the work is integral to the project and was carried out in accordance with the requirements of subchapter 4 of chapter 31, and chapter 37, of title 40, United States Code.”.

SEC. 1144. LEVEE SAFETY INITIATIVE REAUTHORIZATION.

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

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

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

SEC. 1145. FUNDING TO PROCESS PERMITS.

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

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

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

2 (A) by striking “4 years after the date of
3 enactment of this paragraph” and inserting “De-
4 cember 31, 2022”; and

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

7 **SEC. 1146. RESERVOIR SEDIMENT.**

8 Section 215 of the Water Resources Development Act
9 of 2000 (33 U.S.C. 2326c) is amended—

10 (1) in subsection (a)—

11 (A) by striking “the date of enactment of
12 the Water Resources Development Act of 2016”
13 and inserting “the date of enactment of the
14 Water Resources Development Act of 2018”; and

15 (B) by striking “shall establish, using avail-
16 able funds, a pilot program to accept” and in-
17 serting “shall, using available funds, accept”;

18 (2) in subsection (b)—

19 (A) in paragraph (2), by adding “and” at
20 the end;

21 (B) in paragraph (3), by striking “; and”
22 at the end and inserting a period; and

23 (C) by striking paragraph (4); and

24 (3) by striking subsection (f) and inserting the
25 following:

10 *Section 601(e)(5) of the Water Resources Development*
11 *Act of 2000 (Public Law 106–541) is amended—*

13 (A) in subclause (II), by striking “; or” and
14 inserting a semicolon; and

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

24 “(V) the credit is provided for any
25 work carried out by the non-Federal spon-

1 sor, as agreed to by the District Commander
 2 and non-Federal sponsor in a written agree-
 3 ment (which may include an electronic
 4 agreement) prior to such work being carried
 5 out by the non-Federal sponsor;”;

6 (2) in subparagraph (B), by amending clause
 7 (iii) to read as follows:

8 “(iii) the Secretary determines that the
 9 work performed by the non-Federal spon-
 10 sor—

11 “(I) is integral to the project; and

12 “(II) was carried out in accord-
 13 ance with the requirements of sub-
 14 chapter 4 of chapter 31, and chapter
 15 37, of title 40, United States Code.”;

16 (3) by redesignating subparagraphs (C) through
 17 (E) as subparagraphs (D) through (F), respectively;
 18 and

19 (4) by inserting after subparagraph (B) the fol-
 20 lowing:

21 “(C) *TIMING.*—In any case in which the
 22 Secretary approves credit under subparagraph
 23 (B), in a written agreement (which may include
 24 an electronic agreement) with the non-Federal
 25 sponsor, the Secretary shall provide such credit

1 *for work completed under an agreement that pre-*
 2 *scribes the terms and conditions for the in-kind*
 3 *contributions.”.*

4 **SEC. 1148. BENEFICIAL USE OF DREDGED SEDIMENT.**

5 *(a) IN GENERAL.—In carrying out a project for the*
 6 *beneficial reuse of sediment to reduce storm damage to*
 7 *property under section 204 of the Water Resources Develop-*
 8 *ment Act of 1992 (33 U.S.C. 2326) that involves only a*
 9 *single application of sediment, the Secretary may grant a*
 10 *temporary easement necessary to facilitate the placement of*
 11 *sediment, if the Secretary determines that granting a tem-*
 12 *porary easement is in the interest of the United States.*

13 *(b) LIMITATION.—If the Secretary grants a temporary*
 14 *easement under subsection (a) with respect to a project, that*
 15 *project shall no longer be eligible for future placement of*
 16 *sediment under section 204 of the Water Resources Develop-*
 17 *ment Act of 1992 (33 U.S.C. 2326).*

18 **SEC. 1149. INCLUSION OF ALTERNATIVE MEASURES FOR**
 19 **AQUATIC ECOSYSTEM RESTORATION.**

20 *(a) INCLUSION OF ALTERNATIVE MEASURES FOR*
 21 *AQUATIC ECOSYSTEM RESTORATION.—Section 206 of the*
 22 *Water Resources Development Act of 1996 (33 U.S.C. 2230)*
 23 *is amended—*

24 *(1) by redesignating subsection (e) as subsection*
 25 *(f); and*

1 (2) by inserting after subsection (d) the fol-
 2 lowing:

3 “(e) *USE OF NATURAL AND NATURE-BASED FEA-*
 4 *TURES.*—*In carrying out a project to restore and protect*
 5 *an aquatic ecosystem or estuary under subsection (a), the*
 6 *Secretary shall consider, and may include, with the consent*
 7 *of the non-Federal interest, a natural feature or nature-*
 8 *based feature, as such terms are defined in section 1184 of*
 9 *the Water Resources Development Act of 2016, if the Sec-*
 10 *retary determines that inclusion of such features is con-*
 11 *sistent with the requirements of subsection (a).”.*

12 (b) *AMENDMENT TO DEFINITION.*—*Section 1184(a)(2)*
 13 *of the Water Resources Development Act of 2016 (33 U.S.C.*
 14 *2289a(a)(2)) is amended by striking “in coastal areas”.*

15 (c) *NATURAL INFRASTRUCTURE.*—*In carrying out a*
 16 *feasibility report developed under section 905 of the Water*
 17 *Resources Development Act of 1986 (33 U.S.C. 2282) for*
 18 *a project for flood risk management or hurricane and storm*
 19 *damage risk reduction, the Secretary shall consider the use*
 20 *of both traditional and natural infrastructure alternatives,*
 21 *alone or in conjunction with each other, if those alternatives*
 22 *are practicable.*

23 **SEC. 1150. REGIONAL SEDIMENT MANAGEMENT.**

24 *Section 204(a)(1)(A) of the Water Resources Develop-*
 25 *ment Act of 1992 (33 U.S.C. 2326(a)(1)(A)) is amended*

1 by inserting “including a project authorized for flood con-
 2 trol,” after “an authorized Federal water resources
 3 project,”.

4 **SEC. 1151. OPERATION AND MAINTENANCE OF NAVIGATION**
 5 **AND HYDROELECTRIC FACILITIES.**

6 (a) *IN GENERAL.*—Section 314 of the Water Resources
 7 Development Act of 1990 (33 U.S.C. 2321) is amended—

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

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

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

13 (3) in subsection (a) (as designated by para-
 14 graph (2)), by inserting “navigation or” before “hy-
 15 droelectric”;

16 (4) in the second sentence, by striking “This sec-
 17 tion” and inserting the following:

18 “(b) *MAJOR MAINTENANCE CONTRACTS ALLOWED.*—
 19 This section”; and

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

21 “(c) *EXCLUSION.*—This section does not—

22 “(1) apply to a navigation facility that was
 23 under contract on or before the date of enactment of
 24 this subsection with a non-Federal interest to perform
 25 operations or maintenance; and

“Sec. 314. Operation and maintenance of navigation and hydroelectric facilities.”.

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

14 (2) *by amending subsection (c) to read as fol-*
15 *lows:*

17 “(1) *REVIEW AND SUBMISSION OF STUDIES TO*
18 *CONGRESS.*—Not later than 180 days after the date of
19 *receipt of a feasibility study of a project under sub-*
20 *section (a)(1), the Secretary shall submit to the Com-*
21 *mittee on Environment and Public Works of the Sen-*
22 *ate and the Committee on Transportation and Infra-*
23 *structure of the House of Representatives a report that*
24 *describes—*

1 “(A) the results of the Secretary’s review of
2 the study under subsection (b), including a deter-
3 mination of whether the project is feasible;

4 “(B) any recommendations the Secretary
5 may have concerning the plan or design of the
6 project; and

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

9 “(2) *LIMITATION.*—The completion of the review
10 by the Secretary of a feasibility study that has been
11 submitted under subsection (a)(1) may not be delayed
12 as a result of consideration being given to changes in
13 policy or priority with respect to project consider-
14 ation.”; and

15 (3) by amending subsection (e) to read as fol-
16 lows:

17 “(e) *REVIEW AND TECHNICAL ASSISTANCE.*—

18 “(1) *REVIEW.*—The Secretary may accept and
19 expend funds provided by non-Federal interests to un-
20 dertake reviews, inspections, certifications, and other
21 activities that are the responsibility of the Secretary
22 in carrying out this section.

23 “(2) *TECHNICAL ASSISTANCE.*—At the request of
24 a non-Federal interest, the Secretary shall provide to
25 the non-Federal interest technical assistance relating

1 to any aspect of a feasibility study if the non-Federal
 2 interest contracts with the Secretary to pay all costs
 3 of providing such technical assistance.

4 “(3) *LIMITATION.*—Funds provided by non-Fed-
 5 eral interests under this subsection shall not be eligi-
 6 ble for credit under subsection (d) or reimbursement.

7 “(4) *IMPARTIAL DECISIONMAKING.*—In carrying
 8 out this section, the Secretary shall ensure that the
 9 use of funds accepted from a non-Federal interest will
 10 not affect the impartial decisionmaking of the Sec-
 11 retary, either substantively or procedurally.

12 “(5) *SAVINGS PROVISION.*—The provision of tech-
 13 nical assistance by the Secretary under paragraph
 14 (2)—

15 “(A) shall not be considered to be an ap-
 16 proval or endorsement of the feasibility study;
 17 and

18 “(B) shall not affect the responsibilities of
 19 the Secretary under subsections (b) and (c).”.

20 **SEC. 1153. CONSTRUCTION OF WATER RESOURCES DEVEL-**
 21 **OPMENT PROJECTS BY NON-FEDERAL INTER-**
 22 **ESTS.**

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

25 (1) in subsection (b)—

1 (A) in paragraph (1), in the matter pre-
 2 ceding subparagraph (A), by inserting “federally
 3 authorized” before “water resources development
 4 project”;

5 (B) in paragraph (2)(A), by inserting “, ex-
 6 cept as provided in paragraph (3)” before the
 7 semicolon; and

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

9 “(3) *PERMIT EXCEPTION.*—

10 “(A) *IN GENERAL.*—For a project described
 11 in subsection (a)(1) or subsection (a)(3), or a
 12 separable element thereof, with respect to which
 13 a written agreement described in subparagraph
 14 (B) has been entered into, a non-Federal interest
 15 that carries out a project under this section shall
 16 not be required to obtain any Federal permits or
 17 approvals that would not be required if the Sec-
 18 retary carried out the project or separable ele-
 19 ment unless significant new circumstances or in-
 20 formation relevant to environmental concerns or
 21 compliance have arisen since development of the
 22 project recommendation.

23 “(B) *WRITTEN AGREEMENT.*—For purposes
 24 of this paragraph, a written agreement shall pro-
 25 vide that the non-Federal interest shall comply

1 *with the same legal and technical requirements*
 2 *that would apply if the project or separable ele-*
 3 *ment were carried out by the Secretary, includ-*
 4 *ing all mitigation required to offset environ-*
 5 *mental impacts of the project or separable ele-*
 6 *ment as determined by the Secretary.*

7 “(C) *CERTIFICATIONS.—Notwithstanding*
 8 *subparagraph (A), if a non-Federal interest car-*
 9 *rying out a project under this section would, in*
 10 *the absence of a written agreement entered into*
 11 *under this paragraph, be required to obtain a*
 12 *certification from a State under Federal law to*
 13 *carry out the project, such certification shall still*
 14 *be required if a written agreement is entered into*
 15 *with respect to the project under this paragraph.*

16 “(4) *DATA SHARING.—*

17 “(A) *IN GENERAL.—If a non-Federal inter-*
 18 *est for a water resources development project be-*
 19 *gins to carry out that water resources develop-*
 20 *ment project under this section, the non-Federal*
 21 *interest may request that the Secretary transfer*
 22 *to the non-Federal interest all relevant data and*
 23 *documentation under the control of the Secretary*
 24 *with respect to that water resources development*
 25 *project.*

1 “(B) *DEADLINE.*—*Except as provided in*
 2 *subparagraph (C), the Secretary shall transfer*
 3 *the data and documentation requested by a non-*
 4 *Federal interest under subparagraph (A) not*
 5 *later than the date that is 90 days after the date*
 6 *on which the non-Federal interest so requests*
 7 *such data and documentation.*

8 “(C) *LIMITATION.*—*Nothing in this para-*
 9 *graph obligates the Secretary to share any data*
 10 *or documentation that the Secretary considers to*
 11 *be proprietary information.”;*

12 (2) *by amending subsection (c) to read as fol-*
 13 *lows:*

14 “(c) *STUDIES AND ENGINEERING.*—

15 “(1) *IN GENERAL.*—*When requested by an ap-*
 16 *propriate non-Federal interest, the Secretary shall*
 17 *undertake all necessary studies, engineering, and tech-*
 18 *nical assistance on construction for any project to be*
 19 *undertaken under subsection (b), and provide tech-*
 20 *nical assistance in obtaining all necessary permits for*
 21 *the construction, if the non-Federal interest contracts*
 22 *with the Secretary to furnish the United States funds*
 23 *for the studies, engineering, or technical assistance on*
 24 *construction in the period during which the studies,*

1 *engineering, or technical assistance on construction*
 2 *are being conducted.*

3 “(2) *NO WAIVER.*—*Nothing in this section may*
 4 *be construed to waive any requirement of section 3142*
 5 *of title 40, United States Code.*

6 “(3) *LIMITATION.*—*Funds provided by non-Fed-*
 7 *eral interests under this subsection shall not be eligi-*
 8 *ble for credit or reimbursement under subsection (d).*

9 “(4) *IMPARTIAL DECISIONMAKING.*—*In carrying*
 10 *out this section, the Secretary shall ensure that the*
 11 *use of funds accepted from a non-Federal interest will*
 12 *not affect the impartial decisionmaking of the Sec-*
 13 *retary, either substantively or procedurally.”; and*

14 *(3) in subsection (d)—*

15 *(A) in paragraph (3)—*

16 *(i) in subparagraph (A), by striking “;*
 17 *and” and inserting a semicolon;*

18 *(ii) in subparagraph (B)(ii), by strik-*
 19 *ing the period at the end and inserting “;*
 20 *and”; and*

21 *(iii) by adding at the end the fol-*
 22 *lowing:*

23 *“(C) in the case of reimbursement, appro-*
 24 *priations are provided by Congress for such pur-*
 25 *pose.”; and*

1 (B) in paragraph (5)—

2 (i) by striking “flood damage reduc-
3 tion” each place it appears and inserting
4 “water resources development”;

5 (ii) in subparagraph (A), by striking
6 “for a discrete segment of a” and inserting
7 “for carrying out a discrete segment of a
8 federally authorized”; and

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

12 **SEC. 1154. CORPS BUDGETING; PROJECT**
13 **DEAUTHORIZATIONS; COMPREHENSIVE BACK-**
14 **LOG REPORT.**

15 (a) *IN GENERAL.*—Section 1001 of the Water Re-
16 sources Development Act of 1986 (33 U.S.C. 579a) is
17 amended—

18 (1) by striking the section designator and all
19 that follows through “Any project” and inserting the
20 following:

21 **“SEC. 1001. CORPS BUDGETING; PROJECT**
22 **DEAUTHORIZATIONS; COMPREHENSIVE BACK-**
23 **LOG REPORT.**

24 “(a) Any project”; and

(2) *in subsection (b), by striking paragraphs (3) and (4) and inserting the following:*

“(3) COMPREHENSIVE CONSTRUCTION BACKLOG AND OPERATION AND MAINTENANCE REPORT.—

“(A) IN GENERAL.—The Secretary, once every 2 years, shall compile and publish—

“(i) a complete list of all projects and separable elements of projects of the Corps of Engineers that are authorized for construction but have not been completed;

“(ii) a complete list of all feasibility studies of the Corps of Engineers that Congress has authorized the Secretary to carry out for which a Report of the Chief of Engineers has not been issued;

“(iii) a complete list of all environmental infrastructure projects authorized by Congress under section 219 of the Water Resources Development Act of 1992 (106 Stat. 4835); and

“(iv) a list of major Federal operation and maintenance needs of projects and properties under the control of the Corps of Engineers.

1 “(B) *REQUIRED INFORMATION.*—*The Sec-*
2 *retary shall include on each list developed under*
3 *clause (i), (ii), or (iii) of subparagraph (A) for*
4 *each feasibility study, project, and separable ele-*
5 *ment on that list—*

6 “(i) *the date of authorization of the*
7 *feasibility study, project, or separable ele-*
8 *ment, including any subsequent modifica-*
9 *tions to the original authorization;*

10 “(ii) *the original budget authority for*
11 *the feasibility study, project, or separable*
12 *element;*

13 “(iii) *a brief description of the feasi-*
14 *bility study, project, or separable element;*

15 “(iv) *the estimated date of completion*
16 *of the feasibility study, project, or separable*
17 *element, assuming all capability is fully*
18 *funded;*

19 “(v) *the estimated total cost of comple-*
20 *tion of the feasibility study, project, or sepa-*
21 *rable element;*

22 “(vi) *the amount of funds spent on the*
23 *feasibility study, project, or separable ele-*
24 *ment, including Federal and non-Federal*
25 *funds;*

1 “(vii) the amount of appropriations es-
2 timated to be required in each fiscal year
3 during the period of construction to com-
4 plete the project or separable element by the
5 date specified under clause (iv);

6 “(viii) the location of the feasibility
7 study, project, or separable element;

8 “(ix) a statement from the non-Federal
9 interest for the project or separable element
10 indicating the non-Federal interest’s capa-
11 bility to provide the required local coopera-
12 tion estimated to be required for the project
13 or separable element in each fiscal year
14 during the period of construction;

15 “(x) the benefit-cost ratio of the project
16 or separable element, calculated using the
17 discount rate specified by the Office of Man-
18 agement and Budget for purposes of pre-
19 paring the President’s budget pursuant to
20 chapter 11 of title 31, United States Code;

21 “(xi) the benefit-cost ratio of the
22 project or separable element, calculated
23 using the discount rate utilized by the
24 Corps of Engineers for water resources de-
25 velopment project planning pursuant to sec-

tion 80 of the Water Resources Development
Act of 1974 (42 U.S.C. 1962d-17); and

“(xii) the last fiscal year in which the
project or separable element incurred obliga-
tions.

“(C) *REQUIRED OPERATION AND MAINTENANCE INFORMATION.*—The Secretary shall include on the list developed under subparagraph (A)(iv), for each project and property under the control of the Corps of Engineers on that list—

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

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

“(iii) an estimate of the Federal costs
to meet the major operation and maintenance
needs at the project or property; and

“(iv) an estimate of unmet or deferred
operation and maintenance needs at the
project or property.

“(D) *PUBLICATION.*—

“(i) *IN GENERAL.*—For fiscal year
2020, and once every 2 years thereafter, in
conjunction with the President’s annual

1 *budget submission to Congress under section*
 2 *1105(a) of title 31, United States Code, the*
 3 *Secretary shall submit a copy of the lists*
 4 *developed under subparagraph (A) to—*

5 *“(I) the Committee on Environ-*
 6 *ment and Public Works and the Com-*
 7 *mittee on Appropriations of the Senate*
 8 *and the Committee on Transportation*
 9 *and Infrastructure and the Committee*
 10 *on Appropriations of the House of*
 11 *Representatives; and*

12 *“(II) the Director of the Office of*
 13 *Management and Budget.*

14 *“(ii) PUBLIC AVAILABILITY.—The Sec-*
 15 *retary shall make a copy of the lists avail-*
 16 *able on a publicly accessible website site in*
 17 *a manner that is downloadable, searchable,*
 18 *and sortable.”.*

19 ***(b) BUDGETARY EVALUATION METRICS AND TRANS-***
 20 ***PARENCY.—Beginning in fiscal year 2020, in the formula-***
 21 ***tion of the annual budget request for the U.S. Army Corps***
 22 ***of Engineers (Civil Works) pursuant to section 1105(a) of***
 23 ***title 31, United States Code, the President shall ensure that***
 24 ***such budget request—***

1 (1) *aligns the assessment of the potential benefit-*
 2 *cost ratio for budgeting water resources development*
 3 *projects with that used by the Corps of Engineers dur-*
 4 *ing project plan formulation and evaluation pursuant*
 5 *to section 80 of the Water Resources Development Act*
 6 *of 1974 (42 U.S.C. 1962d–17); and*

7 (2) *demonstrates the transparent criteria and*
 8 *metrics utilized by the President in the evaluation*
 9 *and selection of water resources development projects*
 10 *included in such budget request.*

11 (c) *PUBLIC PARTICIPATION.*—*In the development of, or*
 12 *any proposed major substantive modification to, a proposed*
 13 *budget for water resources development projects, the Sec-*
 14 *retary, through each District shall, not less frequently than*
 15 *annually—*

16 (1) *provide to non-Federal interests and other*
 17 *interested stakeholders information on the proposed*
 18 *budget for projects or substantive modifications to*
 19 *project budgets within each District’s jurisdiction;*

20 (2) *hold multiple public meetings to discuss the*
 21 *budget for projects within each District’s jurisdiction;*
 22 *and*

23 (3) *provide to non-Federal interests the oppor-*
 24 *tunity to collaborate with District personnel for*
 25 *projects within each District’s jurisdiction—*

1 (A) to support information sharing; and
 2 (B) to the maximum extent practicable, to
 3 share in concept development and decision-
 4 making to achieve complementary or integrated
 5 solutions to problems.

6 **SEC. 1155. INDIAN TRIBES.**

7 (a) *COST SHARING PROVISIONS FOR TERRITORIES*
 8 *AND INDIAN TRIBES.*—Section 1156(a)(2) of the Water Re-
 9 sources Development Act of 1986 (33 U.S.C. 2310(a)(2)) is
 10 amended by striking “(as defined” and all that follows
 11 through the period at the end and inserting “or tribal orga-
 12 nization (as those terms are defined in section 4 of the In-
 13 dian Self-Determination and Education Assistance Act (25
 14 U.S.C. 5304)).”.

15 (b) *WRITTEN AGREEMENT REQUIREMENT FOR WATER*
 16 *RESOURCES PROJECTS.*—Section 221(b)(1) of the Flood
 17 Control Act of 1970 (42 U.S.C. 1962d–5b(b)(1)) is amended
 18 by striking “(including a” and all that follows through “;
 19 or” at the end and inserting “(including an Indian tribe
 20 and a tribal organization (as those terms are defined in
 21 section 4 of the Indian Self-Determination and Education
 22 Assistance Act (25 U.S.C. 5304)); or”.

1 **SEC. 1156. INFLATION ADJUSTMENT OF COST-SHARING**
 2 **PROVISIONS FOR TERRITORIES AND INDIAN**
 3 **TRIBES.**

4 *Section 1156(b) of the Water Resources Development*
 5 *Act of 1986 (33 U.S.C. 2310(b)) is amended by striking*
 6 *“the date of enactment of this subsection” and inserting*
 7 *“the date of enactment of the Water Resources Development*
 8 *Act of 2018”.*

9 **SEC. 1157. CORPS OF ENGINEERS CONTINUING AUTHORI-**
 10 **TIES PROGRAM.**

11 *(a) STORM AND HURRICANE RESTORATION AND IM-*
 12 *PACT MINIMIZATION PROGRAM.—Section 3(c)(1) of the Act*
 13 *of August 13, 1946 (33 U.S.C. 426g(c)(1)) is amended by*
 14 *striking “\$30,000,000” and inserting “\$37,500,000”.*

15 *(b) SMALL RIVER AND HARBOR IMPROVEMENT*
 16 *PROJECTS.—Section 107(a) of the River and Harbor Act*
 17 *of 1960 (33 U.S.C. 577(a)) is amended by striking*
 18 *“\$50,000,000” and inserting “\$62,500,000”.*

19 *(c) SHORE DAMAGE PREVENTION OR MITIGATION.—*
 20 *Section 111(c) of the River and Harbor Act of 1968 (33*
 21 *U.S.C. 426i(c)) is amended by striking “\$10,000,000” and*
 22 *inserting “\$12,500,000”.*

23 *(d) REGIONAL SEDIMENT MANAGEMENT.—Section*
 24 *204(g) of the Water Resources Development Act of 1992 (33*
 25 *U.S.C. 2326(g)) is amended in the first sentence by striking*
 26 *“\$50,000,000” and inserting “\$62,500,000”.*

1 (e) *SMALL FLOOD CONTROL PROJECTS*.—Section 205
 2 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amend-
 3 ed in the first sentence by striking “\$55,000,000” and in-
 4 serting “\$68,750,000”.

5 (f) *AQUATIC ECOSYSTEM RESTORATION*.—Section
 6 206(f) of the Water Resources Development Act of 1996 (as
 7 redesignated by section 1149) is amended by striking
 8 “\$50,000,000” and inserting “\$62,500,000”.

9 (g) *PROJECT MODIFICATIONS FOR IMPROVEMENT OF*
 10 *ENVIRONMENT*.—Section 1135(h) of the Water Resources
 11 Development Act of 1986 (33 U.S.C. 2309a(h)) is amended
 12 by striking “\$40,000,000” and inserting “\$50,000,000”.

13 (h) *EMERGENCY STREAMBANK AND SHORELINE PRO-*
 14 *TECTION*.—Section 14 of the Flood Control Act of 1946 (33
 15 U.S.C. 701r) is amended by striking “\$20,000,000” and in-
 16 serting “\$25,000,000”.

17 (i) *TRIBAL PARTNERSHIP PROGRAM*.—Section
 18 203(b)(4) of the Water Resources Development Act of 2000
 19 (33 U.S.C. 2269) is amended to read as follows:

20 “(4) *DESIGN AND CONSTRUCTION*.—

21 “(A) *IN GENERAL*.—The Secretary may
 22 carry out the design and construction of a water
 23 resources development project, or separable ele-
 24 ment of a project, described in paragraph (1)
 25 that the Secretary determines is feasible if the

1 *Federal share of the cost of the project or sepa-*
 2 *rable element is not more than \$12,500,000.*

3 *“(B) SPECIFIC AUTHORIZATION.—If the*
 4 *Federal share of the cost of the project or sepa-*
 5 *rable element described in subparagraph (A) is*
 6 *more than \$12,500,000, the Secretary may only*
 7 *carry out the project or separable element if Con-*
 8 *gress enacts a law authorizing the Secretary to*
 9 *carry out the project or separable element.”.*

10 **SEC. 1158. HURRICANE AND STORM DAMAGE REDUCTION.**

11 *Section 156 of the Water Resources Development Act*
 12 *of 1976 (42 U.S.C. 1962d–5f) is amended—*

13 *(1) in subsection (b)—*

14 *(A) by striking “Notwithstanding” and in-*
 15 *serting the following:*

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

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

18 *“(2) TIMING.—The 15 additional years provided*
 19 *under paragraph (1) shall begin on the date of initi-*
 20 *ation of construction of congressionally authorized*
 21 *nourishment.”; and*

22 *(2) in subsection (e), by striking “5 year-period”*
 23 *and inserting “10-year period”.*

1 **SEC. 1159. REGIONAL COALITIONS AND HIGHER EDU-**
 2 **CATION.**

3 *Section 22(a) of the Water Resources Development Act*
 4 *of 1974 (42 U.S.C. 1962d–16(a)) is amended—*

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

7 *“(1) COMPREHENSIVE PLANS.—The Secretary of*
 8 *the Army, acting through the Chief of Engineers, is*
 9 *authorized to cooperate with any State, group of*
 10 *States, non-Federal interest working with a State or*
 11 *group of States, or regional coalition of governmental*
 12 *entities in the preparation of comprehensive plans for*
 13 *the development, utilization, and conservation of the*
 14 *water and related resources of drainage basins, water-*
 15 *sheds, or ecosystems located within the boundaries of*
 16 *such State, interest, or entity, including plans to com-*
 17 *prehensively address water resources challenges, and*
 18 *to submit to Congress reports and recommendations*
 19 *with respect to appropriate Federal participation in*
 20 *carrying out such plans.”; and*

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

22 *“(3) INSTITUTION OF HIGHER EDUCATION.—Not-*
 23 *withstanding section 236 of title 10, United States*
 24 *Code, in carrying out this subsection, the Secretary*
 25 *may work with an institution of higher education, as*
 26 *determined appropriate by the Secretary.”.*

1 **SEC. 1160. EMERGENCY RESPONSE TO NATURAL DISAS-**
 2 **TERS.**

3 *Section 5(a)(1) of the Act of August 18, 1941 (33*
 4 *U.S.C. 701n(a)(1)) is amended in the first sentence—*

5 *(1) by striking “strengthening, raising, extend-*
 6 *ing, or other modification thereof” and inserting*
 7 *“strengthening, raising, extending, realigning, or*
 8 *other modification thereof”; and*

9 *(2) by striking “structure or project damaged or*
 10 *destroyed by wind, wave, or water action of other*
 11 *than an ordinary nature to the design level of protec-*
 12 *tion when, in the discretion of the Chief of Engi-*
 13 *neers,” and inserting “structure or project damaged*
 14 *or destroyed by wind, wave, or water action of other*
 15 *than an ordinary nature to either the pre-storm level*
 16 *or the design level of protection, whichever provides*
 17 *greater protection, when, in the discretion of the Chief*
 18 *of Engineers,”.*

19 **SEC. 1161. COST AND BENEFIT FEASIBILITY ASSESSMENT.**

20 *(a) COST BENEFIT AND SPECIAL CONDITIONS.—Sec-*
 21 *tion 5(a) of the Act of August 18, 1941 (33 U.S.C. 701n(a)),*
 22 *as amended by this Act, is further amended by striking*
 23 *paragraph (2) and inserting the following:*

24 *“(2) COST AND BENEFIT FEASIBILITY ASSESS-*
 25 *MENT.—*

1 “(A) *CONSIDERATION OF BENEFITS.*—*In*
 2 *preparing a cost and benefit feasibility assess-*
 3 *ment for any emergency project described in*
 4 *paragraph (1), the Chief of Engineers shall con-*
 5 *sider the benefits to be gained by such project for*
 6 *the protection of—*

7 “(i) *residential establishments;*

8 “(ii) *commercial establishments, in-*
 9 *cluding the protection of inventory; and*

10 “(iii) *agricultural establishments, in-*
 11 *cluding the protection of crops.*

12 “(B) *SPECIAL CONDITIONS.*—

13 “(i) *AUTHORITY TO CARRY OUT*
 14 *WORK.*—*The Chief of Engineers may carry*
 15 *out repair or restoration work described in*
 16 *paragraph (1) that does not produce bene-*
 17 *fits greater than the cost if—*

18 “(I) *the non-Federal sponsor*
 19 *agrees to pay an amount sufficient to*
 20 *make the remaining costs of the project*
 21 *equal to the estimated value of the ben-*
 22 *efits of the repair or restoration work;*
 23 *and*

24 “(II) *the Secretary determines*
 25 *that—*

1 “(aa) the damage to the
2 structure was not a result of neg-
3 ligent operation or maintenance;
4 and

5 “(bb) repair of the project
6 could benefit another Corps
7 project.

8 “(ii) TREATMENT OF PAYMENTS.—
9 Non-Federal payments pursuant to clause
10 (i) shall be in addition to any non-Federal
11 payments required by the Chief of Engi-
12 neers that are applicable to the remaining
13 costs of the repair or restoration work.”.

14 (b) CONTINUED ELIGIBILITY.—Notwithstanding a
15 non-Federal flood control work’s status in the Rehabilita-
16 tion and Inspection Program carried out pursuant to sec-
17 tion 5 of the Act of August 18, 1941 (33 U.S.C. 701n), any
18 unconstructed emergency project for the non-Federal flood
19 control work that was formulated during the three fiscal
20 years preceding the fiscal year in which this Act was en-
21 acted but that was determined to not produce benefits great-
22 er than costs shall remain eligible for assistance under such
23 section 5 until the last day of the third fiscal year following
24 the fiscal year in which this Act was enacted if—

1 (1) *the non-Federal sponsor agrees, in accord-*
 2 *ance with such section 5, as amended by this Act, to*
 3 *pay an amount sufficient to make the remaining costs*
 4 *of the project equal to the estimated value of the bene-*
 5 *fits of the repair or restoration work; and*

6 (2) *the Secretary determines that—*

7 (A) *the damage to the structure was not as*
 8 *a result of negligent operation or maintenance;*
 9 *and*

10 (B) *repair of the project could benefit an-*
 11 *other Corps project.*

12 **SEC. 1162. EXTENDED COMMUNITY ASSISTANCE BY THE**
 13 **CORPS OF ENGINEERS.**

14 *Section 5(a) of the Act of August 18, 1941 (33 U.S.C.*
 15 *701n(a)), as amended by this Act, is further amended—*

16 (1) *by redesignating paragraph (3) as para-*
 17 *graph (4); and*

18 (2) *by inserting after paragraph (2) the fol-*
 19 *lowing:*

20 “(3) *EXTENDED ASSISTANCE.—Upon request by*
 21 *a locality receiving assistance under the fourth sen-*
 22 *tence of paragraph (1), the Secretary shall, subject to*
 23 *the availability of appropriations, enter into an*
 24 *agreement with the locality to provide such assistance*

1 *beyond the time period otherwise provided for by the*
2 *Secretary under such sentence.”.*

3 **SEC. 1163. DAM SAFETY.**

4 *Section 14 of the National Dam Safety Program Act*
5 *(33 U.S.C. 467j) is amended by striking “2015 through*
6 *2019” each place it appears and inserting “2019 through*
7 *2023”.*

8 SEC. 1164. LOCAL GOVERNMENT WATER MANAGEMENT
9 PLANS.

10 *With the consent of the non-Federal interest for a feasi-*
11 *bility study for a water resources development project, the*
12 *Secretary may enter into a written agreement under section*
13 *221(a) of the Flood Control Act of 1970, with a unit of*
14 *local government in the watershed that has adopted a local*
15 *or regional water management plan, to allow the unit of*
16 *local government to participate in the feasibility study to*
17 *determine if there is an opportunity to include additional*
18 *feasible elements in the project in order to help achieve the*
19 *purposes identified in the local or regional water manage-*
20 *ment plan.*

21 **SEC. 1165. STRUCTURES AND FACILITIES CONSTRUCTED BY**
22 **SECRETARY.**

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

1 “(d) *WORK DEFINED.*—*For the purposes of this sec-*
 2 *tion, the term ‘work’ shall not include unimproved real es-*
 3 *tate owned or operated by the Secretary as part of a water*
 4 *resources development project if the Secretary determines*
 5 *that modification of such real estate would not affect the*
 6 *function and usefulness of the project.*”.

7 **SEC. 1166. ADVANCED FUNDS FOR WATER RESOURCES DE-**
 8 **VELOPMENT STUDIES AND PROJECTS.**

9 (a) *CONTRIBUTIONS BY STATES AND POLITICAL SUB-*
 10 *DIVISIONS FOR IMMEDIATE USE ON AUTHORIZED FLOOD-*
 11 *CONTROL WORK; REPAYMENT.*—*The Act of October 15,*
 12 *1940 (33 U.S.C. 701h–1) is amended—*

13 (1) *by striking “a flood-control project duly*
 14 *adopted and authorized by law” and inserting “a fed-*
 15 *erally authorized water resources development*
 16 *project,”;*

17 (2) *by striking “such work” and inserting “such*
 18 *project”;*

19 (3) *by striking “from appropriations which may*
 20 *be provided by Congress for flood-control work” and*
 21 *inserting “if appropriations are provided by Congress*
 22 *for such purpose”; and*

23 (4) *by adding at the end the following: “For pur-*
 24 *poses of this Act, the term ‘State’ means the several*
 25 *States, the District of Columbia, the commonwealths,*

1 *territories, and possessions of the United States, and*
 2 *Indian tribes (as defined in section 4(e) of the Indian*
 3 *Self-Determination and Education Assistance Act (25*
 4 *U.S.C. 5304(e))).”.*

5 *(b) NO ADVERSE EFFECT ON PROCESSES.—In imple-*
 6 *menting any provision of law that authorizes a non-Federal*
 7 *interest to provide, advance, or contribute funds to the Sec-*
 8 *retary for the development or implementation of a water*
 9 *resources development project (including sections 203 and*
 10 *204 of the Water Resources Development Act of 1986 (33*
 11 *U.S.C. 2231, 2232), section 5 of the Act of June 22, 1936*
 12 *(33 U.S.C. 701h), and the Act of October 15, 1940 (33*
 13 *U.S.C. 701h–1)), the Secretary shall ensure, to the max-*
 14 *imum extent practicable, that the use by a non-Federal in-*
 15 *terest of such authorities does not adversely affect—*

16 *(1) the process or timeline for development and*
 17 *implementation of other water resources development*
 18 *projects by other non-Federal entities that do not use*
 19 *such authorities; or*

20 *(2) the process for including such projects in the*
 21 *President’s annual budget submission to Congress*
 22 *under section 1105(a) of title 31, United States Code.*

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

1 **SEC. 1167. COSTS IN EXCESS OF FEDERAL PARTICIPATION**
 2 **LIMIT.**

3 *Section 14 of the Flood Control Act of 1946 (33 U.S.C.*
 4 *701r), as amended by this Act, is further amended by in-*
 5 *serting “, and if such amount is not sufficient to cover the*
 6 *costs included in the Federal cost share for a project, as*
 7 *determined by the Secretary, the non-Federal interest shall*
 8 *be responsible for any such costs that exceed such amount”*
 9 *before the period at the end.*

10 **SEC. 1168. DISPOSITION OF PROJECTS.**

11 *(a) IN GENERAL.—In carrying out a disposition study*
 12 *for a project of the Corps of Engineers, or a separable ele-*
 13 *ment of such a project, including a disposition study under*
 14 *section 216 of the Flood Control Act of 1970 (33 U.S.C.*
 15 *549a), the Secretary shall consider modifications that*
 16 *would improve the overall quality of the environment in*
 17 *the public interest, including removal of the project or sepa-*
 18 *rable element of a project.*

19 *(b) DISPOSITION STUDY TRANSPARENCY.—The Sec-*
 20 *retary shall carry out disposition studies described in sub-*
 21 *section (a) in a transparent manner, including by—*

- 22 *(1) providing opportunities for public input; and*
 23 *(2) publishing the final disposition studies.*

24 *(c) REMOVAL OF INFRASTRUCTURE.—For disposition*
 25 *studies described in subsection (a) in which the Secretary*
 26 *determines that a Federal interest no longer exists, and*

1 *makes a recommendation of removal of the project or sepa-*
 2 *rable element of a project, the Secretary is authorized, using*
 3 *existing authorities, to pursue removal of the project or sep-*
 4 *arable element of a project in partnership with other Fed-*
 5 *eral agencies and non-Federal entities with appropriate ca-*
 6 *pabilities to undertake infrastructure removal.*

7 **SEC. 1169. CONTRIBUTED FUNDS FOR NON-FEDERAL RES-**
 8 **ERVOIR OPERATIONS.**

9 *Section 5 of the Act of June 22, 1936 (33 U.S.C. 701h),*
 10 *is amended by inserting after “authorized purposes of the*
 11 *project:” the following: “Provided further, That the Sec-*
 12 *retary is authorized to receive and expend funds from an*
 13 *owner of a non-Federal reservoir to formulate, review, or*
 14 *revise operational documents for any non-Federal reservoir*
 15 *for which the Secretary is authorized to prescribe regula-*
 16 *tions for the use of storage allocated for flood control or*
 17 *navigation pursuant to section 7 of the Act of December*
 18 *22, 1944 (33 U.S.C. 709):”.*

19 **SEC. 1170. WATERCRAFT INSPECTION STATIONS.**

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

22 *(1) by amending subsection (b) to read as fol-*
 23 *lows:*

24 *“(b) AUTHORIZATION OF APPROPRIATIONS.—*

1 “(1) *IN GENERAL.*—*There is authorized to be ap-*
 2 *propriated to carry out this section \$110,000,000 for*
 3 *each fiscal year, of which—*

4 “(A) \$30,000,000 shall be made available to
 5 *carry out subsection (d)(1)(A)(i);*

6 “(B) \$30,000,000 shall be made available to
 7 *carry out subsection (d)(1)(A)(ii); and*

8 “(C) \$30,000,000 shall be made available to
 9 *carry out subsection (d)(1)(A)(iii).*

10 “(2) *CONTROL OPERATIONS.*—*Any funds made*
 11 *available under paragraph (1) to be used for control*
 12 *operations shall be allocated by the Chief of Engineers*
 13 *on a priority basis, based on the urgency and need*
 14 *of each area and the availability of local funds.”; and*

15 *(2) in subsection (d)—*

16 (A) *by amending paragraph (1) to read as*
 17 *follows:*

18 “(1) *IN GENERAL.*—

19 “(A) *WATERCRAFT INSPECTION STA-*
 20 *TIONS.*—*In carrying out this section, the Sec-*
 21 *retary shall establish (as applicable), operate,*
 22 *and maintain new or existing watercraft inspec-*
 23 *tion stations—*

24 “(i) *to protect the Columbia River*
 25 *Basin;*

1 “(ii) to protect the Upper Missouri
2 River Basin; and

3 “(iii) to protect the Upper Colorado
4 River Basin and the South Platte and Ari-
5 zona River Basins.

6 “(B) LOCATIONS.—The Secretary shall es-
7 tablish watercraft inspection stations under sub-
8 paragraph (A) at locations with the highest like-
9 lihood of preventing the spread of aquatic
10 invasive species at reservoirs operated and main-
11 tained by the Secretary, as determined by the
12 Secretary in consultation with States within the
13 areas described in subparagraph (A).

14 “(C) RAPID RESPONSE.—The Secretary
15 shall assist States within the areas described in
16 subparagraph (A) with rapid response to any
17 aquatic invasive species, including quagga or
18 zebra mussel, infestation.”; and

19 (B) by amending paragraph (3)(A) to read
20 as follows:

21 “(A) the Governors of the States within the
22 areas described in each of clauses (i) through
23 (iii) of paragraph (1)(A), as applicable;”.

1 **SEC. 1171. RESTRICTED AREAS AT CORPS OF ENGINEERS**

2 **DAMS.**

3 *Section 2 of the Freedom to Fish Act (Public Law 113–*
 4 *13; 127 Stat. 449, 128 Stat. 1271) is amended by striking*
 5 *“4 years after the date of enactment of the Water Resources*
 6 *Reform and Development Act of 2014” each place it ap-*
 7 *pears and inserting “5 years after the date of enactment*
 8 *of the Water Resources Development Act of 2018”.*

9 **SEC. 1172. COASTAL EROSION.**

10 *(a) IN GENERAL.—Pursuant to section 111 of the*
 11 *River and Harbor Act of 1968 (33 U.S.C. 426i), the Sec-*
 12 *retary shall, to the maximum extent practicable, complete*
 13 *operation and maintenance renourishment to mitigate*
 14 *coastal erosion attributed to Federal project structures in*
 15 *the upper northeast United States.*

16 *(b) PROJECT SELECTION.—In carrying out the work*
 17 *under subsection (a), the Secretary shall—*

18 *(1) identify and carry out not more than five*
 19 *projects—*

20 *(A) located in any of the States of Maine,*
 21 *New Hampshire, Massachusetts, Connecticut,*
 22 *Rhode Island, or New York; and*

23 *(B) for which a feasibility study has been*
 24 *completed by December 31, 2019, that includes*
 25 *findings that a Federal project structure is inter-*

1 *rupting the natural flow of sediment and caus-*
 2 *ing coastal erosion; and*

3 *(2) consult with relevant State agencies in select-*
 4 *ing projects.*

5 **SEC. 1173. PROHIBITION ON SURPLUS WATER FEES, LAKE**
 6 **CUMBERLAND WATERSHED, KENTUCKY AND**
 7 **TENNESSEE.**

8 *(a) IN GENERAL.—The Secretary shall not charge a*
 9 *fee for surplus water under a contract entered into pursuant*
 10 *to section 6 of the Act of December 22, 1944 (33 U.S.C.*
 11 *708), if the contract is for surplus water stored in the Lake*
 12 *Cumberland Watershed, Kentucky and Tennessee.*

13 *(b) TERMINATION.—The limitation under subsection*
 14 *(a) shall expire on the date that is 2 years after the date*
 15 *of enactment of this Act.*

16 *(c) APPLICABILITY.—Nothing in this section—*

17 *(1) affects the authority of the Secretary under*
 18 *section 2695 of title 10, United States Code, to accept*
 19 *funds or to cover the administrative expenses relating*
 20 *to certain real property transactions;*

21 *(2) affects the application of section 6 of the Act*
 22 *of December 22, 1944 (33 U.S.C. 708) or section 301*
 23 *of the Water Supply Act of 1958 (43 U.S.C. 390b) to*
 24 *surplus water stored outside of the Lake Cumberland*
 25 *Watershed, Kentucky and Tennessee; or*

1 (3) *affects the authority of the Secretary to ac-*
 2 *cept funds under section 216(c) of the Water Re-*
 3 *sources Development Act of 1996 (33 U.S.C.*
 4 *2321a(c)).*

5 **SEC. 1174. MIDDLE RIO GRANDE PEAK FLOW RESTORATION.**

6 (a) *RESTARTING OF TEMPORARY DEVIATION.*—*Subject*
 7 *to subsection (b), the Secretary shall restart the temporary*
 8 *deviation in the operation of Cochiti Lake and Jemez Can-*
 9 *yon Dam, that was initiated in 2009 and terminated in*
 10 *2013, to continue to evaluate the effects of the deviation.*

11 (b) *APPROVAL AND CONSULTATION.*—*Before restarting*
 12 *the temporary deviation under subsection (a), the Secretary*
 13 *shall, as required under the applicable water control manu-*
 14 *als—*

15 (1) *first obtain approval from—*

16 (A) *Pueblo de Cochiti;*

17 (B) *Pueblo of Santa Ana; and*

18 (C) *the Rio Grande Compact Commission*
 19 *established by the compact approved by Congress*
 20 *under the Act of May 31, 1939 (53 Stat. 785,*
 21 *chapter 155); and*

22 (2) *to the maximum extent practicable, consult*
 23 *with the existing Cochiti Lake Environmental Re-*
 24 *sources Team, which includes other Federal agencies*
 25 *and landowners in the region.*

1 (c) *SUNSET.*—*The authority to conduct the temporary*
 2 *deviation described in subsection (a) shall terminate on the*
 3 *date that is 5 years after the date on which the Secretary*
 4 *restarts the temporary deviation under such subsection.*

5 **SEC. 1175. PROHIBITION OF ADMINISTRATIVE FEES IN IM-**
 6 **PLEMENTING ROUGH RIVER LAKE FLOWAGE**
 7 **EASEMENT ENCROACHMENT RESOLUTION**
 8 **PLAN.**

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

10 (1) *ELIGIBLE PROPERTY OWNER.*—*The term “el-*
 11 *igible property owner” means the owner of a prop-*
 12 *erty—*

13 (A)(i) *described in Scenario A, B, C, or D*
 14 *in the Plan; or*

15 (ii) *that consists of vacant land located*
 16 *above 534 feet mean sea level that is encumbered*
 17 *by a Rough River Lake flowage easement; and*

18 (B) *for which the Rough River Lake flowage*
 19 *easement is not required to address backwater ef-*
 20 *fects.*

21 (2) *PLAN.*—*The term “Plan” means the Rough*
 22 *River Lake Flowage Easement Encroachment Resolu-*
 23 *tion Plan of the Corps of Engineers, dated January*
 24 *2017.*

1 (b) *PROHIBITION ON ASSESSING ADMINISTRATIVE*
 2 *FEES.*—*Notwithstanding any other provision of law, in*
 3 *carrying out the Plan, the Secretary may not impose on*
 4 *or collect from any eligible property owner any administra-*
 5 *tive fee, including—*

6 (1) *a fee to pay the costs to the Corps of Engi-*
 7 *neers of processing requests to resolve encroachments*
 8 *under the Plan;*

9 (2) *fees for deed drafting and surveying; and*

10 (3) *any other administrative cost incurred by the*
 11 *Corps of Engineers in implementing the Plan.*

12 (c) *REFUND OF ADMINISTRATIVE FEES.*—*In the case*
 13 *of an eligible property owner who has paid any administra-*
 14 *tive fees described in paragraphs (1) through (3) of sub-*
 15 *section (b) to the Corps of Engineers, the Corps of Engineers*
 16 *shall refund those fees on request of the eligible property*
 17 *owner.*

18 (d) *SAVINGS PROVISION.*—*Nothing in this section af-*
 19 *fects the responsibility or authority of the Secretary to con-*
 20 *tinue carrying out the Plan, including any work necessary*
 21 *to extinguish the flowage easement of the United States with*
 22 *respect to the property of any eligible property owner.*

1 **SEC. 1176. PRECONSTRUCTION ENGINEERING DESIGN DEM-**
2 **ONSTRATION PROGRAM.**

3 (a) *DEFINITION OF ENVIRONMENTAL IMPACT STATE-*
4 *MENT.*—*In this section, the term “environmental impact*
5 *statement” means the detailed written statement required*
6 *under section 102(2)(C) of the National Environmental Pol-*
7 *icy Act of 1969 (42 U.S.C. 4332(2)(C)).*

8 (b) *DEMONSTRATION PROGRAM.*—*The Secretary shall*
9 *establish a demonstration program to allow a project au-*
10 *thorized to execute pursuant to section 211 of the Water Re-*
11 *sources Development Act of 1996 (33 U.S.C. 701b–13) (as*
12 *in effect on the day before the date of enactment of the Water*
13 *Resources Reform and Development Act of 2014 (128 Stat.*
14 *1193)) to begin preconstruction engineering and design on*
15 *a determination by the Secretary that the project is tech-*
16 *nically feasible, economically justified, and environmentally*
17 *acceptable.*

18 (c) *REQUIREMENTS.*—*For each project authorized to*
19 *begin preconstruction engineering and design under sub-*
20 *section (b)—*

21 (1) *the project shall conform to the feasibility*
22 *study and the environmental impact statement ap-*
23 *proved by the Secretary; and*

24 (2) *the Secretary and the non-Federal sponsor*
25 *shall jointly agree to the construction design of the*
26 *project.*

1 (d) *SECRETARY REVIEW OF POTENTIAL ADVERSE IM-*
 2 *PACTS.*—*When reviewing the feasibility study and the envi-*
 3 *ronmental impact statement for a project under subsection*
 4 *(b), the Secretary shall follow current USACE Policy, Regu-*
 5 *lations, and Guidance, to assess potential adverse down-*
 6 *stream impacts to the Pearl River Basin. Upon completion*
 7 *of the Secretary’s determination under subsection (b), the*
 8 *non-Federal sponsor shall design the project in a manner*
 9 *that addresses any potential adverse impacts or that pro-*
 10 *vides mitigation in accordance with section 906 of the*
 11 *Water Resources Development Act of 1986 (33 U.S.C. 2283).*

12 (e) *SUNSET.*—*The authority to carry out the dem-*
 13 *onstrations program under this section shall terminate on*
 14 *the date that is 5 years after the date of enactment of this*
 15 *Act.*

16 (f) *SAVINGS PROVISION.*—*Nothing in this section su-*
 17 *persedes, precludes, or affects any applicable requirements*
 18 *for a project under subsection (b) under—*

19 (1) *section 906 of the Water Resources Develop-*
 20 *ment Act of 1986 (33 U.S.C. 2283); or*

21 (2) *the Comprehensive Environmental Response,*
 22 *Compensation, and Liability Act of 1980 (42 U.S.C.*
 23 *9601 et seq.).*

1 ***Subtitle B—Studies and Reports***

2 ***SEC. 1201. AUTHORIZATION OF PROPOSED FEASIBILITY***
 3 ***STUDIES.***

4 *The Secretary is authorized to conduct a feasibility*
 5 *study for the following projects for water resources develop-*
 6 *ment and conservation and other purposes, as identified in*
 7 *the reports titled “Report to Congress on Future Water Re-*
 8 *sources Development” submitted to Congress on March 17,*
 9 *2017, and February 5, 2018, respectively, pursuant to sec-*
 10 *tion 7001 of the Water Resources Reform and Development*
 11 *Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed by*
 12 *Congress:*

13 (1) *CAVE BUTTES DAM, ARIZONA.—Project for*
 14 *flood risk management, Phoenix, Arizona.*

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

18 (3) *J. BENNETT JOHNSTON WATERWAY, LOU-*
 19 *ISIANA.—Project for navigation, J. Bennett Johnston*
 20 *Waterway, Louisiana.*

21 (4) *NORTHSHORE, LOUISIANA.—Project for flood*
 22 *risk management, St. Tammany Parish, Louisiana.*

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

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

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

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

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

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

14 **SEC. 1202. ADDITIONAL STUDIES.**

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

18 (1) *IN GENERAL.—The Secretary is authorized to*
 19 *carry out studies to determine the feasibility of habi-*
 20 *tat restoration for each of the eight reaches identified*
 21 *as priorities in the report prepared by the Secretary*
 22 *pursuant to section 402 of the Water Resources Devel-*
 23 *opment Act of 2000, titled “Lower Mississippi River*
 24 *Resource Assessment; Final Assessment In Response*
 25 *to Section 402 of WRDA 2000” and dated July 2015.*

1 (2) *CONSULTATION.*—*The Secretary shall consult*
 2 *with the Lower Mississippi River Conservation Com-*
 3 *mittee during each feasibility study carried out under*
 4 *paragraph (1).*

5 **(b) ST. LOUIS RIVERFRONT, MERAMEC RIVER BASIN,**
 6 **MISSOURI AND ILLINOIS.—**

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

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

21 **SEC. 1203. EXPEDITED COMPLETION.**

22 (a) *FEASIBILITY REPORTS.*—*The Secretary shall expe-*
 23 *dite the completion of a feasibility study for each of the*
 24 *following projects, and if the Secretary determines that the*
 25 *project is justified in a completed report, may proceed di-*

1 rectly to preconstruction planning, engineering, and design
 2 of the project:

3 (1) Project for riverbank stabilization, Selma,
 4 Alabama.

5 (2) Project for ecosystem restoration, Three Mile
 6 Creek, Alabama.

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

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

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

11 (6) Project for flood risk management, Lower
 12 Cache Creek, California.

13 (7) Project for flood risk management, Lower
 14 San Joaquin River, California, as described in sec-
 15 tion 1322(b)(2)(F) of the Water Resources Develop-
 16 ment Act of 2016 (130 Stat. 1707) (second phase of
 17 feasibility study).

18 (8) Project for flood risk management, South
 19 San Francisco, California.

20 (9) Project for flood risk management and eco-
 21 system restoration, Tijuana River, California.

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

24 (11) Project for flood risk management in East
 25 Hartford, Connecticut.

1 (12) *Project for flood risk management in Hart-*
2 *ford, Connecticut.*

3 (13) *Projects under the Comprehensive Flood*
4 *Mitigation Study for the Delaware River Basin.*

5 (14) *Project for ecosystem restoration, Lake*
6 *Apopka, Florida.*

7 (15) *Project for ecosystem restoration, Kansas*
8 *River Weir, Kansas.*

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

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

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

21 (19) *Project for flood damage reduction and eco-*
22 *system restoration, St. Tammany Parish, Louisiana.*

23 (20) *Project for ecosystem restoration, Warren*
24 *Glen Dam Removal, Musconetcong River, New Jersey.*

1 (21) *Project for flood risk management, Rahway*
 2 *River Basin, New Jersey.*

3 (22) *The Hudson-Raritan Estuary Comprehen-*
 4 *sive Restoration Project, New Jersey and New York.*

5 (23) *Project for flood control and water supply,*
 6 *Abiquiu Dam, New Mexico.*

7 (24) *Project for reformulation, East Rockaway*
 8 *Inlet to Rockaway Inlet and Jamaica Bay, Queens,*
 9 *New York.*

10 (25) *Project for navigation, New York-New Jer-*
 11 *sey Harbor and Tributaries Focus Area.*

12 (26) *Project for water resource improvements,*
 13 *Willamette River Basin, Fern Ridge, Oregon.*

14 (27) *Project for coastal storm risk management,*
 15 *Pawcatuck River, Rhode Island.*

16 (28) *Project for the Rhode Island historical*
 17 *structure flood hazard vulnerability assessment.*

18 (29) *Project for coastal storm risk management,*
 19 *Norfolk, Virginia.*

20 (30) *Project for navigation, Tacoma Harbor,*
 21 *Washington.*

22 (b) *LOWER SAN JOAQUIN RIVER, CALIFORNIA.—In ex-*
 23 *pediting completion of the second phase of the Lower San*
 24 *Joaquin River feasibility study under subsection (a)(7), the*
 25 *Secretary shall review and give priority to any plans and*

1 *designs requested by non-Federal interests and incorporate*
 2 *such plans and designs into the Federal study if the Sec-*
 3 *retary determines that such plans and designs are con-*
 4 *sistent with Federal standards.*

5 (c) *HUDSON-RARITAN ESTUARY COMPREHENSIVE*
 6 *RESTORATION PROJECT, NEW JERSEY AND NEW YORK.—*
 7 *In the case of a recommendation for restoration activities*
 8 *within the Jamaica Bay Unit of the Hudson-Raritan Estu-*
 9 *ary Comprehensive Restoration Project, New Jersey and*
 10 *New York, under subsection (a)(22), which are to protect*
 11 *property under the jurisdiction of the National Park Serv-*
 12 *ice, the Secretary may recommend to Congress that the Sec-*
 13 *retary accept and expend funds from the National Park*
 14 *Service to carry out such activities.*

15 (d) *POST-AUTHORIZATION CHANGE REPORT.—The*
 16 *Secretary shall expedite completion of a post-authorization*
 17 *change report for the project for flood risk management, San*
 18 *Luis Rey River Flood Control Protection Project, Cali-*
 19 *fornia.*

20 (e) *HUNTINGDON COUNTY, PENNSYLVANIA.—*

21 (1) *IN GENERAL.—The Secretary shall expedite*
 22 *the updating of the master plan for the Juniata River*
 23 *and tributaries project, Huntingdon County, Pennsyl-*
 24 *vania, authorized by section 203 of the Flood Control*
 25 *Act of 1962 (Public Law 87–874; 76 Stat. 1182).*

1 (2) *PROCESS.*—*In carrying out subsection (a),*
 2 *the Secretary shall update the master plan in accord-*
 3 *ance with section 1309(a)(2) of the Water Resources*
 4 *Development Act of 2016 (Public Law 114–322; 130*
 5 *Stat. 1693).*

6 (f) *UPPER MISSOURI RIVER BASIN FLOOD AND*
 7 *DROUGHT MONITORING.*—*The Secretary shall expedite ac-*
 8 *tivities authorized under section 4003(a) of the Water Re-*
 9 *sources Reform and Development Act of 2014 (128 Stat.*
 10 *1311, 130 Stat. 1677).*

11 (g) *PROJECT MODIFICATIONS FOR IMPROVEMENT OF*
 12 *ENVIRONMENT.*—*For fiscal years 2019 and 2020, the Sec-*
 13 *retary shall give priority to projects that restore degraded*
 14 *ecosystems through modification of existing flood risk man-*
 15 *agement projects for projects—*

16 (1) *authorized under section 1135 of the Water*
 17 *Resources Development Act of 1986 (33 U.S.C.*
 18 *2309a); and*

19 (2) *located within the Upper Missouri River*
 20 *Basin.*

21 (h) *EXPEDITED COMPLETION OF CERTAIN*
 22 *PROJECTS.*—*It is the sense of Congress that the Secretary*
 23 *should provide funding for, and expedite the completion of,*
 24 *the following projects:*

1 (1) *West Haven, Connecticut, as authorized by*
2 *section 101 of the River and Harbor Act of 1954 (68*
3 *Stat. 1254) and section 3 of the Act of August 13,*
4 *1946 (60 Stat. 1056, chapter 960; 33 U.S.C. 426g).*

5 (2) *Providence River, Rhode Island, as author-*
6 *ized by the first section of the Act of August 26, 1937*
7 *(50 Stat. 845, chapter 832) and section 301 of the*
8 *River and Harbor Act of 1965 (79 Stat. 1089).*

9 (3) *Morganza to the Gulf, Louisiana, as author-*
10 *ized by section 7002(3) of the Water Resources Reform*
11 *and Development Act of 2014 (128 Stat. 1368).*

12 (4) *Louisiana Coastal Area, Louisiana, as au-*
13 *thorized by section 7002(5) of the Water Resources*
14 *Reform and Development Act of 2014 (128 Stat.*
15 *1369).*

16 (5) *Louisiana Coastal Area–Barataria Basin*
17 *Barrier, Louisiana, as authorized by section 7002(5)*
18 *of the Water Resources Reform and Development Act*
19 *of 2014 (128 Stat. 1370).*

20 (6) *West Shore Lake Pontchartrain, Louisiana,*
21 *as authorized by section 1401(3) of the Water Re-*
22 *sources Development Act of 2016 (130 Stat. 1712).*

23 (7) *Southwest Coastal Louisiana, Louisiana, as*
24 *authorized by section 1401(8) of the Water Resources*
25 *Development Act of 2016 (130 Stat. 1715).*

1 (8) *West Thompson Lake, Connecticut, as au-*
 2 *thorized by section 203 of the Flood Control Act of*
 3 *1960 (74 Stat. 489).*

4 **SEC. 1204. GAO STUDY ON BENEFIT-COST ANALYSIS RE-**
 5 **FORMS.**

6 *Not later than 1 year after the date of enactment of*
 7 *this Act, the Comptroller General of the United States*
 8 *shall—*

9 (1) *conduct a study on the benefit-cost proce-*
 10 *dures of the Secretary and the Director of the Office*
 11 *of Management and Budget (referred to in this section*
 12 *as the “Director”), including—*

13 (A) *an examination of the benefits and costs*
 14 *that the Secretary and the Director do and do*
 15 *not include in the benefit-cost calculation, in-*
 16 *cluding, at a minimum, local and regional eco-*
 17 *nomie benefits; and*

18 (B) *a review of the calculation, if any, of*
 19 *navigation benefits used in a benefit-cost calcula-*
 20 *tion for a non-commercial harbor that is used by*
 21 *a State maritime academy (as defined in section*
 22 *51102 of title 46, United States Code) for mili-*
 23 *tary training purposes; and*

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

1 (A) describes the results of the study under
2 paragraph (1); and

3 (B) includes recommendations for legislative
4 or regulatory changes to improve the benefit-cost
5 analysis procedures of the Secretary and the Di-
6 rector.

7 **SEC. 1205. HARBOR MAINTENANCE TRUST FUND REPORT.**

8 (a) *DEADLINE*.—Not later than 180 days after enact-
9 ment of this Act, the Secretary shall submit reports under
10 section 210(e)(3) of the Water Resources Development Act
11 of 1986 (33 U.S.C. 2238(e)(3)) and section 330 of the Water
12 Resources Development Act of 1992 (26 U.S.C. 9505 note;
13 Public Law 102–580) to the Committee on Transportation
14 and Infrastructure of the House of Representatives and to
15 the Committee on Environment and Public Works of the
16 Senate.

17 (b) *ADDITIONAL INFORMATION*.—For each report de-
18 scribed in subsection (a) that is submitted after the date
19 of enactment of this Act, the Secretary shall include, on a
20 project-by-project basis, additional information identi-
21 fying—

22 (1) the most recent fiscal year for which oper-
23 ations and maintenance activities have been carried
24 out and the cost of those activities; and

1 (2) *the operations and maintenance activities*
 2 *that were performed through either a recommendation*
 3 *from Congress or unspecified funds made available for*
 4 *ongoing work.*

5 (c) *AVAILABILITY.—The Secretary shall make publicly*
 6 *available all reports described in subsection (a) submitted*
 7 *before, on, or after the date of enactment of this Act.*

8 **SEC. 1206. IDENTIFICATION OF NONPOWERED DAMS FOR**
 9 **HYDROPOWER DEVELOPMENT.**

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

15 (b) *CONSIDERATIONS.—In developing the list under*
 16 *subsection (a), the Secretary may consider the following:*

17 (1) *The compatibility of hydropower generation*
 18 *with existing purposes of the dam.*

19 (2) *The proximity of the dam to existing trans-*
 20 *mission resources.*

21 (3) *The existence of studies to characterize envi-*
 22 *ronmental, cultural, and historic resources relating to*
 23 *the dam.*

24 (4) *Whether hydropower is an authorized pur-*
 25 *pose of the dam.*

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

7 **SEC. 1207. STUDY ON INNOVATIVE PORTS FOR OFFSHORE**
 8 **WIND DEVELOPMENT.**

9 (a) *DEFINITION OF INNOVATIVE PORT FOR OFFSHORE*
 10 *WIND DEVELOPMENT.*—*In this section, the term “innova-*
 11 *tive port for offshore wind development” includes any feder-*
 12 *ally authorized port or harbor that can accommodate (in-*
 13 *cluding through retrofitting)—*

14 (1) *the upright assembly of the majority of an*
 15 *offshore wind facility, including the foundation,*
 16 *tower, turbine, blade, and electrical components;*

17 (2) *an assembly area, ground-bearing pressure,*
 18 *and overhead clearance for the assembly of offshore*
 19 *wind facility turbines, which each have a capacity of*
 20 *up to 20 megawatts;*

21 (3) *a heavy-lift quay and not less than 25 acres*
 22 *of port storage;*

23 (4) *innovative offshore wind facility and vessel*
 24 *technologies that allow for the rapid installation of an*
 25 *offshore wind facility; and*

1 (5) *any other innovative offshore wind facility*
2 *technology, as determined by the Secretary.*

3 (b) *STUDY AND REPORT.*—

4 (1) *IN GENERAL.*—*Not later than 1 year after*
5 *the date of enactment of this Act, the Secretary*
6 *shall—*

7 (A) *in consultation with the all appropriate*
8 *Federal agencies, carry out a study of all feder-*
9 *ally authorized ports and harbors, including in*
10 *the Mid-Atlantic, Gulf Coast, West Coast, Great*
11 *Lakes, and New England regions of the United*
12 *States, to identify—*

13 (i) *not less than three suitable federally*
14 *authorized ports and harbors in those re-*
15 *gions that could become innovative ports for*
16 *offshore wind development;*

17 (ii) *barriers to the development of in-*
18 *novative ports for offshore wind develop-*
19 *ment;*

20 (iii) *the Federal and State actions, in-*
21 *cluding dredging and construction of sup-*
22 *porting infrastructure, needed to facilitate*
23 *the development of the federally authorized*
24 *ports and harbors identified under clause*

1 *(i) to become innovative ports for offshore*
 2 *wind development; and*

3 *(iv) recommendations on any further*
 4 *research needed to improve federally author-*
 5 *ized ports and harbors in the United States*
 6 *for offshore wind facility development and*
 7 *deployment; and*

8 *(B) submit to Congress a report describing*
 9 *the results of the study under subparagraph (A).*

10 (2) *CONSULTATION.*—*In carrying out the study*
 11 *under paragraph (1), the Secretary shall consult with,*
 12 *at a minimum—*

13 *(A) the Governor of each State in which a*
 14 *port or harbor was identified;*

15 *(B) affected port authorities;*

16 *(C) units of local government; and*

17 *(D) relevant experts in engineering, envi-*
 18 *ronment, and industry considerations.*

19 **SEC. 1208. INNOVATIVE MATERIALS AND ADVANCED TECH-**
 20 **NOLOGIES REPORT.**

21 *Not later than 1 year after the date of enactment of*
 22 *this Act, the Secretary shall submit to Congress a report*
 23 *that—*

24 *(1) describes activities conducted by the Corps of*
 25 *Engineers at centers of expertise, technology centers,*

1 *technical centers, research and development centers,*
 2 *and similar facilities and organizations relating to*
 3 *the testing, research, development, identification, and*
 4 *recommended uses for innovative materials and ad-*
 5 *vanced technologies, including construction manage-*
 6 *ment technologies, in water resources development*
 7 *projects; and*

8 *(2) provides recommendations for types of water*
 9 *resources development projects in which innovative*
 10 *materials and advanced technologies should be used.*

11 **SEC. 1209. STUDY AND REPORT ON EXPEDITING CERTAIN**
 12 **WAIVER PROCESSES.**

13 *Not later than 1 year after the date of enactment of*
 14 *this Act, the Secretary shall complete and submit to the*
 15 *Committee on Environment and Public Works of the Senate*
 16 *and the Committee on Transportation and Infrastructure*
 17 *of the House of Representatives a report based on the results*
 18 *of a study on the best options available to the Secretary*
 19 *to implement the waiver process for the non-Federal cost*
 20 *share under section 116 of the Energy and Water Develop-*
 21 *ment and Related Agencies Appropriations Act, 2010 (Pub-*
 22 *lic Law 111–85; 123 Stat. 2851).*

1 **SEC. 1210. REPORT ON DEBRIS REMOVAL.**

2 *Not later than 180 days after the date of enactment*
 3 *of this Act, the Secretary shall submit to Congress and make*
 4 *publicly available a report that describes—*

5 *(1) the extent to which the Secretary has carried*
 6 *out section 3 of the Act of March 2, 1945 (33 U.S.C.*
 7 *603a); and*

8 *(2) how the Secretary has evaluated potential*
 9 *work to be carried out under that section.*

10 **SEC. 1211. CORPS FLOOD POLICY WITHIN URBAN AREAS.**

11 *Not later than 1 year after the date of enactment of*
 12 *this Act, the Secretary shall report to the Committee on*
 13 *Transportation and Infrastructure of the House of Rep-*
 14 *resentatives and the Committee on Environment and Public*
 15 *Works of the Senate on—*

16 *(1) flooding within urban floodplains; and*

17 *(2) the Federal policy constraints on the ability*
 18 *of the Secretary to address urban flooding, including*
 19 *the regulations under part 238 of title 33, Code of*
 20 *Federal Regulations (as in effect on the date of enact-*
 21 *ment of this Act) (including the limitation under sec-*
 22 *tion 238.7(a)(1) of that title that allows the Secretary*
 23 *to provide assistance only where the flood discharge of*
 24 *a stream or waterway within an urban area is great-*
 25 *er than 800 cubic feet per second for the 10-percent*
 26 *flood).*

1 **SEC. 1212. FEASIBILITY STUDIES FOR MITIGATION OF DAM-**
 2 **AGE.**

3 *Not later than 1 year after the date of enactment of*
 4 *this Act, the Secretary shall submit to the Committee on*
 5 *Transportation and Infrastructure of the House of Rep-*
 6 *resentatives and the Committee on Environment and Public*
 7 *Works of the Senate a report that identifies—*

8 *(1) feasibility studies that are incomplete as of*
 9 *the date of enactment of this Act for a project for*
 10 *mitigation of damage to an area affected by weather*
 11 *or other events for which—*

12 *(A) during the 8-year period ending on the*
 13 *date of enactment of this Act—*

14 *(i) the Secretary provided emergency*
 15 *response under section 5 of the Act of Au-*
 16 *gust 18, 1941 (33 U.S.C. 701n); or*

17 *(ii) the area received assistance under*
 18 *the Robert T. Stafford Disaster Relief and*
 19 *Emergency Assistance Act (42 U.S.C. 5121*
 20 *et seq.); and*

21 *(B) there is significant risk for future simi-*
 22 *lar events (as determined by the Secretary); and*

23 *(2) for each feasibility study identified under*
 24 *paragraph (1), impediments to completing the study.*

1 **SEC. 1213. APPLICATIONS OF MILITARY LEASING AUTHORI-**
 2 **TIES.**

3 *Not later than 2 years after the date of enactment of*
 4 *this Act, the Secretary shall—*

5 *(1) complete a study on the application of sec-*
 6 *tion 2667 of title 10, United States Code, enhanced*
 7 *use leasing authorities, and other military leasing au-*
 8 *thorities to the civil works program of the Secretary;*
 9 *and*

10 *(2) submit to Congress a report on the results of*
 11 *the study under paragraph (1), including a descrip-*
 12 *tion of the obstacles that must be removed so that the*
 13 *Assistant Secretary of the Army for Civil Works may*
 14 *implement the authorities.*

15 **SEC. 1214. COMMUNITY ENGAGEMENT.**

16 *(a) REPORT.—Not later than 2 years after the date*
 17 *of enactment of this section, the Secretary shall submit to*
 18 *the Committee on Transportation and Infrastructure of the*
 19 *House of Representatives and the Committee on Environ-*
 20 *ment and Public Works of the Senate a report on any poten-*
 21 *tial disproportionate and adverse health or environmental*
 22 *effects of programs, policies, and activities of the Corps of*
 23 *Engineers related to water resources development projects*
 24 *on minority communities, low-income communities, rural*
 25 *communities, and Indian Tribes.*

1 (b) *CONSULTATION.*—*In preparing the report under*
 2 *subsection (a), the Secretary shall provide public and pri-*
 3 *vate meetings with representatives of minority commu-*
 4 *nities, low-income communities, rural communities, and*
 5 *Indian Tribes, as well as representatives of State and local*
 6 *governments, and shall ensure that sufficient meetings are*
 7 *held in different geographic regions of the United States to*
 8 *ensure that a diversity of views are obtained.*

9 (c) *RECOMMENDATIONS.*—*The report submitted under*
 10 *subsection (a) shall include—*

11 (1) *the identification of any disproportionate*
 12 *and adverse health or environmental effects to the*
 13 *communities and Tribes; and*

14 (2) *any recommendations of the Secretary for*
 15 *addressing such effects, including recommended*
 16 *changes to the statutory or regulatory authorities of*
 17 *the Corps of Engineers, or changes to the policies or*
 18 *guidance of the Corps of Engineers.*

19 **SEC. 1215. TRANSPARENCY IN ADMINISTRATIVE EXPENSES.**

20 *Section 1012(b)(1) of the Water Resources Reform and*
 21 *Development Act of 2014 (33 U.S.C. 2315a(b)(1)) is amend-*
 22 *ed by striking “The Secretary” and inserting “Not later*
 23 *than 1 year after the date of enactment of the Water Re-*
 24 *sources Development Act of 2018, the Secretary”.*

1 **SEC. 1216. ASSESSMENT OF HARBORS AND INLAND HAR-**
 2 **BORS.**

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

5 *(1) in paragraph (1), by striking “shall assess*
 6 *the” and inserting “shall assess, and issue a report to*
 7 *Congress on, the”; and*

8 *(2) in paragraph (2), by adding at the end the*
 9 *following:*

10 *“(C) OPPORTUNITIES FOR BENEFICIAL USE*
 11 *OF DREDGED MATERIALS.—In carrying out*
 12 *paragraph (1), the Secretary shall identify po-*
 13 *tential opportunities for the beneficial use of*
 14 *dredged materials obtained from harbors and in-*
 15 *land harbors referred to in subsection (a)(2), in-*
 16 *cluding projects eligible under section 1122 of the*
 17 *Water Resources Development Act of 2016 (130*
 18 *Stat. 1645; 33 U.S.C. 2326 note).”.*

19 **SEC. 1217. MAINTENANCE OF HIGH-RISK FLOOD CONTROL**
 20 **PROJECTS.**

21 *(a) ASSESSMENT.—With respect to each project classi-*
 22 *fied as class III under the Dam Safety Action Classification*
 23 *of the Corps of Engineers for which the Secretary has as-*
 24 *sumed responsibility for maintenance as of the date of en-*
 25 *actment of this Act, the Secretary shall assess—*

1 (1) *the anticipated effects of the Secretary con-*
 2 *tinuing to be responsible for the maintenance of the*
 3 *project during the period that ends 15 years after the*
 4 *date of enactment of this Act, including the benefits*
 5 *to the State and local community; and*

6 (2) *the anticipated effects of the Secretary not*
 7 *continuing to be responsible for the maintenance of*
 8 *the project during such 15-year period, including the*
 9 *costs to the State and local community.*

10 (b) *REPORT.*—*Not later than 90 days after completion*
 11 *of the assessment under subsection (a), the Secretary shall*
 12 *submit to the Committee on Transportation and Infrastruc-*
 13 *ture of the House of Representatives and the Committee on*
 14 *Environment and Public Works of the Senate a report sum-*
 15 *marizing the results of the assessment.*

16 **SEC. 1218. NORTH ATLANTIC DIVISION REPORT ON HURRI-**
 17 **CANE BARRIERS AND HARBORS OF REFUGE.**

18 *Not later than 1 year after the date of enactment of*
 19 *this Act, the Secretary, in consultation with State and local*
 20 *experts in the North Atlantic Division of the Corps of Engi-*
 21 *neers, shall submit to Committee on Transportation and In-*
 22 *frastructure of the House of Representatives and the Com-*
 23 *mittee on Environment and Public Works of the Senate a*
 24 *report on the durability and resiliency of existing hurricane*
 25 *barriers and harbors of refuge in the North Atlantic Divi-*

1 sion, giving particular consideration as to how such bar-
 2 riers and harbors will survive and fully serve their planned
 3 levels of protection under current, near, and longer term
 4 future predicted sea levels, storm surges, and storm
 5 strengths.

6 **SEC. 1219. GREAT LAKES COASTAL RESILIENCY STUDY.**

7 (a) *IN GENERAL.*—The Secretary shall carry out a
 8 comprehensive assessment of the water resources needs of the
 9 Great Lakes System under section 729 of the Water Re-
 10 sources Development Act of 1986 (33 U.S.C. 2267a).

11 (b) *COOPERATION.*—In carrying out the assessment
 12 pursuant to subsection (a), the Secretary shall cooperate
 13 with stakeholders and coordinate with all ongoing programs
 14 and projects of the Great Lakes Restoration Initiative under
 15 section 118(c)(7) of the Federal Water Pollution Control Act
 16 (33 U.S.C. 1268).

17 (c) *DEFINITIONS.*—The term “Great Lakes System”
 18 has the meaning given such term in section 118(a) of the
 19 Federal Water Pollution Control Act (33 U.S.C. 1268(a)).

20 **SEC. 1220. MCMICKEN DAM, ARIZONA, AND MUDDY RIVER,**
 21 **MASSACHUSETTS.**

22 (a) *REPORT.*—The Secretary shall submit a report to
 23 the Committee on Transportation and Infrastructure of the
 24 House of Representatives and the Committee on Environ-
 25 ment on Public Works of the Senate on the status of—

1 (1) *the project at McMicken Dam, Arizona, au-*
 2 *thorized by section 304 of the Act of August 7, 1953*
 3 *(67 Stat. 450); and*

4 (2) *the project for flood damage reduction and*
 5 *environmental restoration, Muddy River, Brookline*
 6 *and Boston, Massachusetts, authorized by section 522*
 7 *of the Water Resources Development Act of 2000 (114*
 8 *Stat. 2656).*

9 (b) *REQUIREMENTS.—The report under subsection (a)*
 10 *shall include a description of the reasons of the Secretary*
 11 *for deauthorizing the projects described in subsection (a).*

12 **SEC. 1221. TABLE ROCK LAKE, ARKANSAS AND MISSOURI.**

13 *Not later than 120 days after the date of enactment*
 14 *of this Act, the Secretary shall submit to the Committee on*
 15 *Transportation and Infrastructure of the House of Rep-*
 16 *resentatives and the Committee on Environment and Public*
 17 *Works of the Senate a report on the implementation of sec-*
 18 *tion 1185(c) of the Water Resources Development Act of*
 19 *2016 (130 Stat. 1680).*

20 **SEC. 1222. FORECAST-INFORMED RESERVOIR OPERATIONS.**

21 (a) *REPORT ON FORECAST-INFORMED RESERVOIR OP-*
 22 *ERATIONS.—Not later than 1 year after the date of comple-*
 23 *tion of the forecast-informed reservoir operations research*
 24 *study pilot program at Coyote Valley Dam, Russian River*
 25 *Basin, California (authorized by the River and Harbor Act*

1 of 1950 (64 Stat. 177)), the Secretary shall issue a report
 2 to 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 on the results of
 5 the study pilot program.

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

8 (1) an analysis of the use of forecast-informed
 9 reservoir operations at Coyote Valley Dam, Cali-
 10 fornia;

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

14 (3) an identification of other dams owned or op-
 15 erated by the Secretary where forecast-informed res-
 16 ervoir operations may assist the Secretary in the op-
 17 timization of future reservoir operations; and

18 (4) any additional areas for future study of fore-
 19 cast-informed reservoir operations.

20 **SEC. 1223. CEDAR RIVER, IOWA.**

21 Not later than 90 days after the date of enactment of
 22 this Act, the Secretary shall complete and submit to the
 23 Committee on Environment and Public Works of the Senate
 24 and the Committee on Transportation and Infrastructure
 25 of the House of Representatives a report summarizing the

1 *path forward and timeline to implement the project for*
 2 *flood risk management at Cedar River, Cedar Rapids,*
 3 *Iowa, authorized by section 7002(2) of the Water Resources*
 4 *Reform and Development Act of 2014 (128 Stat. 1366).*

5 **SEC. 1224. OLD RIVER CONTROL STRUCTURE, LOUISIANA.**

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

- 16 (1) *flood control;*
- 17 (2) *navigational conditions;*
- 18 (3) *water supply;*
- 19 (4) *ecosystem restoration and ecological produc-*
 20 *tivity; and*
- 21 (5) *hydroelectric production.*

22 (b) *PUBLIC PARTICIPATION.*—In developing the report
 23 required by subsection (a), the Secretary shall provide op-
 24 portunity for public input and stakeholder engagement, in-
 25 cluding public meetings.

1 **SEC. 1225. UPPER MISSISSIPPI RIVER PROTECTION.**

2 *Section 2010 of the Water Resources Reform and De-*
 3 *velopment Act of 2014 (128 Stat. 1270) is amended by add-*
 4 *ing at the end the following:*

5 “(d) *CONSIDERATIONS.—In carrying out a disposition*
 6 *study with respect to the Upper St. Anthony Falls Lock*
 7 *and Dam, including a disposition study under section 216*
 8 *of the Flood Control Act of 1970 (33 U.S.C. 549a), the Sec-*
 9 *retary shall expedite completion of such study and shall*
 10 *produce a report on the Upper St. Anthony Falls Lock and*
 11 *Dam that is separate from any report on any other lock*
 12 *or dam included in such study that includes plans for—*

13 “(1) *carrying out modifications to the Upper St.*
 14 *Anthony Falls Lock and Dam to—*

15 “(A) *preserve and enhance recreational op-*
 16 *portunities and the health of the ecosystem; and*

17 “(B) *maintain the benefits to the natural*
 18 *ecosystem and human environment;*

19 “(2) *a partial disposition of the Upper St. An-*
 20 *thony Falls Lock and Dam facility and surrounding*
 21 *real property that preserves any portion of the Upper*
 22 *St. Anthony Falls Lock and Dam necessary to main-*
 23 *tain flood control; and*

24 “(3) *expediting the disposition described in this*
 25 *subsection.*

1 “(e) *CONTRIBUTED FUNDS.*—*The Secretary shall ac-*
 2 *cept and expend funds to carry out the study described in*
 3 *subsection (d) that are contributed by a State or a political*
 4 *subdivision of a State under the Act of October 15, 1940*
 5 *(33 U.S.C. 701h–1).’”.*

6 **SEC. 1226. MISSOURI RIVER.**

7 (a) *IRC REPORT.*—*Not later than 18 months after the*
 8 *date of enactment of this Act, the Secretary shall submit*
 9 *to the Committee on Transportation and Infrastructure of*
 10 *the House of Representatives and the Committee on Envi-*
 11 *ronment and Public Works of the Senate a report regarding*
 12 *the impacts of interception-rearing complex construction on*
 13 *the navigation, flood control, and other authorized purposes*
 14 *set forth in the Missouri River Master Manual, and on the*
 15 *population recovery of the pallid sturgeon.*

16 (b) *NO ADDITIONAL IRC CONSTRUCTION.*—*Until the*
 17 *report under subsection (a) is submitted, no additional*
 18 *interception-rearing complex construction is authorized.*

19 **SEC. 1227. LOWER MISSOURI RIVER BANK STABILIZATION**
 20 **AND NAVIGATION.**

21 (a) *IN GENERAL.*—*Not later than 180 days after the*
 22 *date of enactment of this Act, the Secretary shall submit*
 23 *to the Committee on Transportation and Infrastructure of*
 24 *the House of Representatives and the Committee on Envi-*
 25 *ronment and Public Works of the Senate a report on the*

1 *function and reliability of the Lower Missouri River bank*
 2 *stabilization and navigation project, authorized by the first*
 3 *section of the Act of July 25, 1912 (37 Stat. 219, chapter*
 4 *253).*

5 (b) *CONSIDERATIONS AND COORDINATION.—In devel-*
 6 *oping the report required under subsection (a), the Sec-*
 7 *retary shall—*

8 (1) *consider recommended improvements to the*
 9 *project described in such subsection and current and*
 10 *future flood risks; and*

11 (2) *coordinate with State and local governments*
 12 *and affected stakeholders.*

13 **SEC. 1228. COASTAL TEXAS STUDY.**

14 *The Secretary shall expedite the completion of studies*
 15 *for flood damage reduction, hurricane and storm damage*
 16 *reduction, and ecosystem restoration in the coastal areas*
 17 *of Texas that are identified in the interim report due to*
 18 *be published in 2018 that describes the tentatively selected*
 19 *plan developed in accordance with section 4091 of the Water*
 20 *Resources Development Act of 2007 (121 Stat. 1187).*

21 **SEC. 1229. REPORT ON WATER SUPPLY CONTRACT, WRIGHT**
 22 **PATMAN LAKE, TEXAS.**

23 *Not later than June 30, 2019, the Secretary shall sub-*
 24 *mit to the Committee on Transportation and Infrastructure*
 25 *of the House of Representatives and the Committee on Envi-*

1 *ronment and Public Works of the Senate a report on the*
 2 *status of the implementation of the water supply contract,*
 3 *Department of the Army, Civil Works Contract No. 29–68–*
 4 *A–0130, at Wright Patman Lake, Texas, that—*

5 *(1) describes the implementation of that contract*
 6 *at Wright Patman Lake; and*

7 *(2) identifies—*

8 *(A) the activities that the Secretary expects*
 9 *to be necessary to complete the execution of the*
 10 *contract;*

11 *(B) the expected completion date for each*
 12 *activity identified under subparagraph (A); and*

13 *(C) the expected date of completion of the*
 14 *execution of the contract.*

15 ***Subtitle C—Deauthorizations,***
 16 ***Modifications, and Related Pro-***
 17 ***visions***

18 ***SEC. 1301. DEAUTHORIZATION OF INACTIVE PROJECTS.***

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

20 *(1) to identify \$4,000,000,000 in water resources*
 21 *development projects authorized by Congress that are*
 22 *no longer viable for construction due to—*

23 *(A) a lack of local support;*

24 *(B) a lack of available Federal or non-Fed-*
 25 *eral resources; or*

1 (C) an authorizing purpose that is no
2 longer relevant or feasible;

3 (2) to create an expedited and definitive process
4 for Congress to deauthorize water resources develop-
5 ment projects that are no longer viable for construc-
6 tion; and

7 (3) to allow the continued authorization of water
8 resources development projects that are viable for con-
9 struction.

10 (b) *INTERIM DEAUTHORIZATION LIST.*—

11 (1) *IN GENERAL.*—The Secretary shall develop
12 an interim deauthorization list that identifies—

13 (A) each water resources development
14 project, or separable element of a project, author-
15 ized for construction before November 8, 2007,
16 for which—

17 (i) planning, design, or construction
18 was not initiated before the date of enact-
19 ment of this Act; or

20 (ii) planning, design, or construction
21 was initiated before the date of enactment of
22 this Act, but for which no funds, Federal or
23 non-Federal, were obligated for planning,
24 design, or construction of the project or sep-
25 arable element of the project during the cur-

1 *rent fiscal year or any of the 6 preceding*
 2 *fiscal years;*

3 *(B) each project or separable element of a*
 4 *project identified and included on a list to Con-*
 5 *gress for deauthorization pursuant to section*
 6 *1001(b)(2) of the Water Resources Development*
 7 *Act of 1986 (33 U.S.C. 579a(b)(2)); and*

8 *(C) any project or separable element of a*
 9 *project for which the non-Federal sponsor of such*
 10 *project or separable element submits a request for*
 11 *inclusion on the list.*

12 *(2) PUBLIC COMMENT AND CONSULTATION.—*

13 *(A) IN GENERAL.—The Secretary shall so-*
 14 *licit comments from the public and the Gov-*
 15 *ernors of each applicable State on the interim*
 16 *deauthorization list developed under paragraph*
 17 *(1).*

18 *(B) COMMENT PERIOD.—The public com-*
 19 *ment period shall be 90 days.*

20 *(3) SUBMISSION TO CONGRESS; PUBLICATION.—*
 21 *Not later than 90 days after the date of the close of*
 22 *the comment period under paragraph (2), the Sec-*
 23 *retary shall—*

24 *(A) submit a revised interim deauthoriza-*
 25 *tion list to the Committee on Environment and*

1 *Public Works of the Senate and the Committee*
 2 *on Transportation and Infrastructure of the*
 3 *House of Representatives; and*

4 *(B) publish the revised interim deauthoriza-*
 5 *tion list in the Federal Register.*

6 *(c) FINAL DEAUTHORIZATION LIST.—*

7 *(1) IN GENERAL.—The Secretary shall develop a*
 8 *final deauthorization list of water resources develop-*
 9 *ment projects, or separable elements of projects, from*
 10 *the revised interim deauthorization list described in*
 11 *subsection (b)(3).*

12 *(2) DEAUTHORIZATION AMOUNT.—*

13 *(A) PROPOSED FINAL LIST.—The Secretary*
 14 *shall prepare a proposed final deauthorization*
 15 *list of projects and separable elements of projects*
 16 *that have, in the aggregate, an estimated Federal*
 17 *cost to complete that is at least \$4,000,000,000.*

18 *(B) DETERMINATION OF FEDERAL COST TO*
 19 *COMPLETE.—For purposes of subparagraph (A),*
 20 *the Federal cost to complete shall take into ac-*
 21 *count any allowances authorized by section 902*
 22 *of the Water Resources Development Act of 1986*
 23 *(33 U.S.C. 2280), as applied to the most recent*
 24 *project schedule and cost estimate.*

25 *(3) IDENTIFICATION OF PROJECTS.—*

1 (A) *SEQUENCING OF PROJECTS.*—

2 (i) *IN GENERAL.*—*The Secretary shall*
3 *identify projects and separable elements of*
4 *projects for inclusion on the proposed final*
5 *deauthorization list according to the order*
6 *in which the projects and separable elements*
7 *of the projects were authorized, beginning*
8 *with the earliest authorized projects and*
9 *separable elements of projects and ending*
10 *with the latest project or separable element*
11 *of a project necessary to meet the aggregate*
12 *amount under paragraph (2)(A).*

13 (ii) *FACTORS TO CONSIDER.*—*The Sec-*
14 *retary may identify projects and separable*
15 *elements of projects in an order other than*
16 *that established by clause (i) if the Sec-*
17 *retary determines, on a case-by-case basis,*
18 *that a project or separable element of a*
19 *project is critical for interests of the United*
20 *States, based on the possible impact of the*
21 *project or separable element of the project*
22 *on public health and safety, the national*
23 *economy, or the environment.*

24 (iii) *CONSIDERATION OF PUBLIC COM-*
25 *MENTS.*—*In making determinations under*

1 *clause (ii), the Secretary shall consider any*
 2 *comments received under subsection (b)(2).*

3 *(B) APPENDIX.—The Secretary shall in-*
 4 *clude as part of the proposed final deauthoriza-*
 5 *tion list an appendix that—*

6 *(i) identifies each project or separable*
 7 *element of a project on the interim de-*
 8 *authorization list developed under sub-*
 9 *section (b) that is not included on the pro-*
 10 *posed final deauthorization list; and*

11 *(ii) describes the reasons why the*
 12 *project or separable element is not included*
 13 *on the proposed final list.*

14 *(4) PUBLIC COMMENT AND CONSULTATION.—*

15 *(A) IN GENERAL.—The Secretary shall so-*
 16 *licit comments from the public and the Governor*
 17 *of each applicable State on the proposed final de-*
 18 *authorization list and appendix developed under*
 19 *paragraphs (2) and (3).*

20 *(B) COMMENT PERIOD.—The public com-*
 21 *ment period shall be 90 days.*

22 *(5) SUBMISSION OF FINAL LIST TO CONGRESS;*
 23 *PUBLICATION.—Not later than 120 days after the date*
 24 *of the close of the comment period under paragraph*
 25 *(4), the Secretary shall—*

1 (A) submit a final deauthorization list and
 2 an appendix to the final deauthorization list in
 3 a report to the Committee on Environment and
 4 Public Works of the Senate and the Committee
 5 on Transportation and Infrastructure of the
 6 House of Representatives; and

7 (B) publish the final deauthorization list
 8 and the appendix to the final deauthorization
 9 list in the Federal Register.

10 (d) *DEAUTHORIZATION; CONGRESSIONAL REVIEW.*—

11 (1) *IN GENERAL.*—After the expiration of the
 12 180-day period beginning on the date of submission
 13 of the final deauthorization list and appendix under
 14 subsection (c), a project or separable element of a
 15 project identified in the final deauthorization list is
 16 hereby deauthorized, unless Congress passes a joint
 17 resolution disapproving the final deauthorization list
 18 prior to the end of such period.

19 (2) *NON-FEDERAL CONTRIBUTIONS.*—

20 (A) *IN GENERAL.*—A project or separable
 21 element of a project identified in the final de-
 22 authorization list under subsection (c) shall not
 23 be deauthorized under this subsection if, before
 24 the expiration of the 180-day period referred to
 25 in paragraph (1), the non-Federal interest for

1 *the project or separable element of the project*
 2 *provides sufficient funds to complete the project*
 3 *or separable element of the project.*

4 (B) *TREATMENT OF PROJECTS.*—*Notwith-*
 5 *standing subparagraph (A), each project and*
 6 *separable element of a project identified in the*
 7 *final deauthorization list shall be treated as de-*
 8 *authorized for purposes of the aggregate de-*
 9 *authorization amount specified in subsection*
 10 *(c)(2)(A).*

11 (3) *PROJECTS IDENTIFIED IN APPENDIX.*—*A*
 12 *project or separable element of a project identified in*
 13 *the appendix to the final deauthorization list shall re-*
 14 *main subject to future deauthorization by Congress.*

15 (e) *SPECIAL RULE FOR PROJECTS RECEIVING FUNDS*
 16 *FOR POST-AUTHORIZATION STUDY.*—*A project or separable*
 17 *element of a project may not be identified on the interim*
 18 *deauthorization list developed under subsection (b), or the*
 19 *final deauthorization list developed under subsection (c), if*
 20 *the project or separable element received funding for a post-*
 21 *authorization study during the current fiscal year or any*
 22 *of the 6 preceding fiscal years.*

23 (f) *GENERAL PROVISIONS.*—

24 (1) *DEFINITIONS.*—*In this section, the following*
 25 *definitions apply:*

1 (A) *POST-AUTHORIZATION STUDY.*—*The*
 2 *term “post-authorization study” means—*

3 (i) *a feasibility report developed under*
 4 *section 905 of the Water Resources Develop-*
 5 *ment Act of 1986 (33 U.S.C. 2282);*

6 (ii) *a feasibility study, as defined in*
 7 *section 105(d) of the Water Resources Devel-*
 8 *opment Act of 1986 (33 U.S.C. 2215(d)); or*

9 (iii) *a review conducted under section*
 10 *216 of the Flood Control Act of 1970 (33*
 11 *U.S.C. 549a), including an initial ap-*
 12 *praisal that—*

13 (I) *demonstrates a Federal inter-*
 14 *est; and*

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

17 (B) *WATER RESOURCES DEVELOPMENT*
 18 *PROJECT.*—*The term “water resources develop-*
 19 *ment project” includes an environmental infra-*
 20 *structure assistance project or program of the*
 21 *Corps of Engineers.*

22 (2) *TREATMENT OF PROJECT MODIFICATIONS.*—
 23 *For purposes of this section, if an authorized water*
 24 *resources development project or separable element of*
 25 *the project has been modified by an Act of Congress,*

1 *the date of the authorization of the project or sepa-*
 2 *rate element shall be deemed to be the date of the*
 3 *most recent modification.*

4 **SEC. 1302. BACKLOG PREVENTION.**

5 *(a) PROJECT DEAUTHORIZATION.—*

6 *(1) IN GENERAL.—A water resources develop-*
 7 *ment project authorized for construction by this Act*
 8 *shall not be authorized after the last day of the 10-*
 9 *year period beginning on the date of enactment of this*
 10 *Act unless—*

11 *(A) funds have been obligated for construc-*
 12 *tion of, or a post-authorization study for, such*
 13 *project or such separable element during such pe-*
 14 *riod; or*

15 *(B) a subsequent Act of Congress modifies*
 16 *the authorization contained in this Act.*

17 *(2) IDENTIFICATION OF PROJECTS.—Not later*
 18 *than 60 days after the expiration of the 10-year pe-*
 19 *riod described in paragraph (1), the Secretary shall*
 20 *submit to the Committee on Environment and Public*
 21 *Works of the Senate and the Committee on Transpor-*
 22 *tation and Infrastructure of the House of Representa-*
 23 *tives a report that identifies the projects deauthorized*
 24 *under paragraph (1).*

1 (b) *REPORT TO CONGRESS.*—Not later than 60 days
 2 after the expiration of the 12-year period beginning on the
 3 date of enactment of this Act, the Secretary shall submit
 4 to the Committee on Environment and Public Works of the
 5 Senate and the Committee on Transportation and Infra-
 6 structure of the House of Representatives, and make avail-
 7 able to the public, a report that contains—

8 (1) a list of any water resources development
 9 projects authorized by this Act for which construction
 10 has not been completed;

11 (2) a description of the reasons each project was
 12 not completed;

13 (3) a schedule for the completion of the projects
 14 based on expected levels of appropriations;

15 (4) a 5-year and 10-year projection of construc-
 16 tion backlog; and

17 (5) any recommendations to Congress regarding
 18 how to mitigate the backlog.

19 **SEC. 1303. PROJECT MODIFICATIONS.**

20 (a) *CONSISTENCY WITH REPORTS.*—Congress finds
 21 that the project modifications described in this section are
 22 in accordance with the reports submitted to Congress by the
 23 Secretary under section 7001 of the Water Resources Reform
 24 and Development Act of 2014 (33 U.S.C. 2282d), titled “Re-

1 *port to Congress on Future Water Resources Development”,*
 2 *or have otherwise been reviewed by Congress.*

3 (b) *MODIFICATIONS.—*

4 (1) *HARBOR/SOUTH BAY, CALIFORNIA.—Section*
 5 *219(f)(43) of the Water Resources Development Act of*
 6 *1992 (113 Stat. 337; 114 Stat. 2763A–220) is amend-*
 7 *ed by striking “\$35,000,000” and inserting*
 8 *“\$70,000,000”.*

9 (2) *LAKES MARION AND MOULTRIE, SOUTH*
 10 *CAROLINA.—Section 219(f)(25) of the Water Resources*
 11 *Development Act of 1992 (113 Stat. 336; 114 Stat.*
 12 *2763A–220; 117 Stat. 1838; 130 Stat. 1677) is*
 13 *amended by striking “\$60,000,000” and inserting*
 14 *“\$89,550,000”.*

15 **SEC. 1304. LYTLE AND CAJON CREEKS, CALIFORNIA.**

16 *That portion of the channel improvement project, Lytle*
 17 *and Cajon Creeks, California, authorized to be carried out*
 18 *as a part of the project for the Santa Ana River Basin,*
 19 *California, by the Act of December 22, 1944 (Chapter 665;*
 20 *58 Stat. 900) that consists of five earth-filled groins com-*
 21 *monly referred to as “the Riverside Avenue groins” is no*
 22 *longer authorized as a Federal project beginning on the date*
 23 *of enactment of this Act.*

1 **SEC. 1305. YUBA RIVER BASIN, CALIFORNIA.**

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

8 (b) *PROJECT DESCRIPTION.*—*The levee to be con-*
 9 *structed shall tie into the existing levee at a point*
 10 *N2186189.2438, E6703908.8657, thence running east and*
 11 *south along a path to be determined to a point*
 12 *N2187849.4328, E6719262.0164.*

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

19 (d) *NO FEDERAL COST.*—

20 (1) *REVIEW COSTS.*—*Before construction of the*
 21 *levee described in subsection (b), the Secretary may*
 22 *accept and expend funds received from a non-Federal*
 23 *interest to review the planning, engineering, and de-*
 24 *sign of the levee described in subsection (b) to ensure*
 25 *that such planning, engineering, and design complies*
 26 *with Federal standards.*

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

4 **SEC. 1306. BRIDGEPORT HARBOR, CONNECTICUT.**

5 *That portion of the project for navigation, Bridgeport*
 6 *Harbor, Connecticut, authorized by the Act of June 18,*
 7 *1878 (20 Stat. 158), and modified by the Act of August*
 8 *11, 1888 (25 Stat. 401), the Act of March 3, 1899 (30 Stat.*
 9 *1122), the Act of June 25, 1910 (36 Stat. 633), and the*
 10 *Act of July 3, 1930 (46 Stat. 919), and lying upstream*
 11 *of a line commencing at point N627942.09, E879709.18*
 12 *thence running southwesterly about 125 feet to a point*
 13 *N627832.03, E879649.91 is no longer authorized beginning*
 14 *on the date of enactment of this Act.*

15 **SEC. 1307. DELAWARE RIVER NAVIGATION PROJECT.**

16 *Section 1131(3) of the Water Resources Development*
 17 *Act of 1986 (100 Stat. 4246) is amended by striking “ten*
 18 *feet” and inserting “35 feet”.*

19 **SEC. 1308. COMPREHENSIVE EVERGLADES RESTORATION**
 20 **PLAN, CENTRAL AND SOUTHERN FLORIDA,**
 21 **EVERGLADES AGRICULTURAL AREA, FLOR-**
 22 **IDA.**

23 *(a) AUTHORIZATION.*—*Subject to subsection (b), the*
 24 *Secretary is authorized to carry out the project for eco-*
 25 *system restoration, Central and Southern Florida, Ever-*

1 *glades Agricultural Area, Florida, in accordance with sec-*
 2 *tion 601 of the Water Resources Development Act of 2000*
 3 *(114 Stat. 2680), as recommended in the addendum to the*
 4 *Central Everglades Planning Project Post Authorization*
 5 *Change Report, Feasibility Study and Draft Environ-*
 6 *mental Impact Statement prepared by the South Florida*
 7 *Water Management District and dated May 2018, with*
 8 *such modifications as the Secretary considers appropriate.*

9 (b) *REQUIREMENT.*—

10 (1) *IN GENERAL.*—*The project authorized by sub-*
 11 *section (a) may be constructed only after the Sec-*
 12 *retary prepares a report that addresses the concerns,*
 13 *recommendations, and conditions identified by the*
 14 *Secretary in the review assessment titled “Review As-*
 15 *essment of South Florida Water Management Dis-*
 16 *trict’s Central Everglades Planning Project, Section*
 17 *203 Post Authorization Change Report, Integrated*
 18 *Feasibility Study and DRAFT Environmental Im-*
 19 *pect Statement (March 2018, Amended May 2018)”*
 20 *and dated May 2018.*

21 (2) *EXPEDITED COMPLETION.*—*The Secretary*
 22 *shall expedite the completion of the report under*
 23 *paragraph (1) and shall complete such report not*
 24 *later than 90 days after the date of enactment of this*
 25 *section.*

1 (c) *CONSULTATION.*—*In reviewing the report identi-*
 2 *fied in subsection (a), and completing the report identified*
 3 *in subsection (b), the Secretary shall consult with the South*
 4 *Florida Water Management District on any project modi-*
 5 *fications.*

6 (d) *CONSIDERATION.*—*Nothing in this section shall be*
 7 *construed to delay the design, construction, and implemen-*
 8 *tation of components and features of the project for eco-*
 9 *system restoration, Central Everglades, authorized by sec-*
 10 *tion 1401(4) of the Water Resources Development Act of*
 11 *2016 (130 Stat. 1713), that are not directly affected by the*
 12 *project authorized by subsection (a).*

13 **SEC. 1309. KISSIMMEE RIVER RESTORATION, FLORIDA.**

14 *The Secretary may credit work performed or to be per-*
 15 *formed by the non-Federal sponsor of the project for eco-*
 16 *system restoration, Kissimmee River, Florida, authorized*
 17 *by section 101(8) of the Water Resources Development Act*
 18 *of 1992 (106 Stat. 4802), as an in-kind contribution under*
 19 *section 221(a)(4) of the Flood Control Act of 1970 (42*
 20 *U.S.C. 1962d–5b(a)(4)), in accordance with the report of*
 21 *the Director of Civil Works relating to the Central and*
 22 *Southern Florida Project, Kissimmee River Restoration*
 23 *Project, dated April 27, 2018, subject to the availability of*
 24 *appropriations for any payments due, if the Secretary de-*
 25 *termines that the work was carried out in accordance with*

1 *the requirements of subchapter 4 of chapter 31, and chapter*
 2 *37, of title 40, United States Code.*

3 **SEC. 1310. LEVEE L-212, FOUR RIVER BASIN, OCKLAWAHA**
 4 **RIVER, FLORIDA.**

5 *The portions of the project for flood control and other*
 6 *purposes, Four River Basins, Florida, authorized by section*
 7 *203 of the Flood Control Act of 1962 (76 Stat. 1183), con-*
 8 *sisting of levee L-212 along the Ocklawaha River, Florida,*
 9 *are no longer authorized beginning on the date of enactment*
 10 *of this Act.*

11 **SEC. 1311. GREEN RIVER AND BARREN RIVER LOCKS AND**
 12 **DAMS, KENTUCKY.**

13 *Section 1315 of the Water Resources Development Act*
 14 *of 2016 (130 Stat. 1698) is amended—*

15 *(1) in subsection (b)—*

16 *(A) in paragraph (3)—*

17 *(i) by redesignating subparagraphs (A)*
 18 *and (B) as clauses (i) and (ii), respectively,*
 19 *and adjusting the margins accordingly;*

20 *(ii) in the matter preceding clause (i)*
 21 *(as so redesignated), by striking “The Sec-*
 22 *retary” and inserting the following:*

23 *“(A) IN GENERAL.—The Secretary”; and*

24 *(iii) by adding at the end the fol-*
 25 *lowing:*

1 “(B) *USE OF FUNDS.*—If the Secretary de-
 2 termines that removal of Lock and Dam 5 or a
 3 portion of Lock and Dam 5 is necessary before
 4 the conveyance under subparagraph (A), the Sec-
 5 retary—

6 “(i) shall proceed with that removal;
 7 and

8 “(ii) to carry out that removal—

9 “(I) may use appropriated funds
 10 or accept and use funds contributed by
 11 entities described in that subpara-
 12 graph; and

13 “(II) may work with entities de-
 14 scribed in that subparagraph.”; and

15 (B) in paragraph (5)—

16 (i) by redesignating subparagraphs (A)
 17 and (B) as clauses (i) and (ii), respectively,
 18 and adjusting the margins accordingly;

19 (ii) in the matter preceding clause (i)
 20 (as so redesignated), by striking “The Sec-
 21 retary” and inserting the following:

22 “(A) *IN GENERAL.*—The Secretary”; and

23 (iii) by adding at the end the fol-
 24 lowing:

1 “(B) *USE OF FUNDS.*—If the Secretary de-
 2 termines that removal of Lock and Dam 1 or a
 3 portion of Lock and Dam 1 is necessary before
 4 the conveyance under subparagraph (A), the Sec-
 5 retary—

6 “(i) shall proceed with that removal;
 7 and

8 “(ii) to carry out that removal—

9 “(I) may use appropriated funds
 10 or accept and use funds contributed by
 11 entities described in that subpara-
 12 graph; and

13 “(II) may work with entities de-
 14 scribed in that subparagraph.”; and

15 (2) in subsection (c), by adding at the end the
 16 following:

17 “(5) *REMOVAL COSTS.*—In carrying out this sec-
 18 tion, if the Secretary determines that removal of a
 19 Lock and Dam (or a portion of a Lock and Dam) de-
 20 scribed in this section is necessary, any Federal costs
 21 of that removal shall be subject to the availability of
 22 appropriations.”.

23 **SEC. 1312. CAPE ARUNDEL DISPOSAL SITE, MAINE.**

24 The Cape Arundel Disposal Site selected by the De-
 25 partment of the Army as an alternative dredged material

1 *disposal site under section 103(b) of the Marine Protection,*
 2 *Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413(b))*
 3 *shall remain available for use until December 31, 2021.*

4 **SEC. 1313. PENOBSCOT RIVER, MAINE.**

5 *Beginning on the date of enactment of this Act, the*
 6 *project for navigation, Penobscot River, Maine, authorized*
 7 *by the River and Harbor Appropriations Acts of July 5,*
 8 *1884 (23 Stat. 133), August 11, 1888 (25 Stat. 408), July*
 9 *31, 1892 (27 Stat. 96), and March 2, 1907 (Public Law*
 10 *59–168; 34 Stat. 1074), is modified as follows:*

11 *(1) The portion of the 14-foot deep channel lo-*
 12 *cated between Bangor and Brewer, Maine, approxi-*
 13 *mately 135,784 square feet in area, starting at a*
 14 *point with coordinates N410451.89, E913370.08,*
 15 *thence running N34°05'52.6"E about 815.4 feet to a*
 16 *point with coordinates N411127.11, E913827.20,*
 17 *thence running N52°41'55.33"E about 143.06 feet to*
 18 *a point with coordinates N411213.81, E913941.00,*
 19 *thence running N27°04'01"E about 1068.73 feet to a*
 20 *point with coordinates N412165.48, E914427.30,*
 21 *thence running S62°55'59.79"E about 450 feet to a*
 22 *point with coordinates N411960.72, E914828.01,*
 23 *thence running S27°04'01"W about 246.99 feet to a*
 24 *point with coordinates N411740.78, E914715.62,*
 25 *thence running N43°45'41.8"W about 444.66 feet to a*

1 point with coordinates N412061.92, E914408.07,
 2 thence running S27°04'01"W about 946.62 feet to a
 3 point with coordinates N411218.97, E913977.33,
 4 thence running S38°21'58.9"W about 978.35 feet to
 5 the point of origin, is no longer authorized.

6 (2) The portion of the 14-foot deep channel, ap-
 7 proximately 121,875 square feet in area, starting at
 8 a point with coordinates N410670.99, E914168.96,
 9 thence running N62°55'59"W about 100 feet to a
 10 point with coordinates N410716.49, E914079.92,
 11 thence running N27°04'01"E about 1236.13 feet to a
 12 point with coordinates N411817.24, E914642.40,
 13 thence running S43°45'41.8"E about 105.87 feet to a
 14 point with coordinates N411740.78, E914715.62,
 15 thence running S27°04'01"W about 1201.37 feet to
 16 the point of origin, is redesignated as a 100-foot wide
 17 and 14-foot deep anchorage area.

18 (3) The portion of the 14-foot deep channel, ap-
 19 proximately 304,058 square feet in area, starting at
 20 a point with coordinates N410761.99, E913990.87,
 21 thence running N62°55'59"W about 300.08 feet to a
 22 point with coordinates N410898.54, E913723.66,
 23 thence running N38°21'58.9"E about 408.69 feet to a
 24 point with coordinates N411218.97, E913977.33,
 25 thence running N27°04'01"E about 946.62 feet to a

1 point with coordinates N412061.92, E914408.07,
 2 thence running S43°45'41.8"E about 232.92 feet to a
 3 point with coordinates N411893.70, E914569.17,
 4 thence running S27°04'01"W about 1270.9 feet to the
 5 point of origin, is redesignated as a 14-foot deep an-
 6 chorage area of a width varying from 220 to 300.08
 7 feet.

8 **SEC. 1314. BOSTON HARBOR RESERVED CHANNEL**
 9 **DEAUTHORIZATIONS.**

10 (a) 40-FOOT RESERVED CHANNEL.—

11 (1) IN GENERAL.—The portions of the project for
 12 navigation, Boston Harbor, Massachusetts, authorized
 13 by the first section of the Act of October 17, 1940 (54
 14 Stat. 1198, chapter 895), and modified by section 101
 15 of the River and Harbor Act of 1958 (72 Stat. 297),
 16 section 101(a)(13) of the Water Resources Develop-
 17 ment Act of 1990 (104 Stat. 4607), and section
 18 7002(1) of the Water Resources Reform and Develop-
 19 ment Act of 2014 (128 Stat. 1365), described in para-
 20 graph (2) are no longer authorized beginning on the
 21 date of enactment of this Act.

22 (2) AREAS DESCRIBED.—

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

1 (i) beginning at a point N2950154.45,
2 E785995.64;

3 (ii) running southwesterly about
4 1451.63 feet to a point N2950113.83,
5 E784544.58;

6 (iii) running southeasterly about 54.00
7 feet to a point N2950059.85, E784546.09;

8 (iv) running southwesterly about
9 1335.82 feet to a point N2950022.48,
10 E783210.79;

11 (v) running northwesterly about 83.00
12 feet to a point N2950105.44, E783208.47;

13 (vi) running northeasterly about
14 2787.45 feet to a point N2950183.44,
15 E785994.83; and

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

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

20 (i) beginning at a point N2950502.86,
21 E785540.84;

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

24 (iii) running southwesterly about 25.67
25 feet to a point N2950480.84, E785576.18;

1 (iv) running southwesterly to a point
2 N2950414.32, E783199.83;

3 (v) running northwesterly about 8.00
4 feet to a point N2950422.32, E783199.60;

5 (vi) running northeasterly about
6 2342.58 feet to a point N2950487.87,
7 E785541.26; and

8 (vii) running northwesterly about
9 15.00 feet to the point described in clause
10 (i).

11 (b) 35—FOOT RESERVED CHANNEL.—

12 (1) IN GENERAL.—The portions of the project for
13 navigation, Boston Harbor, Massachusetts, authorized
14 by the first section of the Act of October 17, 1940 (54
15 Stat. 1198, chapter 895), and modified by section 101
16 of the River and Harbor Act of 1958 (72 Stat. 297),
17 described in paragraph (2) are no longer authorized
18 beginning on the date of enactment of this Act.

19 (2) AREAS DESCRIBED.—

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

22 (i) beginning at a point N2950143.44,
23 E787532.14;

24 (ii) running southeasterly about 22.21
25 feet to a point N2950128.91, E787548.93;

1 (iii) running southwesterly about
2 4,339.42 feet to a point N2950007.48,
3 E783211.21;

4 (iv) running northwesterly about 15.00
5 feet to a point N2950022.48, E783210.79;
6 and

7 (v) running northeasterly about
8 4,323.05 feet to the point described in clause
9 (i).

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

12 (i) beginning at a point N2950502.86,
13 E785540.84;

14 (ii) running southeasterly about 15.00
15 feet to a point N2950487.87, E785541.26;

16 (iii) running southwesterly about
17 2342.58 feet to a point N2950422.32,
18 E783199.60;

19 (iv) running southeasterly about 8.00
20 feet to a point N2950414.32, E783199.83;

21 (v) running southwesterly about
22 1339.12 feet to a point N2950376.85,
23 E781861.23;

- 1 (vi) running northwesterly about 23.00
 2 feet to a point N2950399.84, E781860.59;
 3 and
 4 (vii) running northeasterly about
 5 3681.70 feet to the point described in clause
 6 (i).

7 **SEC. 1315. CORPS OF ENGINEERS BRIDGE REPAIR PRO-**
 8 **GRAM FOR NEW ENGLAND EVACUATION**
 9 **ROUTES.**

10 *Subject to the availability of appropriations, the Sec-*
 11 *retary may repair or replace, as necessary, any bridge*
 12 *owned and operated by the Secretary that is—*

13 (1) *located in any of the States of Connecticut,*
 14 *Maine, Massachusetts, New Hampshire, Rhode Island,*
 15 *or Vermont; and*

16 (2) *necessary for evacuation during an extreme*
 17 *weather event, as determined by the Secretary.*

18 **SEC. 1316. PLYMOUTH HARBOR, MASSACHUSETTS.**

19 *The Secretary shall expedite and complete the dredging*
 20 *of Plymouth Harbor, Massachusetts, as authorized by the*
 21 *Act of March 4, 1913 (37 Stat. 802, chapter 144) and the*
 22 *Act of September 22, 1922 (42 Stat. 1038, chapter 427).*

23 **SEC. 1317. PORTSMOUTH HARBOR AND PISCATAQUA RIVER.**

24 *The Secretary shall expedite the project for navigation*
 25 *for Portsmouth Harbor and the Piscataqua River author-*

1 ized by section 101 of the River and Harbor Act of 1962
 2 (76 Stat. 1173).

3 **SEC. 1318. MISSOURI RIVER AND TRIBUTARIES AT KANSAS**
 4 **CITIES, MISSOURI AND KANSAS.**

5 *The Secretary shall align the schedules of, and maxi-*
 6 *mize complimentary efforts, minimize duplicative practices,*
 7 *and ensure coordination and information sharing with re-*
 8 *spect to—*

9 (1) *the project for flood damage reduction, Ar-*
 10 *gentine, East Bottoms, Fairfax-Jersey Creek, and*
 11 *North Kansas Levees Units, Missouri River and trib-*
 12 *utaries at Kansas Cities, Missouri and Kansas, au-*
 13 *thorized by section 1001(28) of the Water Resources*
 14 *Development Act of 2007 (121 Stat. 1054); and*

15 (2) *the project for flood risk management,*
 16 *Armourdale and Central Industrial District Levee*
 17 *Units, Missouri River and Tributaries at Kansas*
 18 *Citys, Missouri and Kansas, authorized by section*
 19 *1401(2) of the Water Resources Development Act of*
 20 *2016 (130 Stat. 1710).*

21 **SEC. 1319. HAMPTON HARBOR, NEW HAMPSHIRE, NAVIGA-**
 22 **TION IMPROVEMENT PROJECT.**

23 *In carrying out the project for navigation, Hampton*
 24 *Harbor, New Hampshire, under section 107 of the River*
 25 *and Harbor Act of 1960 (33 U.S.C. 577), the Secretary shall*

1 *use all existing authorities of the Secretary to mitigate se-*
 2 *vere shoaling.*

3 **SEC. 1320. PASSAIC RIVER FEDERAL NAVIGATION CHANNEL,**
 4 **NEW JERSEY.**

5 (a) *DEFINITION OF PASSAIC RIVER NAVIGATION*
 6 *PROJECT.*—*In this section, the term “Passaic River naviga-*
 7 *tion project” means the project for the Passaic River Fed-*
 8 *eral navigation channel, New Jersey, described in the docu-*
 9 *ment of the New York District of the Corps of Engineers*
 10 *numbered 207075, entitled “Lower Passaic River Commer-*
 11 *cial Navigation Analysis”, and dated March 2007, as re-*
 12 *vised in December 2008 and July 2010.*

13 (b) *DEAUTHORIZATION.*—

14 (1) *IN GENERAL.*—*The portion of the Passaic*
 15 *River navigation project described in paragraph (2)*
 16 *is deauthorized.*

17 (2) *DESCRIPTION OF PORTION.*—*The portion of*
 18 *the Passaic River navigation project referred to in*
 19 *paragraph (1) is the portion from river mile 1.7 to*
 20 *river mile 15.4, as bounded by—*

21 (A) *the coordinates of—*

22 (i) *West Longitude 074 10.33047” W;*

23 (ii) *North Latitude 40 51.99988” N;*

24 (iii) *East Longitude 074 06.05923” W;*

25 *and*

1 (iv) *South Latitude 40 43.2217" N;*

2 *and*

3 (B) *the New Jersey State Plane (US Survey*
 4 *Feet, NAD-83), as follows: Upper Left x731*
 5 *592941.27 y731 739665.34; Upper Right x731*
 6 *602477.94 y731 740791.62; Lower Left x731*
 7 *582974.17 y731 692561.62; Lower Right x731*
 8 *598345.10 y731 691219.09.*

9 (c) *MODIFICATION.—*

10 (1) *IN GENERAL.—The depth of the portion of*
 11 *the Passaic River navigation project described in*
 12 *paragraph (2) is modified from 30 feet to 20 feet*
 13 *(using the Mean Lower Low Water datum).*

14 (2) *DESCRIPTION OF PORTION.—The portion of*
 15 *the Passaic River navigation project referred to in*
 16 *paragraph (1) is the portion from river mile 0.6 to*
 17 *river mile 1.7, as bounded by—*

18 (A) *the coordinates of—*

19 (i) *West Longitude 074 07.43471" W;*

20 (ii) *North Latitude 40 44.32682" N;*

21 (iii) *East Longitude 074 06.61586" W;*

22 *and*

23 (iv) *South Latitude 40 42.39342" N;*

24 *and*

1 *(B) the New Jersey State Plane (US Survey*
 2 *Feet, NAD–83), as follows: Upper Left x731*
 3 *597440.36 y731 691333.92; Upper Right x731*
 4 *598345.10 y731 691219.09; Lower Left x731*
 5 *596416.01 y731 685597.99; Lower Right x731*
 6 *597351.18 y731 685596.08.*

7 **SEC. 1321. FARGO-MOORHEAD METROPOLITAN AREA DIVER-**
 8 **SION PROJECT, NORTH DAKOTA.**

9 *(a) EXEMPTION.—Subject to subsections (b) and (c),*
 10 *notwithstanding section 404(b)(2)(B)(ii) of the Robert T.*
 11 *Stafford Disaster Relief and Emergency Assistance Act (42*
 12 *U.S.C. 5170c(b)(2)(B)(ii)), and any regulations promul-*
 13 *gated to carry out that section, beginning on the date of*
 14 *enactment of this Act, any property in the State of North*
 15 *Dakota that was acquired through hazard mitigation assist-*
 16 *ance provided under section 203 of that Act (42 U.S.C.*
 17 *5133), section 404 of that Act (42 U.S.C. 5170c), or section*
 18 *1366 of the National Flood Insurance Act of 1968 (42*
 19 *U.S.C. 4104c), that was subject to any open space deed re-*
 20 *striction is exempt from those restrictions to the extent nec-*
 21 *essary to complete the Fargo-Moorhead Metropolitan Area*
 22 *Diversion Project authorized by section 7002(2) of the*
 23 *Water Resources Reform and Development Act of 2014 (128*
 24 *Stat. 1366).*

1 (b) *CONDITIONS.*—As a condition of the exemption
2 under subsection (a)—

3 (1) *no new or additional structure unrelated to*
4 *the Project may be erected on the property unless the*
5 *new or additional structure is in compliance with*
6 *section 404(b)(2)(B)(ii) of the Robert T. Stafford Dis-*
7 *aster Relief and Emergency Assistance Act (42 U.S.C.*
8 *5170c(b)(2)(B)(ii)); and*

9 (2) *any subsequent use of the land on the prop-*
10 *erty that is unrelated to the Project shall comply with*
11 *that section.*

12 (c) *DISASTER ASSISTANCE PROHIBITED.*—After the
13 date of enactment of this Act, no disaster assistance from
14 any Federal source may be provided with respect to any
15 improvements made on the property referred to in sub-
16 section (a).

17 (d) *SAVINGS PROVISION.*—Nothing in this section af-
18 fects the responsibility of any entity to comply with all
19 other applicable laws (including regulations) with respect
20 to the properties described in subsection (a).

21 **SEC. 1322. CLATSOP COUNTY, OREGON.**

22 *The portions of the project for raising and improving*
23 *existing levees of Clatsop County Diking District No. 13,*
24 *in Clatsop County, Oregon, authorized by section 5 of the*
25 *Act of June 22, 1936 (49 Stat. 1590), that are referred to*

1 *as Christensen No. 1 Dike No. 42 and Christensen No. 2*
 2 *Levee No. 43 are no longer authorized beginning on the date*
 3 *of enactment of this Act.*

4 **SEC. 1323. SVENSEN ISLAND, OREGON.**

5 *The project for flood risk management, Svensen Island,*
 6 *Oregon, authorized by section 204 of the Flood Control Act*
 7 *of 1950 (64 Stat. 180), is no longer authorized beginning*
 8 *on the date of enactment of this Act.*

9 **SEC. 1324. WEST TENNESSEE TRIBUTARIES PROJECT, TEN-**
 10 **NESSEE.**

11 *The unconstructed portions of the West Tennessee trib-*
 12 *utaries project along the Obion and Forked Deer Rivers,*
 13 *Tennessee, authorized by section 203 of the Flood Control*
 14 *Act of 1948 (62 Stat. 1178), and modified by section 207*
 15 *of the Flood Control Act of 1966 (80 Stat. 1423), section*
 16 *3(a) of the Water Resources Development Act of 1974 (88*
 17 *Stat. 14), and section 183 of the Water Resources Develop-*
 18 *ment Act of 1976 (90 Stat. 2940), are no longer authorized*
 19 *beginning on the date of enactment of this Act.*

20 **SEC. 1325. PUGET SOUND NEARSHORE ECOSYSTEM RES-**
 21 **TORATION.**

22 *Section 544(f) of the Water Resources Development Act*
 23 *of 2000 (Public Law 106–541; 114 Stat. 2675) is amend-*
 24 *ed—*

1 (1) by striking “\$40,000,000” and inserting
2 “\$60,000,000”; and

3 (2) by striking “\$5,000,000” and inserting
4 “\$10,000,000”.

5 **SEC. 1326. MILWAUKEE HARBOR, MILWAUKEE, WISCONSIN.**

6 *The portion of the project for navigation, Milwaukee*
7 *Harbor, Milwaukee, Wisconsin, authorized by the first sec-*
8 *tion of the Act of March 3, 1843 (5 Stat. 619; chapter 85),*
9 *consisting of the navigation channel within the Menomonee*
10 *River that extends from the 16th Street Bridge upstream*
11 *to the upper limit of the authorized navigation channel and*
12 *described as follows is no longer authorized beginning on*
13 *the date of enactment of this Act:*

14 (1) *Beginning at a point in the channel just*
15 *downstream of the 16th Street Bridge, N383219.703,*
16 *E2521152.527.*

17 (2) *Thence running westerly along the channel*
18 *about 2,530.2 feet to a point, N383161.314,*
19 *E2518620.712.*

20 (3) *Thence running westerly by southwesterly*
21 *along the channel about 591.7 feet to a point at the*
22 *upstream limit of the existing project, N383080.126,*
23 *E2518036.371.*

1 (4) *Thence running northerly along the upstream*
 2 *limit of the existing project about 80.5 feet to a point,*
 3 *N383159.359, E2518025.363.*

4 (5) *Thence running easterly by northeasterly*
 5 *along the channel about 551.2 feet to a point,*
 6 *N383235.185, E2518571.108.*

7 (6) *Thence running easterly along the channel*
 8 *about 2,578.9 feet to a point, N383294.677,*
 9 *E2521150.798.*

10 (7) *Thence running southerly across the channel*
 11 *about 74.3 feet to the point of origin.*

12 **SEC. 1327. PROJECT COMPLETION FOR DISASTER AREAS.**

13 *The Secretary shall expeditiously carry out any project*
 14 *for flood risk management or hurricane and storm damage*
 15 *risk reduction authorized as of the date of enactment of this*
 16 *Act to be carried out by the Secretary in Texas, Florida,*
 17 *Georgia, Louisiana, South Carolina, the Commonwealth of*
 18 *Puerto Rico, or the United States Virgin Islands.*

19 **SEC. 1328. FEDERAL ASSISTANCE.**

20 (a) *IN GENERAL.*—*In accordance with the require-*
 21 *ments of subsection (b), the Secretary is authorized to pro-*
 22 *vide assistance for the operation and maintenance of a flood*
 23 *risk reduction project in the Red River Basin of the North*
 24 *that was constructed, prior to the date of enactment of this*

1 *Act, under section 5(a) of the Act of August 18, 1941 (33*
 2 *U.S.C. 701n(a)).*

3 (b) *CONDITION.—The Secretary may provide the as-*
 4 *sistance authorized by subsection (a) for a project that, as*
 5 *determined by the Secretary, becomes permanent due to the*
 6 *extended presence of assistance from the Secretary under*
 7 *section 5(a) of the Act of August 18, 1941 (33 U.S.C.*
 8 *701n(a)).*

9 (c) *TERMINATION.—The authority to provide assist-*
 10 *ance under this section terminates on the date that is 4*
 11 *years after the date of enactment of this section.*

12 **SEC. 1329. EXPEDITED INITIATION.**

13 *Section 1322(b)(2) of the Water Resources Develop-*
 14 *ment Act of 2016 (130 Stat. 1707) is amended, in the mat-*
 15 *ter preceding subparagraph (A), by inserting “or, in a case*
 16 *in which a general reevaluation report for the project is*
 17 *required, if such report has been submitted for approval,”*
 18 *after “completed report,”.*

19 **SEC. 1330. PROJECT DEAUTHORIZATION AND STUDY EX-**
 20 **TENSIONS.**

21 (a) *PROJECT DEAUTHORIZATIONS.—Section 6003(a)*
 22 *of the Water Resources Reform and Development Act of*
 23 *2014 (33 U.S.C. 579c(a)) is amended—*

24 (1) *by striking “7-year period” each place it ap-*
 25 *pears and inserting “10-year period”; and*

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

2 “(3) *CALCULATION.—In calculating the time pe-*
 3 *riod under paragraph (1), the Secretary shall not in-*
 4 *clude any period of time during which the project is*
 5 *being reviewed and awaiting determination by the*
 6 *Secretary to implement a locally preferred plan for*
 7 *that project under section 1036(a).*

8 “(4) *EXCEPTION.—The Secretary shall not de-*
 9 *authorize any project during the period described in*
 10 *paragraph (3).”.*

11 (b) *STUDY EXTENSIONS.—Section 1001(d)(4) of the*
 12 *Water Resources Reform and Development Act of 2014 (33*
 13 *U.S.C. 2282c(d)(4)) is amended by striking “7 years” and*
 14 *inserting “10 years”.*

15 **SEC. 1331. CONVEYANCES.**

16 (a) *CHEATHAM COUNTY, TENNESSEE.—*

17 (1) *CONVEYANCE AUTHORIZED.—The Secretary*
 18 *may convey to Cheatham County, Tennessee (in this*
 19 *subsection referred to as the “Grantee”), all right,*
 20 *title, and interest of the United States in and to the*
 21 *real property in Cheatham County, Tennessee, con-*
 22 *sisting of approximately 9.19 acres, identified as por-*
 23 *tions of tracts E-514-1, E-514-2, E-518-1, E-518-*
 24 *2, E-519-1, E-537-1, and E-538, all being part of*

1 *the Cheatham Lock and Dam project at CRM 158.5,*
 2 *including any improvements thereon.*

3 (2) *DEED.*—*The Secretary shall convey the prop-*
 4 *erty under this subsection by quitclaim deed under*
 5 *such terms and conditions as the Secretary deter-*
 6 *mines appropriate to protect the interests of the*
 7 *United States, to include retaining the right to inun-*
 8 *date with water any land transferred under this sub-*
 9 *section.*

10 (3) *CONSIDERATION.*—*The Grantee shall pay to*
 11 *the Secretary an amount that is not less than the fair*
 12 *market value of the land conveyed under this sub-*
 13 *section, as determined by the Secretary.*

14 (4) *SUBJECT TO EXISTING EASEMENTS AND*
 15 *OTHER INTERESTS.*—*The conveyance of property*
 16 *under this section shall be subject to all existing ease-*
 17 *ments, rights-of-way, and leases that are in effect as*
 18 *of the date of the conveyance.*

19 (b) *NASHVILLE, TENNESSEE.*—

20 (1) *CONVEYANCE AUTHORIZED.*—*The Secretary*
 21 *may convey, without consideration, to the City of*
 22 *Nashville, Tennessee (in this subsection referred to as*
 23 *the “City”), all right, title, and interest of the United*
 24 *States in and to the real property covered by Lease*
 25 *No. DACW62–1–84–149, including any improvements*

1 *thereon, at the Riverfront Park Recreational Develop-*
 2 *ment, consisting of approximately 5 acres, subject to*
 3 *the right of the Secretary to retain any required ease-*
 4 *ments in the property.*

5 (2) *CONVEYANCE AGREEMENT.—The Secretary*
 6 *shall convey by quitclaim the real property described*
 7 *in paragraph (1) under the terms and conditions mu-*
 8 *tually satisfactory to the Secretary and the City. The*
 9 *deed shall provide that in the event that the City, its*
 10 *successors, or assigns cease to maintain improvements*
 11 *for recreation included in the conveyance or otherwise*
 12 *utilize the real property conveyed for purposes other*
 13 *than recreation and compatible flood risk manage-*
 14 *ment, the City, its successor, or assigns shall repay to*
 15 *the United States the Federal share of the cost of con-*
 16 *structing the improvements for recreation under the*
 17 *agreement between the United States and the City*
 18 *dated December 8, 1981, increased as necessary to ac-*
 19 *count for inflation.*

20 (c) *LOCKS AND DAMS 1 THROUGH 4, KENTUCKY*
 21 *RIVER, KENTUCKY.—*

22 (1) *IN GENERAL.—Beginning on the date of en-*
 23 *actment of this Act, commercial navigation at Locks*
 24 *and Dams 1 through 4, Kentucky River, Kentucky,*
 25 *shall no longer be authorized, and the land and im-*

1 *provements associated with the locks and dams shall*
 2 *be disposed of consistent with this subsection and in*
 3 *accordance with the report of the Director of Civil*
 4 *Works entitled “Kentucky River Locks and Dams 1,*
 5 *2, 3, and 4, Disposition Study and Integrated Envi-*
 6 *ronmental Assessment” and dated April 20, 2018.*

7 (2) *DISPOSITION.—The Secretary shall convey to*
 8 *the State of Kentucky (referred to in this section as*
 9 *the “State”), for the use and benefit of the Kentucky*
 10 *River Authority, all right, title, and interest of the*
 11 *United States, together with any improvements on the*
 12 *land, including improvements located in the Ken-*
 13 *tucky River, in and to—*

14 (A) *Lock and Dam 1, located in Carroll*
 15 *County, Kentucky;*

16 (B) *Lock and Dam 2, located in Owen and*
 17 *Henry counties, Kentucky;*

18 (C) *Lock and Dam 3, located in Owen and*
 19 *Henry counties, Kentucky; and*

20 (D) *Lock and Dam 4, located in Franklin*
 21 *County, Kentucky.*

22 (3) *CONDITIONS.—*

23 (A) *QUITCLAIM DEED.—The Secretary shall*
 24 *convey the property described in paragraph (2)*
 25 *by quitclaim deed to such State under such terms*

1 *and conditions as the Secretary determines ap-*
 2 *propriate to protect the interests of the United*
 3 *States.*

4 *(B) ADMINISTRATIVE COSTS.—The Sec-*
 5 *retary shall be responsible for all administrative*
 6 *costs associated with a conveyance under this*
 7 *subsection, including the costs of any surveys the*
 8 *Secretary determines to be necessary.*

9 *(C) IMPROVEMENTS PROHIBITED.—*

10 *(i) IN GENERAL.—The Secretary may*
 11 *not improve the locks and dams and land*
 12 *and improvements associated with the locks*
 13 *and dams described in this subsection on or*
 14 *after the date of enactment of this Act.*

15 *(ii) SAVINGS CLAUSE.—Nothing in*
 16 *subparagraph (A) prohibits the State from*
 17 *improving the locks and dams and the land*
 18 *and improvements associated with the locks*
 19 *and dams described in this subsection on or*
 20 *after the date of conveyance under this sub-*
 21 *section.*

22 *(4) SAVINGS CLAUSE.—If the State does not ac-*
 23 *cept the conveyance under this subsection of the land*
 24 *and improvements associated with the locks and dams*
 25 *described in this subsection, the Secretary may dis-*

pose of the land and improvements under subchapter
III of chapter 5 of title 40, United States Code.

(d) *BAINBRIDGE, GEORGIA.*—

(1) *IN GENERAL.*—On the date of enactment of
this Act, the Secretary of the Army shall convey to the
City of Bainbridge, Georgia, without consideration
and subject to subsection (b), all right, title, and in-
terest in and to real property described in subsection
(c).

(2) *TERMS AND CONDITIONS.*—

(A) *IN GENERAL.*—The conveyance by the
United States under this subsection shall be sub-
ject to—

(i) the condition that the City of Bain-
bridge agrees to operate, maintain, and
manage the property for fish and wildlife,
recreation, and environmental purposes at
no cost or expense to the United States; and

(ii) such other terms and conditions as
the Secretary determines to be in the inter-
est of the United States.

(B) *REVERSION.*—If the Secretary deter-
mines that the real property conveyed under
paragraph (1) ceases to be held in public owner-
ship or the city ceases to operate, maintain, and

1 *manage the real property in accordance with*
 2 *this subsection, all right, title, and interest in*
 3 *and to the property shall revert to the United*
 4 *States, at the option of the Secretary.*

5 (3) *PROPERTY.*—*The property to be conveyed is*
 6 *composed of the following three parcels of land:*

7 (A) *PARCEL 1.*—*All that tract or parcel of*
 8 *land lying and being in Land Lots 226. and*
 9 *228, Fifteenth Land District, and Land Lots*
 10 *319, 320, 321, 322, 323 and 358, Twentieth*
 11 *Land District, Decatur County, Georgia, more*
 12 *particularly described as follows:*

13 *Beginning at a concrete monument stamped*
 14 *“358” which is 950 feet, more or less, North of*
 15 *the South line and 600 feet, more or less, West*
 16 *of the East line of said Land Lot 358, at a cor-*
 17 *ner of a tract of land owned by the United States*
 18 *of America at Lake Seminole and at plane co-*
 19 *ordinate position North 318,698.72 feet and East*
 20 *360,033.38 feet based on Transverse Mercator*
 21 *Projection, Georgia West Zone;*

22 *Thence Due West 75 feet, more or less, to the*
 23 *contour at elevation 77.0 feet above Mean Sea*
 24 *Level;*

1 *Thence Northeasterly along the meanders of*
2 *said 77.0 foot contour a distance of 20,600 feet,*
3 *more or less, to the mouth of the entrance chan-*
4 *nel to the arena and boat basin;*

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

7 *Thence Northeasterly along the meanders of*
8 *said 77.0 foot contour a distance of 3,300 feet,*
9 *more or less, to a point which is on the boundary*
10 *of said United States tract and on the boundary*
11 *of a tract of land now or formerly owned by the*
12 *City of Bainbridge, Georgia;*

13 *Thence along the boundary of said United*
14 *States tract the following courses:*

15 *S 10° 52' E along the boundary of said*
16 *City of Bainbridge tract 830 feet, more or*
17 *less, to a corner of said tract;*

18 *S 89° 45' E along the boundary of said*
19 *City of Bainbridge tract 700 feet, more or*
20 *less, to a concrete monument stamped*
21 *“J1A”, coordinates of said monument being*
22 *North 328,902.34 feet and East 369,302.33*
23 *feet;*

1 *S 22° 25' W 62 feet, more or less, to*
2 *a corner of another tract of land owned by*
3 *the City of Bainbridge, Georgia;*

4 *S 88° 07' W along the boundary of*
5 *said City of Bainbridge tract 350 feet, more*
6 *or less to a corner of said tract;*

7 *N 84° 00' W along the boundary of*
8 *said City of Bainbridge tract 100.5 feet to*
9 *a corner said tract;*

10 *S 88° 07' W along the boundary of*
11 *said City of Bainbridge tract 300.0 feet to*
12 *a corner of said tract;*

13 *S 14° 16' W along boundary of said*
14 *City of Bainbridge tract 89.3 feet to a cor-*
15 *ner of said tract;*

16 *Southwesterly along the boundary of*
17 *said City of Bainbridge tract which is along*
18 *a curve to the right with a radius of 684.69*
19 *feet an arc distance of 361.8 feet to a corner*
20 *of said tract;*

21 *S 30° 00' W along the boundary of*
22 *said City of Bainbridge tract 294.0 feet to*
23 *a corner of said tract;*

1 *S 10° 27' W along the boundary of*
 2 *said City of Bainbridge tract 385.0 feet to*
 3 *a corner of said tract;*

4 *N 73° 31' W 38 feet, more or less, to*
 5 *a concrete monument;*

6 *S 16° 25' W 563.7 feet to a concrete*
 7 *monument stamped "J7A";*

8 *S 68° 28' W 719.5 feet to a concrete*
 9 *monument stamped "J9A";*

10 *S 68° 28' W 831.3 feet to a concrete*
 11 *monument stamped "J12A";*

12 *S 89° 39' E 746.7 feet to a concrete*
 13 *monument stamped "J11A";*

14 *S 01° 22' W 80.0 feet to a concrete*
 15 *monument stamped "J11B";*

16 *N 89° 39' W 980.9 feet to a concrete*
 17 *monument stamped "J13A";*

18 *S 01° 21' W 560.0 feet to a concrete*
 19 *monument stamped "J15A";*

20 *S 37° 14' W 1,213.0 feet;*

21 *N 52° 46' W 600.0 feet;*

22 *S 37° 14' W 1,000.0 feet;*

23 *S 52° 46' E 600.0 feet;*

24 *S 37° 14' W 117.0 feet to a concrete*
 25 *monument stamped "320/319";*

1 *S 37° 13' W 1,403.8 feet to a concrete*
 2 *monument stamped "322/319";*

3 *S 37° 13' W 2,771.4 feet to a concrete*
 4 *monument stamped "322/323";*

5 *S 37° 13' W 1,459.2 feet;*

6 *N 89° 04' W 578.9 feet;*

7 *S 53° 42' W 367.7 feet;*

8 *S 43° 42' W 315.3 feet;*

9 *S 26° 13' W 654.9 feet, more or less,*
 10 *to the point of beginning.*

11 *Containing 550.00 acres, more or less, and*
 12 *being a part of Tracts L-1105 and L-1106 of*
 13 *Lake Seminole.*

14 *(B) PARCEL 2.—All that tract or parcel of*
 15 *land lying and lying and being in Land Lot*
 16 *226, Fifteenth Land District, Decatur County,*
 17 *Georgia, more particularly described as follows:*

18 *Beginning at a point which is on the East*
 19 *right-of-way line of the Seaboard Airline Rail-*
 20 *road, 215 feet North of the South end of the tres-*
 21 *tle over the Flint River, and at a corner of a*
 22 *tract of land owned by the United States of*
 23 *America at Lake Seminole;*

24 *Thence Southeasterly along the boundary of*
 25 *said United States tract which is along a curve*

1 *to the right a distance of 485 feet, more or less,*
2 *to a point which is 340 feet, more or less, S 67°*
3 *00' E from the South end of said trestle, and at*
4 *a corner of said United States tract;*

5 *Thence N 70° 00' E along the boundary of*
6 *said United States tract 60.0 feet to a corner of*
7 *said tract;*

8 *Thence Northerly along the boundary of*
9 *said United States tract which is along a curve*
10 *to the right a distance of 525 feet, more or less,*
11 *to a corner of said tract;*

12 *Thence S 05° 00' W along the boundary of*
13 *said United States tract 500.0 feet to a corner of*
14 *said tract;*

15 *Thence Due West along the boundary of*
16 *said United States tract 370 feet, more or less,*
17 *to a point which is on the East right-of-way line*
18 *of said railroad and at a corner of said United*
19 *States tract;*

20 *Thence N 13° 30' W along the boundary of*
21 *said United States tract which is along the East*
22 *right-of-way line of said railroad a distance of*
23 *310 feet, more or less, to the point of beginning.*

24 *Containing 3.67 acres, more or less, and*
25 *being all of Tract L-1124 of Lake Seminole.*

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

3 *(C) PARCEL 3.—All that tract or panel of*
4 *land lying and being in Land Lot 225, Fifteenth*
5 *Land District, Decatur County, Georgia, more*
6 *particularly described as follows:*

7 *Beginning at an iron marker designated*
8 *“225/226/”, which is on the South line and 500*
9 *feet, more or less, West of the Southeast corner of*
10 *said Land Lot 225 at a corner of a tract of land*
11 *owned by the United States of America at Lake*
12 *Seminole and at plane coordinate position North*
13 *330,475.82 feet and East 370,429.36 feet, based*
14 *on Transverse Mercator Projection, Georgia West*
15 *Zone;*

16 *Thence Due West along the boundary of*
17 *said United States tract a distance of 53.0 feet*
18 *to a monument stamped “225/226-A”;*

19 *Thence continue Due West along the bound-*
20 *ary of said United States tract a distance of 56*
21 *feet, more or less, to a point on the East bank*
22 *of the Flint River;*

23 *Thence Northerly, upstream, along the me-*
24 *anders of the East bank of said river a distance*
25 *of 1,200 feet, more or less, to a point which is*

1 *on the Southern right-of-way line of U.S. High-*
 2 *way No. 84 and at a corner of said United*
 3 *States tract;*

4 *Thence Easterly and Southeasterly along*
 5 *the Southern right-of-way line of said highway,*
 6 *which is along the boundary of said United*
 7 *States tract a distance of 285 feet, more or less,*
 8 *to a monument stamped “L-23-1”, the coordi-*
 9 *nates of said monument being North 331,410.90*
 10 *and East 370,574.96;*

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

14 *Thence S 42° 13′ E along the boundary of*
 15 *said United States tract a distance of 99.8 feet*
 16 *to a monument stamped “225”;*

17 *Thence S 48° 37′ W along the boundary of*
 18 *said United States tract a distance of 319.9 feet,*
 19 *more or less, to the point of beginning.*

20 *Containing 4.14 acres, more or less, and*
 21 *being all of Tract L-1123 of the Lake Seminole*
 22 *Project.*

23 *(e) PORT OF WHITMAN COUNTY, WASHINGTON.—*

24 *(1) DEFINITIONS.—In this subsection:*

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

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

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

23 (3) *DEEDS.*—

24 (A) *DEED TO NON-FEDERAL LAND.*—*The*
 25 *Secretary may only accept conveyance of the*

1 *non-Federal land by warranty deed, as deter-*
 2 *mined acceptable by the Secretary.*

3 *(B) DEED TO FEDERAL LAND.—The Sec-*
 4 *retary shall convey the Federal land to the Port*
 5 *of Whitman County by quitclaim deed and sub-*
 6 *ject to any reservations, terms, and conditions*
 7 *the Secretary determines necessary to allow the*
 8 *United States to operate and maintain the*
 9 *Lower Snake River Project and to protect the in-*
 10 *terests of the United States.*

11 *(4) CASH PAYMENT.—If the appraised fair mar-*
 12 *ket value of the Federal land, as determined by the*
 13 *Secretary, exceeds the appraised fair market value of*
 14 *the non-Federal land, as determined by the Secretary,*
 15 *the Port of Whitman County shall make a cash pay-*
 16 *ment to the United States reflecting the difference in*
 17 *the appraised fair market values.*

18 *(5) ADMINISTRATIVE EXPENSES.—The Port of*
 19 *Whitman County shall be responsible for the adminis-*
 20 *trative costs of the transaction in accordance with sec-*
 21 *tion 2695 of title 10, United States Code.*

22 *(f) FORT DUPONT, DELAWARE.—*

23 *(1) IN GENERAL.—Subject to paragraph (2), not*
 24 *later than 180 days after the date of enactment of this*
 25 *Act, the Secretary shall transfer—*

1 (A) *all right, title, and interest in and to a*
 2 *parcel of land known as that part of the Original*
 3 *Acquisition (OADE) Tract that includes the*
 4 *bed and banks of the Delaware Branch Channel*
 5 *on the north side of the Fifth Street Bridge,*
 6 *Delaware City, Delaware, containing approxi-*
 7 *mately 31.6 acres of land, to the Fort DuPont*
 8 *Redevelopment and Preservation Corporation*
 9 *(herein referred to as “the Grantee”); and*

10 (B) *all right, title, and interest in and to*
 11 *the Fifth Street Bridge, together with the land*
 12 *known as that part of the Original Acquisition*
 13 *(OADE) Tract that includes the banks and bed*
 14 *of the Delaware Branch Channel, Delaware City,*
 15 *Delaware, containing approximately 0.27 acres*
 16 *of land, to the State of Delaware.*

17 (2) *CONDITIONS.—*

18 (A) *STATE APPROVAL.—Before making a*
 19 *transfer under paragraph (1), the Secretary shall*
 20 *ensure that the Governor of Delaware agrees to*
 21 *the transfer.*

22 (B) *TOLL-FREE BRIDGE.—Before making a*
 23 *transfer under subparagraph (1)(B), the Gov-*
 24 *ernor of Delaware shall agree to ensure that no*
 25 *toll is imposed for use of the bridge referred to*

1 *in that subsection, in accordance with section*
 2 *109 of the River and Harbor Act of 1950 (33*
 3 *U.S.C. 534).*

4 (C) *SURVEY.*—*The exact acreage and legal*
 5 *description of the land to be transferred under*
 6 *paragraph (1) shall be determined by a survey*
 7 *satisfactory to the Secretary and the Governor of*
 8 *Delaware.*

9 (D) *COSTS.*—*Any administrative costs for*
 10 *the transfer under paragraph (1) shall be paid*
 11 *by Fort DuPont Redevelopment and Preservation*
 12 *Corporation, the State of Delaware, or a com-*
 13 *bination of those entities.*

14 (3) *CONSIDERATION.*—*The Grantee shall pay to*
 15 *the Secretary an amount that is not less than the fair*
 16 *market value of the land conveyed to the Grantee*
 17 *under this subsection, as determined by the Secretary.*

18 (g) *TUSCALOOSA, ALABAMA.*—*As soon as practicable*
 19 *after the date of enactment of this Act, the Secretary of the*
 20 *Army shall convey by quitclaim deed to the City of Tusca-*
 21 *loosa, Alabama, at fair market value, the lands owned by*
 22 *the United States adjacent to the Black Warrior River on*
 23 *the south side below the U.S. Highway 43 bridge, including*
 24 *the south wall of the Old Oliver Lock, and extending to the*
 25 *Corps' current recreation area, that the Secretary deter-*

1 *mines are no longer required for operation and mainte-*
 2 *nance of the Oliver Lock and Dam.*

3 *(h) GENERALLY APPLICABLE PROVISIONS.—*

4 *(1) SURVEY TO OBTAIN LEGAL DESCRIPTION.—*

5 *The exact acreage and the legal description of any*
 6 *real property to be conveyed under this section shall*
 7 *be determined by a survey that is satisfactory to the*
 8 *Secretary.*

9 *(2) APPLICABILITY OF PROPERTY SCREENING*
 10 *PROVISIONS.—Section 2696 of title 10, United States*
 11 *Code, shall not apply to any conveyance under this*
 12 *section.*

13 *(3) ADDITIONAL TERMS AND CONDITIONS.—The*
 14 *Secretary may require that any conveyance under*
 15 *this section be subject to such additional terms and*
 16 *conditions as the Secretary considers necessary and*
 17 *appropriate to protect the interests of the United*
 18 *States.*

19 *(4) COSTS OF CONVEYANCE.—An entity to which*
 20 *a conveyance is made under this section shall be re-*
 21 *sponsible for all reasonable and necessary costs, in-*
 22 *cluding real estate transaction and environmental*
 23 *documentation costs, associated with the conveyance.*

24 *(5) LIABILITY.—An entity to which a conveyance*
 25 *is made under this section shall hold the United*

1 *States harmless from any liability with respect to ac-*
 2 *tivities carried out, on or after the date of the convey-*
 3 *ance, on real property conveyed. The United States*
 4 *shall remain responsible for any liability with respect*
 5 *to activities carried out, before such date, on the real*
 6 *property conveyed.*

7 **SEC. 1332. REPORT ON FUTURE WATER RESOURCES DEVEL-**
 8 **OPMENT.**

9 *(a) PROGRAMMATIC MODIFICATION.—Section 7001 of*
 10 *the Water Resources Reform and Development Act of 2014*
 11 *(33 U.S.C. 2282d(a)) is amended—*

12 *(1) in subsection (a) by adding at the end the*
 13 *following:*

14 *“(4) PROGRAMMATIC MODIFICATIONS.—Any pro-*
 15 *grammatic modification for an environmental infra-*
 16 *structure assistance program.”;*

17 *(2) in subsection (b)(1) by striking “studies and*
 18 *proposed modifications to authorized water resources*
 19 *development projects and feasibility studies” and in-*
 20 *serting “studies, proposed modifications to authorized*
 21 *water resources development projects and feasibility*
 22 *studies, and proposed modifications for an environ-*
 23 *mental infrastructure program”;*

24 *(3) by redesignating subsections (d), (e), and (f)*
 25 *as subsections (e), (f), and (g), respectively;*

1 (4) by inserting after subsection (c) the fol-
 2 lowing:

3 “(d) *PROGRAMMATIC MODIFICATIONS IN ANNUAL RE-*
 4 *PORT.—The Secretary shall include in the annual report*
 5 *only proposed modifications for an environmental infra-*
 6 *structure assistance program that have not been included*
 7 *in any previous annual report. For each proposed modifica-*
 8 *tion, the Secretary shall include a letter or statement of sup-*
 9 *port for the proposed modification from each associated*
 10 *non-Federal interest, description of assistance provided,*
 11 *and total Federal cost of assistance provided.”; and*

12 (5) by striking subsection (c)(4) and inserting
 13 the following:

14 “(4) *APPENDIX.—*

15 “(A) *IN GENERAL.—The Secretary shall in-*
 16 *clude in the annual report an appendix listing*
 17 *the proposals submitted under subsection (b) that*
 18 *were not included in the annual report under*
 19 *paragraph (1)(A) and a description of why the*
 20 *Secretary determined that those proposals did*
 21 *not meet the criteria for inclusion under such*
 22 *paragraph.*

23 “(B) *LIMITATION.—In carrying out the ac-*
 24 *tivities described in this section—*

1 “(i) the Secretary shall not include
 2 proposals in the appendix of the annual re-
 3 port that otherwise meet the criteria for in-
 4 clusion in the annual report solely on the
 5 basis of the Secretary’s determination that
 6 the proposal requires legislative changes to
 7 an authorized water resources development
 8 project, feasibility study, or environmental
 9 infrastructure program; and

10 “(ii) the Secretary shall not include
 11 proposals in the appendix of the annual re-
 12 port that otherwise meet the criteria for in-
 13 clusion in the annual report solely on the
 14 basis of a policy of the Secretary.”.

15 (b) SAVINGS CLAUSE.—Notwithstanding the third sen-
 16 tence of section 1001(b)(2) of the Water Resources Develop-
 17 ment Act of 1986 (33 U.S.C. 579a(b)(2)), projects and sepa-
 18 rable elements of projects identified in the fiscal year 2017
 19 report prepared in accordance with such section and sub-
 20 mitted to Congress on December 15, 2016, shall not be de-
 21 authorized unless such projects and separable elements meet
 22 the requirements of section 1301(b)(1)(A) of the Water Re-
 23 sources Development Act of 2016 (130 Stat. 1687).

***Subtitle D—Water Resources
Infrastructure***

SEC. 1401. PROJECT AUTHORIZATIONS.

The following projects for water resources development and conservation and other purposes, as identified in the reports titled “Report to Congress on Future Water Resources Development” submitted to Congress on March 17, 2017, and February 5, 2018, respectively, pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed by Congress are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports or decision documents designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. AR	<i>Three Rivers Southeast Ar- kansas</i>	<i>September 6, 2018</i>	<i>Total: \$184,395,000 (to be de- rived $\frac{1}{2}$ from the general fund of the Treasury and $\frac{1}{2}$ from the Inland Water- ways Trust Fund)</i>
2. PR	<i>San Juan Harbor</i>	<i>August 23, 2018</i>	<i>Federal: \$41,345,840 Non-Federal: \$13,781,267 Total: \$55,127,107</i>

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
3. TX	Galveston Harbor Channel Extension Project, Houston-Galveston Navigation Channels	Aug. 8, 2017	Federal: \$10,444,000 Non-Federal: \$3,481,000 Total: \$13,925,000
4. WA	Seattle Harbor Navigation Improvement Project	June 7, 2018	Federal: \$29,362,000 Non-Federal: \$31,880,000 Total: \$61,242,000

1 (2) *FLOOD RISK MANAGEMENT.*—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. CA	Lower San Joaquin River	July 31, 2018	Federal: \$712,169,000 Non-Federal: \$383,475,000 Total: \$1,095,644,000
2. HI	Ala Wai Canal	Dec. 21, 2017	Federal: \$212,754,000 Non-Federal: \$114,560,000 Total: \$327,313,000
3. NY	Mamaroneck-Sheldrake Rivers	Dec. 14, 2017	Federal: \$53,500,000 Non-Federal: \$28,750,000 Total: \$82,250,000

2 (3) *HURRICANE AND STORM DAMAGE RISK RE-*
3 *DUCTION.*—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
1. FL	St. Johns County	Aug. 8, 2017	Initial Federal: \$5,873,283 Initial Non-Federal: \$19,661,924 Initial Total: \$25,535,207 Renourishment Federal: \$9,751,788 Renourishment Non-Federal: \$45,344,169 Renourishment Total: \$55,095,957
2. FL	St. Lucie County	Dec. 15, 2017	Initial Federal: \$7,239,497 Initial Non-Federal: \$13,443,614 Initial Total: \$20,683,110 Renourishment Federal: \$9,093,999 Renourishment Non-Federal: \$24,588,991 Renourishment Total: \$33,682,990
3. TX	Sabine Pass to Galveston Bay	Dec. 7, 2017	Federal: \$2,200,357,000 Non-Federal: \$1,184,807,000 Total: \$3,385,164,000

1 (4) FLOOD RISK MANAGEMENT AND ECOSYSTEM
2 RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. NM	Española Valley, Rio Grande	May 11, 2018	Federal: \$55,602,266 Non-Federal: \$7,637,764 Total: \$63,240,030

3 (5) ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Resacas, in the vicinity of the City of Brownsville	September 6, 2018	Federal: \$141,489,000 Non-Federal: \$65,675,000 Total: \$207,164,000

1 (6) *MODIFICATIONS AND OTHER PROJECTS.*—

A. State	B. Name	C. Date of Decision Document	D. Estimated Costs
1. GA	Savannah Harbor Expansion Project	Dec. 5, 2016	Federal: \$731,700,000 Non-Federal: \$287,200,000 Total: \$1,018,900,000
2. MI	Soo Locks, Sault Ste. Marie	June 29, 2018	Federal: \$922,432,000 Non-Federal: \$0 Total: \$922,432,000
3. TN	Chickamauga Lock Replacement	July 19, 2018	Total: \$757,666,000 (to be derived $\frac{1}{2}$ from the general fund of the Treasury and $\frac{1}{2}$ from the Inland Waterways Trust Fund)

2 **SEC. 1402. SPECIAL RULES.**

3 (a) *ST. PAUL HARBOR, ALASKA.*—Notwithstanding
4 section 2008(c) of the Water Resources Development Act of
5 2007 (Public Law 110–114; 121 Stat. 1074), the project for
6 navigation, St. Paul Harbor, authorized by section
7 101(b)(3) of the Water Resources Development Act of 1996
8 (110 Stat. 3667), shall be cost-shared substantially in ac-
9 cordance with the costs established by section 105 of the En-
10 ergy and Water Development Appropriations Act, 2003
11 (117 Stat. 139).

1 (b) *ESPAÑOLA VALLEY, NEW MEXICO.*—*The Secretary*
 2 *shall carry out the project for flood risk management and*
 3 *ecosystem restoration, Española Valley, Rio Grande and*
 4 *Tributaries, New Mexico, authorized by section 1401(4) of*
 5 *this Act substantially in accordance with terms and condi-*
 6 *tions described in the Report of the Chief of Engineers,*
 7 *dated May 11, 2018, including, notwithstanding section*
 8 *2008(c) of the Water Resources Development Act of 2007*
 9 *(Public Law 110–114; 121 Stat. 1074), the recommended*
 10 *cost share.*

11 **SEC. 1403. NORFOLK HARBOR AND CHANNELS, VIRGINIA.**

12 (a) *IN GENERAL.*—*The Secretary is authorized to fur-*
 13 *ther improve the project for navigation, Norfolk Harbor and*
 14 *Channels, Virginia, authorized by section 201 of the Water*
 15 *Resources Development Act of 1986 (100 Stat. 4090), sub-*
 16 *stantially in accordance with the plans, and subject to the*
 17 *conditions, described in the Report of the Chief of Engineers*
 18 *dated June 29, 2018.*

19 (b) *THIMBLE SHOAL CHANNEL WIDENING.*—*The Sec-*
 20 *retary may carry out additional modifications to the*
 21 *project described in subsection (a) that are identified in the*
 22 *report titled “Report to Congress on Future Water Re-*
 23 *sources Development” submitted to Congress on February*
 24 *5, 2018, pursuant to section 7001 of the Water Resources*
 25 *Reform and Development Act of 2014 (33 U.S.C. 2282d).*

1 (c) *MAXIMUM AUTHORIZED COST.*—Notwithstanding
 2 section 902(a)(2)(B) of the Water Resources Development
 3 Act of 1986 (33 U.S.C. 2280(a)(2)(B)), the maximum au-
 4 thorized cost for the project described in subsection (a) shall
 5 not be modified for the improvements and modifications au-
 6 thorized by subsections (a) and (b).

7 ***TITLE II—DRINKING WATER***
 8 ***SYSTEM IMPROVEMENT***

9 ***SEC. 2001. INDIAN RESERVATION DRINKING WATER PRO-***
 10 ***GRAM.***

11 (a) *IN GENERAL.*—Subject to the availability of appro-
 12 priations, the Administrator of the Environmental Protec-
 13 tion Agency shall carry out a program to implement—

14 (1) 10 eligible projects described in subsection (b)
 15 that are within the Upper Missouri River Basin; and
 16 (2) 10 eligible projects described in subsection (b)
 17 that are within the Upper Rio Grande Basin.

18 (b) *ELIGIBLE PROJECTS.*—A project eligible to par-
 19 ticipate in the program under subsection (a) is a project—

20 (1) that is on a reservation (as defined in section
 21 3 of the Indian Financing Act of 1974 (25 U.S.C.
 22 1452)) that serves a federally recognized Indian
 23 Tribe; and

24 (2) the purpose of which is to connect, expand,
 25 or repair an existing public water system, as defined

1 *in section 1401(4) of the Safe Drinking Water Act (42*
 2 *U.S.C. 300f(4)), in order to improve water quality,*
 3 *water pressure, or water services.*

4 (c) *REQUIREMENT.*—*In carrying out the program*
 5 *under subsection (a)(1), the Administrator of the Environ-*
 6 *mental Protection Agency shall select not less than one eligi-*
 7 *ble project for a reservation that serves more than one feder-*
 8 *ally recognized Indian Tribe.*

9 (d) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
 10 *authorized to be appropriated to carry out the program*
 11 *under subsection (a) \$20,000,000 for each of fiscal years*
 12 *2019 through 2022.*

13 **SEC. 2002. CLEAN, SAFE, RELIABLE WATER INFRASTRUC-**
 14 **TURE.**

15 *Section 1452(k) of the Safe Drinking Water Act (42*
 16 *U.S.C. 300j–12(k)) is amended—*

17 (1) *in paragraph (1)(D), by inserting “and for*
 18 *the implementation of efforts (other than actions au-*
 19 *thorized under subparagraph (A)) to protect source*
 20 *water in areas delineated pursuant to section 1453”*
 21 *before the period at the end; and*

22 (2) *in paragraph (2)(E), by inserting “, and to*
 23 *implement efforts to protect source water,” after*
 24 *“wellhead protection programs”.*

1 **SEC. 2003. STUDY ON INTRACTABLE WATER SYSTEMS.**

2 *Part E of the Safe Drinking Water Act (42 U.S.C. 300j*
 3 *et seq.) is amended by adding at the end the following:*

4 **“SEC. 1459C. STUDY ON INTRACTABLE WATER SYSTEMS.**

5 **“(a) DEFINITION OF INTRACTABLE WATER SYSTEM.—**

6 *In this section, the term ‘intractable water system’ means*
 7 *a community water system or a noncommunity water sys-*
 8 *tem—*

9 *“(1) that serves fewer than 1,000 individuals;*

10 *“(2) the owner or operator of which—*

11 *“(A) is unable or unwilling to provide safe*
 12 *and adequate service to those individuals;*

13 *“(B) has abandoned or effectively aban-*
 14 *doned the community water system or non-*
 15 *community water system, as applicable;*

16 *“(C) has defaulted on a financial obligation*
 17 *relating to the community water system or non-*
 18 *community water system, as applicable; or*

19 *“(D) fails to maintain the facilities of the*
 20 *community water system or noncommunity*
 21 *water system, as applicable, in a manner so as*
 22 *to prevent a potential public health hazard; and*

23 *“(3) that is, as of the date of enactment of Amer-*
 24 *ica’s Water Infrastructure Act of 2018—*

1 “(A) in significant noncompliance with this
2 Act or any regulation promulgated pursuant to
3 this Act; or

4 “(B) listed as having a history of signifi-
5 cant noncompliance with this title pursuant to
6 section 1420(b)(1).

7 “(b) *STUDY REQUIRED.*—

8 “(1) *IN GENERAL.*—Not later than 2 years after
9 the date of enactment of this section, the Adminis-
10 trator, in consultation with the Secretary of Agri-
11 culture and the Secretary of Health and Human
12 Services, shall complete a study that—

13 “(A) identifies intractable water systems;
14 and

15 “(B) describes barriers to delivery of potable
16 water to individuals served by an intractable
17 water system.

18 “(2) *REPORT TO CONGRESS.*—Not later than 2
19 years after the date of enactment of this section, the
20 Administrator shall submit to Congress a report de-
21 scribing findings and recommendations based on the
22 study under this subsection.”.

23 **SEC. 2004. SENSE OF CONGRESS RELATING TO ACCESS TO**
24 **NONPOTABLE WATER.**

25 *It is the sense of Congress that—*

1 (1) *access to nonpotable water sources for indus-*
 2 *try can relieve the supply and demand challenges for*
 3 *potable water in water-stressed regions throughout the*
 4 *United States; and*

5 (2) *water users are encouraged to continue im-*
 6 *plementing and incentivizing nonpotable water reuse*
 7 *programs that will achieve greater water savings and*
 8 *conservation needs.*

9 **SEC. 2005. DRINKING WATER INFRASTRUCTURE RESIL-**
 10 **IENCE AND SUSTAINABILITY.**

11 *Section 1459A of the Safe Drinking Water Act (42*
 12 *U.S.C. 300j–19a) is amended—*

13 (1) *by redesignating subsection (j) as subsection*
 14 *(k);*

15 (2) *in subsection (k), as redesignated by para-*
 16 *graph (1), by striking “this section” and inserting*
 17 *“subsections (a) through (j) of this section”;*

18 (3) *by inserting after subsection (i) the following:*
 19 *“(j) STATE RESPONSE TO CONTAMINANTS.—*

20 *“(1) IN GENERAL.—The Administrator may,*
 21 *subject to the terms and conditions of this section,*
 22 *issue a grant to a requesting State, on behalf of an*
 23 *underserved community, so the State may assist in,*
 24 *or otherwise carry out, necessary and appropriate ac-*
 25 *tivities related to a contaminant—*

1 “(A) that is determined by the State to—

2 “(i) be present in, or likely to enter
3 into, a public water system serving, or an
4 underground source of drinking water for,
5 such underserved community; and

6 “(ii) potentially present an imminent
7 and substantial endangerment to the health
8 of persons; and

9 “(B) with respect to which the State deter-
10 mines appropriate authorities have not acted
11 sufficiently to protect the health of such persons.

12 “(2) RECOVERY OF FUNDS.—If, subsequent to the
13 Administrator’s award of a grant to a State under
14 this subsection, any person or entity (including an el-
15 igible entity), is found by the Administrator or a
16 court of competent jurisdiction to have caused or con-
17 tributed to contamination that was detected as a re-
18 sult of testing conducted, or treated, with funds pro-
19 vided under this subsection, and such contamination
20 violated a law administered by the Administrator,
21 such person or entity shall, upon issuance of a final
22 judgment or settlement and the exhaustion of all ap-
23 pellate and administrative remedies—

24 “(A) notify the Administrator in writing
25 not later than 30 days after such issuance of a

1 *final judgment or settlement and the exhaustion*
 2 *of all appellate and administrative remedies;*
 3 *and*

4 *“(B) promptly pay the Administrator an*
 5 *amount equal to the amount of such funds.”; and*
 6 *(4) by adding at the end the following:*

7 *“(l) DRINKING WATER INFRASTRUCTURE RESILIENCE*
 8 *AND SUSTAINABILITY.—*

9 *“(1) RESILIENCE AND NATURAL HAZARD.—The*
 10 *terms ‘resilience’ and ‘natural hazard’ have the mean-*
 11 *ing given such terms in section 1433(h).*

12 *“(2) IN GENERAL.—The Administrator may es-*
 13 *tablish and carry out a program, to be known as the*
 14 *Drinking Water System Infrastructure Resilience and*
 15 *Sustainability Program, under which the Adminis-*
 16 *trator, subject to the availability of appropriations*
 17 *for such purpose, shall award grants in each of fiscal*
 18 *years 2019 and 2020 to eligible entities for the pur-*
 19 *pose of increasing resilience to natural hazards.*

20 *“(3) USE OF FUNDS.—An eligible entity may*
 21 *only use grant funds received under this subsection to*
 22 *assist in the planning, design, construction, imple-*
 23 *mentation, operation, or maintenance of a program*
 24 *or project that increases resilience to natural hazards*
 25 *through—*

1 “(A) the conservation of water or the en-
2 hancement of water use efficiency;

3 “(B) the modification or relocation of exist-
4 ing drinking water system infrastructure made,
5 or that is at risk of being, significantly impaired
6 by natural hazards, including risks to drinking
7 water from flooding;

8 “(C) the design or construction of desalina-
9 tion facilities to serve existing communities;

10 “(D) the enhancement of water supply
11 through the use of watershed management and
12 source water protection;

13 “(E) the enhancement of energy efficiency
14 or the use and generation of renewable energy in
15 the conveyance or treatment of drinking water;
16 or

17 “(F) the development and implementation
18 of measures to increase the resilience of the eligi-
19 ble entity to natural hazards.

20 “(4) APPLICATION.—To seek a grant under this
21 subsection, the eligible entity shall submit to the Ad-
22 ministrator an application that—

23 “(A) includes a proposal of the program or
24 project to be planned, designed, constructed, im-

1 *plemented, operated, or maintained by the eligi-*
 2 *ble entity;*

3 *“(B) identifies the natural hazard risk to be*
 4 *addressed by the proposed program or project;*

5 *“(C) provides documentation prepared by a*
 6 *Federal, State, regional, or local government*
 7 *agency of the natural hazard risk to the area*
 8 *where the proposed program or project is to be*
 9 *located;*

10 *“(D) includes a description of any recent*
 11 *natural hazard events that have affected the ap-*
 12 *plicable water system;*

13 *“(E) includes a description of how the pro-*
 14 *posed program or project would improve the per-*
 15 *formance of the system under the anticipated*
 16 *natural hazards; and*

17 *“(F) explains how the proposed program or*
 18 *project is expected to enhance the resilience of the*
 19 *system to the anticipated natural hazards.*

20 *“(5) AUTHORIZATION OF APPROPRIATIONS.—*
 21 *There is authorized to be appropriated to carry out*
 22 *this subsection \$4,000,000 for each of fiscal years*
 23 *2019 and 2020.”.*

1 **SEC. 2006. VOLUNTARY SCHOOL AND CHILD CARE PRO-**
 2 **GRAM LEAD TESTING GRANT PROGRAM EN-**
 3 **HANCEMENT.**

4 (a) *VOLUNTARY SCHOOL AND CHILD CARE PROGRAM*
 5 *LEAD TESTING GRANT PROGRAM ENHANCEMENT.*—Section
 6 1464(d) of the Safe Drinking Water Act (42 U.S.C. 300j–
 7 24(d)) is amended—

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

10 “(C) *TECHNICAL ASSISTANCE.*—In carrying
 11 out the grant program under subparagraph (A),
 12 beginning not later than 1 year after the date of
 13 enactment of America’s Water Infrastructure Act
 14 of 2018, the Administrator shall provide tech-
 15 nical assistance to recipients of grants under this
 16 subsection—

17 “(i) to assist in identifying the source
 18 of lead contamination in drinking water at
 19 schools and child care programs under the
 20 jurisdiction of the grant recipient;

21 “(ii) to assist in identifying and ap-
 22 plying for other Federal and State grant
 23 programs that may assist the grant recipi-
 24 ent in eliminating lead contamination de-
 25 scribed in clause (i);

1 “(iii) to provide information on other
2 financing options in eliminating lead con-
3 tamination described in clause (i); and

4 “(iv) to connect grant recipients with
5 nonprofit and other organizations that may
6 be able to assist with the elimination of lead
7 contamination described in clause (i).”;

8 (2) by redesignating paragraphs (4) through (7)
9 as paragraphs (5) through (8), respectively;
10 (3) by inserting after paragraph (3) the fol-
11 lowing paragraph:

12 “(4) *PRIORITY.*—In making grants under this
13 subsection, the Administrator shall give priority to
14 States and local educational agencies that will assist
15 in voluntary testing for lead contamination in drink-
16 ing water at schools and child care programs that are
17 in low-income areas.”; and

18 (4) in paragraph (8) (as redesignated by para-
19 graph (2) of this section)—

20 (A) by striking “is authorized” and insert-
21 ing “are authorized”; and

22 (B) by striking “2021” and inserting
23 “2019, and \$25,000,000 for each of fiscal years
24 2020 and 2021”.

1 (b) *DRINKING WATER FOUNTAIN REPLACEMENT FOR*
 2 *SCHOOLS.*—

3 (1) *IN GENERAL.*—*Part F of the Safe Drinking*
 4 *Water Act (42 U.S.C. 300j–21 et seq.) is amended by*
 5 *adding at the end the following:*

6 **“SEC. 1465. DRINKING WATER FOUNTAIN REPLACEMENT**
 7 **FOR SCHOOLS.**

8 “(a) *ESTABLISHMENT.*—*Not later than 1 year after the*
 9 *date of enactment of this section, the Administrator shall*
 10 *establish a grant program to provide assistance to local edu-*
 11 *cational agencies for the replacement of drinking water*
 12 *fountains manufactured prior to 1988.*

13 “(b) *USE OF FUNDS.*—*Funds awarded under the grant*
 14 *program—*

15 “(1) *shall be used to pay the costs of replacement*
 16 *of drinking water fountains in schools; and*

17 “(2) *may be used to pay the costs of monitoring*
 18 *and reporting of lead levels in the drinking water of*
 19 *schools of a local educational agency receiving such*
 20 *funds, as determined appropriate by the Adminis-*
 21 *trator.*

22 “(c) *PRIORITY.*—*In awarding funds under the grant*
 23 *program, the Administrator shall give priority to local edu-*
 24 *cational agencies based on economic need.*

1 “(d) *AUTHORIZATION OF APPROPRIATIONS.*—*There*
 2 *are authorized to be appropriated to carry out this section*
 3 *\$5,000,000 for each of fiscal years 2019 through 2021.”.*

4 (2) *DEFINITIONS.*—*Section 1461(5) of the Safe*
 5 *Drinking Water Act (42 U.S.C. 300j–21(5)) is*
 6 *amended by inserting “or drinking water fountain”*
 7 *after “water cooler” each place it appears.*

8 **SEC. 2007. INNOVATIVE WATER TECHNOLOGY GRANT PRO-**
 9 **GRAM.**

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

11 (1) *ADMINISTRATOR.*—*The term “Adminis-*
 12 *trator” means the Administrator of the Environ-*
 13 *mental Protection Agency.*

14 (2) *ELIGIBLE ENTITY.*—*The term “eligible enti-*
 15 *ty” means—*

16 (A) *a public water system (as defined under*
 17 *section 1401(4) of the Safe Drinking Water Act*
 18 *(42 U.S.C. 300f(4)));*

19 (B) *an institution of higher education;*

20 (C) *a research institution or foundation;*

21 (D) *a regional water organization; or*

22 (E) *a nonprofit organization described in*
 23 *section 1442(e)(8) of the Safe Drinking Water*
 24 *Act (42 U.S.C. 300j–1(e)(8)).*

1 (b) *GRANT PROGRAM AUTHORIZED.*—*The Adminis-*
 2 *trator shall carry out a grant program for the purpose of*
 3 *accelerating the development and deployment of innovative*
 4 *water technologies that address pressing drinking water*
 5 *supply, quality, treatment, or security challenges of public*
 6 *water systems, areas served by private wells, or source*
 7 *waters.*

8 (c) *GRANTS.*—*In carrying out the program under sub-*
 9 *section (b), the Administrator shall make grants to eligible*
 10 *entities—*

11 (1) *to develop, test, and deploy innovative water*
 12 *technologies; or*

13 (2) *to provide technical assistance to deploy*
 14 *demonstrated innovative water technologies.*

15 (d) *SELECTION CRITERIA.*—*In making grants under*
 16 *this section, the Administrator shall—*

17 (1) *award grants through a competitive process*
 18 *to eligible entities the Administrator determines are*
 19 *best able to carry out the purpose of the program; and*

20 (2) *give priority to projects that have the poten-*
 21 *tial—*

22 (A) *to reduce ratepayer or community costs*
 23 *or costs of future capital investments;*

24 (B) *to significantly improve human health*
 25 *or the environment; or*

1 (C) to provide additional drinking water
2 supplies with minimal environmental impact.

3 (e) *COST-SHARING.*—*The Federal share of the cost of*
4 *activities carried out using a grant under this section shall*
5 *be not more than 65 percent.*

6 (f) *LIMITATION.*—*The maximum amount of a grant*
7 *under this section shall be \$5,000,000.*

8 (g) *REPORT.*—*Each year, the Administrator shall sub-*
9 *mit to Congress and make publicly available on the website*
10 *of the Administrator a report that describes any advance-*
11 *ments during the previous year in development of innova-*
12 *tive water technologies made as a result of funding provided*
13 *under this section.*

14 (h) *PARTNERSHIPS.*—*Grants awarded under this pro-*
15 *gram may include projects that are carried out by an eligi-*
16 *ble entity in cooperation with a private entity, including*
17 *a farmer, farmer cooperative, or manufacturer of water*
18 *technologies.*

19 (i) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
20 *authorized to be appropriated to carry out this section*
21 *\$10,000,000 for each of fiscal years 2019 and 2020.*

22 **SEC. 2008. IMPROVED CONSUMER CONFIDENCE REPORTS.**

23 Section 1414(c)(4) of the Safe Drinking Water Act (42
24 U.S.C. 300g–3(c)(4)) is amended—

1 (1) *in the heading for subparagraph (A), by*
 2 *striking “ANNUAL REPORTS” and inserting “RE-*
 3 *PORTS”;*

4 (2) *in subparagraph (A), by inserting “, or pro-*
 5 *vide by electronic means,” after “to mail”;*

6 (3) *in subparagraph (B)—*

7 (A) *in clause (iv), by striking “the Admin-*
 8 *istrator, and” and inserting “the Administrator,*
 9 *including corrosion control efforts, and”;* and

10 (B) *by adding at the end the following*
 11 *clause:*

12 *“(vii) Identification of, if any—*

13 *“(I) exceedances described in*
 14 *paragraph (1)(D) for which corrective*
 15 *action has been required by the Admin-*
 16 *istrator or the State (in the case of a*
 17 *State exercising primary enforcement*
 18 *responsibility for public water systems)*
 19 *during the monitoring period covered*
 20 *by the consumer confidence report; and*

21 *“(II) violations that occurred dur-*
 22 *ing the monitoring period covered by*
 23 *the consumer confidence report.”;* and

24 (4) *by adding at the end the following new sub-*
 25 *paragraph:*

1 “(F) *REVISIONS*.—

2 “(i) *UNDERSTANDABILITY AND FRE-*
 3 *QUENCY*.—Not later than 24 months after
 4 the date of enactment of America’s Water
 5 Infrastructure Act of 2018, the Adminis-
 6 trator, in consultation with the parties
 7 identified in subparagraph (A), shall issue
 8 revisions to the regulations issued under
 9 subparagraph (A)—

10 “(I) to increase—

11 “(aa) the readability, clarity,
 12 and understandability of the in-
 13 formation presented in consumer
 14 confidence reports; and

15 “(bb) the accuracy of infor-
 16 mation presented, and risk com-
 17 munication, in consumer con-
 18 fidence reports; and

19 “(II) with respect to community
 20 water systems that serve 10,000 or
 21 more persons, to require each such
 22 community water system to provide, by
 23 mail, electronic means, or other meth-
 24 ods described in clause (ii), a consumer

1 *confidence report to each customer of*
 2 *the system at least biannually.*

3 “(ii) *ELECTRONIC DELIVERY.*—*Any re-*
 4 *vision of regulations pursuant to clause (i)*
 5 *shall allow delivery of consumer confidence*
 6 *reports by methods consistent with methods*
 7 *described in the memorandum ‘Safe Drink-*
 8 *ing Water Act–Consumer Confidence Report*
 9 *Rule Delivery Options’ issued by the Envi-*
 10 *ronmental Protection Agency on January 3,*
 11 *2013.’.*

12 **SEC. 2009. CONTRACTUAL AGREEMENTS.**

13 (a) *IN GENERAL.*—*Section 1414(h)(1) of the Safe*
 14 *Drinking Water Act (42 U.S.C. 300g–3(h)(1)) is amend-*
 15 *ed—*

16 (1) *in subparagraph (B), by striking “or” after*
 17 *the semicolon;*

18 (2) *in subparagraph (C), by striking the period*
 19 *at the end and inserting “; or”; and*

20 (3) *by adding at the end the following new sub-*
 21 *paragraph:*

22 “(D) *entering into a contractual agreement*
 23 *for significant management or administrative*
 24 *functions of the system to correct violations iden-*
 25 *tified in the plan.’.*

1 (b) *TECHNICAL AMENDMENT.*—Section 1414(i)(1) of
 2 the *Safe Drinking Water Act* (42 U.S.C. 300g–3(i)(1)) is
 3 amended by inserting a comma after “1417”.

4 **SEC. 2010. ADDITIONAL CONSIDERATIONS FOR COMPLI-**
 5 **ANCE.**

6 (a) *MANDATORY ASSESSMENT.*—Subsection (h) of sec-
 7 tion 1414 of the *Safe Drinking Water Act* (42 U.S.C. 300g–
 8 3) is amended by adding at the end the following:

9 “(3) *AUTHORITY FOR MANDATORY ASSESS-*
 10 *MENT.*—

11 “(A) *AUTHORITY.*—A State with primary
 12 enforcement responsibility or the Administrator
 13 (if the State does not have primary enforcement
 14 responsibility) may require the owner or oper-
 15 ator of a public water system to assess options
 16 for consolidation, or transfer of ownership of the
 17 system, as described in paragraph (1), or other
 18 actions expected to achieve compliance with na-
 19 tional primary drinking water regulations de-
 20 scribed in clause (i)(I), if—

21 “(i) the public water system—

22 “(I) has repeatedly violated one or
 23 more national primary drinking water
 24 regulations and such repeated viola-

1 *tions are likely to adversely affect*
2 *human health; and*

3 *“(II)(aa) is unable or unwilling*
4 *to take feasible and affordable actions,*
5 *as determined by the State with pri-*
6 *mary enforcement responsibility or the*
7 *Administrator (if the State does not*
8 *have primary enforcement responsi-*
9 *bility), that will result in the public*
10 *water system complying with the na-*
11 *tional primary drinking water regula-*
12 *tions described in subclause (I), includ-*
13 *ing accessing technical assistance and*
14 *financial assistance through the State*
15 *loan fund pursuant to section 1452; or*

16 *“(bb) has already undertaken ac-*
17 *tions described in item (aa) without*
18 *achieving compliance;*

19 *“(ii) such consolidation, transfer, or*
20 *other action is feasible; and*

21 *“(iii) such consolidation, transfer, or*
22 *other action could result in greater compli-*
23 *ance with national primary drinking water*
24 *regulations.*

1 “(B) *TAILORING OF ASSESSMENTS.*—Re-
2 *quirements for any assessment to be conducted*
3 *pursuant to subparagraph (A) shall be tailored*
4 *with respect to the size, type, and characteristics,*
5 *of the public water system to be assessed.*

6 “(C) *APPROVED ENTITIES.*—An assessment
7 *conducted pursuant to subparagraph (A) may be*
8 *conducted by an entity approved by the State re-*
9 *quiring such assessment (or the Administrator, if*
10 *the State does not have primary enforcement re-*
11 *sponsibility), which may include such State (or*
12 *the Administrator, as applicable), the public*
13 *water system, or a third party.*

14 “(D) *BURDEN OF ASSESSMENTS.*—It is the
15 *sense of Congress that any assessment required*
16 *pursuant to subparagraph (A) should not be*
17 *overly burdensome on the public water system*
18 *that is assessed.*

19 “(4) *FINANCIAL ASSISTANCE.*—Notwithstanding
20 *section 1452(a)(3), a public water system undertaking*
21 *consolidation or transfer of ownership or other actions*
22 *pursuant to an assessment completed under para-*
23 *graph (3) may receive a loan described in section*
24 *1452(a)(2)(A) to carry out such consolidation, trans-*
25 *fer, or other action.*

1 “(5) *PROTECTION OF NONRESPONSIBLE SYS-*
2 *TEM.*—

3 “(A) *IDENTIFICATION OF LIABILITIES.*—

4 “(i) *IN GENERAL.*—*An owner or oper-*
5 *ator of a public water system that submits*
6 *a plan pursuant to paragraph (1) based on*
7 *an assessment conducted with respect to*
8 *such public water system under paragraph*
9 *(3) shall identify as part of such plan—*

10 “(I) *any potential and existing li-*
11 *ability for penalties and damages aris-*
12 *ing from each specific violation identi-*
13 *fied in the plan of which the owner or*
14 *operator is aware; and*

15 “(II) *any funds or other assets*
16 *that are available to satisfy such liabil-*
17 *ity, as of the date of submission of such*
18 *plan, to the public water system that*
19 *committed such violation.*

20 “(ii) *INCLUSION.*—*In carrying out*
21 *clause (i), the owner or operator shall take*
22 *reasonable steps to ensure that all potential*
23 *and existing liabilities for penalties and*
24 *damages arising from each specific viola-*
25 *tion identified in the plan are identified.*

1 “(B) *RESERVATION OF FUNDS.*—A public
 2 water system that, consistent with the findings of
 3 an assessment conducted pursuant to paragraph
 4 (3), has completed the actions under a plan sub-
 5 mitted and approved pursuant to this subsection
 6 shall not be liable under this title for a violation
 7 of this title identified in the plan, except to the
 8 extent to which funds or other assets are identi-
 9 fied pursuant to subparagraph (A)(i)(II) as
 10 available to satisfy such liability.

11 “(6) *REGULATIONS.*—Not later than 2 years
 12 after the date of enactment of America’s Water Infra-
 13 structure Act of 2018, the Administrator shall pro-
 14 mulgate regulations to implement paragraphs (3),
 15 (4), and (5).”.

16 (b) *RETENTION OF PRIMARY ENFORCEMENT AUTHOR-*
 17 *ITY.*—

18 (1) *IN GENERAL.*—Section 1413(a) of the Safe
 19 Drinking Water Act (42 U.S.C. 300g–2(a)) is amend-
 20 ed—

21 (A) in paragraph (5), by striking “; and”
 22 and inserting a semicolon;

23 (B) by redesignating paragraph (6) as
 24 paragraph (7); and

1 (C) by inserting after paragraph (5) the fol-
 2 lowing new paragraph:

3 “(6) has adopted and is implementing proce-
 4 dures for requiring public water systems to assess op-
 5 tions for consolidation or transfer of ownership or
 6 other actions in accordance with the regulations
 7 issued by the Administrator under section 1414(h)(6);
 8 and”.

9 (2) CONFORMING AMENDMENT.—Section
 10 1413(b)(1) of the Safe Drinking Water Act (42 U.S.C.
 11 300g–2(b)(1)) is amended by striking “of paragraphs
 12 (1), (2), (3), and (4)”.

13 **SEC. 2011. IMPROVED ACCURACY AND AVAILABILITY OF**
 14 **COMPLIANCE MONITORING DATA.**

15 Section 1414 of the Safe Drinking Water Act (42
 16 U.S.C. 300g–3) is amended by adding at the end the fol-
 17 lowing new subsection:

18 “(j) *IMPROVED ACCURACY AND AVAILABILITY OF COM-*
 19 *PLIANCE MONITORING DATA.*—

20 “(1) *STRATEGIC PLAN.*—Not later than 1 year
 21 after the date of enactment of this subsection, the Ad-
 22 ministrator, in coordination with States (including
 23 States without primary enforcement responsibility
 24 under section 1413), public water systems, and other
 25 interested stakeholders, shall develop and provide to

1 Congress a strategic plan for improving the accuracy
2 and availability of monitoring data collected to dem-
3 onstrate compliance with national primary drinking
4 water regulations and submitted—

5 “(A) by public water systems to States; or

6 “(B) by States to the Administrator.

7 “(2) *EVALUATION.*—In developing the strategic
8 plan under paragraph (1), the Administrator shall
9 evaluate any challenges faced—

10 “(A) in ensuring the accuracy and integrity
11 of submitted data described in paragraph (1);

12 “(B) by States and public water systems in
13 implementing an electronic system for submit-
14 ting such data, including the technical and eco-
15 nomic feasibility of implementing such a system;
16 and

17 “(C) by users of such electronic systems in
18 being able to access such data.

19 “(3) *FINDINGS AND RECOMMENDATIONS.*—The
20 Administrator shall include in the strategic plan pro-
21 vided to Congress under paragraph (1)—

22 “(A) a summary of the findings of the eval-
23 uation under paragraph (2); and

24 “(B) recommendations on practicable, cost-
25 effective methods and means that can be em-

1 *ployed to improve the accuracy and availability*
 2 *of submitted data described in paragraph (1).*

3 “(4) *CONSULTATION.*—*In developing the stra-*
 4 *tegic plan under paragraph (1), the Administrator*
 5 *may, as appropriate, consult with States or other*
 6 *Federal agencies that have experience using prac-*
 7 *ticable methods and means to improve the accuracy*
 8 *and availability of submitted data described in such*
 9 *paragraph.”.*

10 ***SEC. 2012. ASSET MANAGEMENT.***

11 *Section 1420 of the Safe Drinking Water Act (42*
 12 *U.S.C. 300g–9) is amended—*

13 *(1) in subsection (c)(2)—*

14 *(A) in subparagraph (D), by striking “;*
 15 *and” and inserting a semicolon;*

16 *(B) in subparagraph (E), by striking the*
 17 *period at the end and inserting “; and”; and*

18 *(C) by adding at the end the following new*
 19 *subparagraph:*

20 *“(F) a description of how the State will, as*
 21 *appropriate—*

22 *“(i) encourage development by public*
 23 *water systems of asset management plans*
 24 *that include best practices for asset manage-*
 25 *ment; and*

1 “(ii) assist, including through the pro-
 2 vision of technical assistance, public water
 3 systems in training operators or other rel-
 4 evant and appropriate persons in imple-
 5 menting such asset management plans.”;

6 (2) in subsection (c)(3), by inserting “, including
 7 efforts of the State to encourage development by public
 8 water systems of asset management plans and to as-
 9 sist public water systems in training relevant and ap-
 10 propriate persons in implementing such asset man-
 11 agement plans” after “public water systems in the
 12 State”; and

13 (3) in subsection (d), by adding at the end the
 14 following new paragraph:

15 “(5) *INFORMATION ON ASSET MANAGEMENT*
 16 *PRACTICES.*—Not later than 5 years after the date of
 17 enactment of this paragraph, and not less often than
 18 every 5 years thereafter, the Administrator shall re-
 19 view and, if appropriate, update educational mate-
 20 rials, including handbooks, training materials, and
 21 technical information, made available by the Admin-
 22 istrator to owners, managers, and operators of public
 23 water systems, local officials, technical assistance pro-
 24 viders (including nonprofit water associations), and
 25 State personnel concerning best practices for asset

1 *management strategies that may be used by public*
 2 *water systems.”.*

3 **SEC. 2013. COMMUNITY WATER SYSTEM RISK AND RESIL-**
 4 **IENCE.**

5 *(a) IN GENERAL.—Section 1433 of the Safe Drinking*
 6 *Water Act (42 U.S.C. 300i–2) is amended to read as follows:*

7 **“SEC. 1433. COMMUNITY WATER SYSTEM RISK AND RESIL-**
 8 **IENCE.**

9 *“(a) RISK AND RESILIENCE ASSESSMENTS.—*

10 *“(1) IN GENERAL.—Each community water sys-*
 11 *tem serving a population of greater than 3,300 per-*
 12 *sons shall conduct an assessment of the risks to, and*
 13 *resilience of, its system. Such an assessment—*

14 *“(A) shall include an assessment of—*

15 *“(i) the risk to the system from malev-*
 16 *olent acts and natural hazards;*

17 *“(ii) the resilience of the pipes and*
 18 *constructed conveyances, physical barriers,*
 19 *source water, water collection and intake,*
 20 *pretreatment, treatment, storage and dis-*
 21 *tribution facilities, electronic, computer, or*
 22 *other automated systems (including the se-*
 23 *curity of such systems) which are utilized*
 24 *by the system;*

1 “(iii) the monitoring practices of the
2 system;

3 “(iv) the financial infrastructure of the
4 system;

5 “(v) the use, storage, or handling of
6 various chemicals by the system; and

7 “(vi) the operation and maintenance of
8 the system; and

9 “(B) may include an evaluation of capital
10 and operational needs for risk and resilience
11 management for the system.

12 “(2) *BASELINE INFORMATION.*—*The Adminis-*
13 *trator, not later than August 1, 2019, after consulta-*
14 *tion with appropriate departments and agencies of*
15 *the Federal Government and with State and local*
16 *governments, shall provide baseline information on*
17 *malevolent acts of relevance to community water sys-*
18 *tems, which shall include consideration of acts that*
19 *may—*

20 “(A) substantially disrupt the ability of the
21 system to provide a safe and reliable supply of
22 drinking water; or

23 “(B) otherwise present significant public
24 health or economic concerns to the community
25 served by the system.

1 “(3) *CERTIFICATION.*—

2 “(A) *CERTIFICATION.*—*Each community*
3 *water system described in paragraph (1) shall*
4 *submit to the Administrator a certification that*
5 *the system has conducted an assessment com-*
6 *plying with paragraph (1). Such certification*
7 *shall be made prior to—*

8 “(i) *March 31, 2020, in the case of sys-*
9 *tems serving a population of 100,000 or*
10 *more;*

11 “(ii) *December 31, 2020, in the case of*
12 *systems serving a population of 50,000 or*
13 *more but less than 100,000; and*

14 “(iii) *June 30, 2021, in the case of sys-*
15 *tems serving a population greater than*
16 *3,300 but less than 50,000.*

17 “(B) *REVIEW AND REVISION.*—*Each com-*
18 *munity water system described in paragraph (1)*
19 *shall review the assessment of such system con-*
20 *ducted under such paragraph at least once every*
21 *5 years after the applicable deadline for submis-*
22 *sion of its certification under subparagraph (A)*
23 *to determine whether such assessment should be*
24 *revised. Upon completion of such a review, the*
25 *community water system shall submit to the Ad-*

1 *ministrator a certification that the system has*
 2 *reviewed its assessment and, if applicable, re-*
 3 *vised such assessment.*

4 “(4) *CONTENTS OF CERTIFICATIONS.*—A certifi-
 5 *cation required under paragraph (3) shall contain*
 6 *only—*

7 “(A) *information that identifies the commu-*
 8 *nity water system submitting the certification;*

9 “(B) *the date of the certification; and*

10 “(C) *a statement that the community water*
 11 *system has conducted, reviewed, or revised the*
 12 *assessment, as applicable.*

13 “(5) *PROVISION TO OTHER ENTITIES.*—No com-
 14 *munity water system shall be required under State or*
 15 *local law to provide an assessment described in this*
 16 *section (or revision thereof) to any State, regional, or*
 17 *local governmental entity solely by reason of the re-*
 18 *quirement set forth in paragraph (3) that the system*
 19 *submit a certification to the Administrator.*

20 “(b) *EMERGENCY RESPONSE PLAN.*—Each community
 21 *water system serving a population greater than 3,300 shall*
 22 *prepare or revise, where necessary, an emergency response*
 23 *plan that incorporates findings of the assessment conducted*
 24 *under subsection (a) for such system (and any revisions*
 25 *thereto). Each community water system shall certify to the*

1 Administrator, as soon as reasonably possible after the date
2 of enactment of America’s Water Infrastructure Act of 2018,
3 but not later than 6 months after completion of the assess-
4 ment under subsection (a), that the system has completed
5 such plan. The emergency response plan shall include—

6 “(1) strategies and resources to improve the resil-
7 ience of the system, including the physical security
8 and cybersecurity of the system;

9 “(2) plans and procedures that can be imple-
10 mented, and identification of equipment that can be
11 utilized, in the event of a malevolent act or natural
12 hazard that threatens the ability of the community
13 water system to deliver safe drinking water;

14 “(3) actions, procedures, and equipment which
15 can obviate or significantly lessen the impact of a
16 malevolent act or natural hazard on the public health
17 and the safety and supply of drinking water provided
18 to communities and individuals, including the devel-
19 opment of alternative source water options, relocation
20 of water intakes, and construction of flood protection
21 barriers; and

22 “(4) strategies that can be used to aid in the de-
23 tection of malevolent acts or natural hazards that
24 threaten the security or resilience of the system.

1 “(c) *COORDINATION.*—Community water systems
2 shall, to the extent possible, coordinate with existing local
3 emergency planning committees established pursuant to the
4 *Emergency Planning and Community Right-To-Know Act*
5 *of 1986 (42 U.S.C. 11001 et seq.)* when preparing or revis-
6 ing an assessment or emergency response plan under this
7 section.

8 “(d) *RECORD MAINTENANCE.*—Each community water
9 system shall maintain a copy of the assessment conducted
10 under subsection (a) and the emergency response plan pre-
11 pared under subsection (b) (including any revised assess-
12 ment or plan) for 5 years after the date on which a certifi-
13 cation of such assessment or plan is submitted to the Ad-
14 ministrator under this section.

15 “(e) *GUIDANCE TO SMALL PUBLIC WATER SYS-*
16 *TEMS.*—The Administrator shall provide guidance and
17 technical assistance to community water systems serving a
18 population of less than 3,300 persons on how to conduct
19 resilience assessments, prepare emergency response plans,
20 and address threats from malevolent acts and natural haz-
21 ards that threaten to disrupt the provision of safe drinking
22 water or significantly affect the public health or signifi-
23 cantly affect the safety or supply of drinking water provided
24 to communities and individuals.

1 “(f) *ALTERNATIVE PREPAREDNESS AND OPERATIONAL*
2 *RESILIENCE PROGRAMS.*—

3 “(1) *SATISFACTION OF REQUIREMENT.*—*A com-*
4 *munity water system that is required to comply with*
5 *the requirements of subsections (a) and (b) may sat-*
6 *isfy such requirements by—*

7 “(A) *using and complying with technical*
8 *standards that the Administrator has recognized*
9 *under paragraph (2); and*

10 “(B) *submitting to the Administrator a cer-*
11 *tification that the community water system is*
12 *complying with subparagraph (A).*

13 “(2) *AUTHORITY TO RECOGNIZE.*—*Consistent*
14 *with section 12(d) of the National Technology Trans-*
15 *fer and Advancement Act of 1995, the Administrator*
16 *shall recognize technical standards that are developed*
17 *or adopted by third-party organizations or voluntary*
18 *consensus standards bodies that carry out the objec-*
19 *tives or activities required by this section as a means*
20 *of satisfying the requirements under subsection (a) or*
21 *(b).*

22 “(g) *TECHNICAL ASSISTANCE AND GRANTS.*—

23 “(1) *IN GENERAL.*—*The Administrator shall es-*
24 *tablish and implement a program, to be known as the*
25 *Drinking Water Infrastructure Risk and Resilience*

1 *Program, under which the Administrator may award*
2 *grants in each of fiscal years 2020 and 2021 to own-*
3 *ers or operators of community water systems for the*
4 *purpose of increasing the resilience of such commu-*
5 *nity water systems.*

6 “(2) *USE OF FUNDS.—As a condition on receipt*
7 *of a grant under this section, an owner or operator*
8 *of a community water system shall agree to use the*
9 *grant funds exclusively to assist in the planning, de-*
10 *sign, construction, or implementation of a program or*
11 *project consistent with an emergency response plan*
12 *prepared pursuant to subsection (b), which may in-*
13 *clude—*

14 “(A) *the purchase and installation of equip-*
15 *ment for detection of drinking water contami-*
16 *nants or malevolent acts;*

17 “(B) *the purchase and installation of fenc-*
18 *ing, gating, lighting, or security cameras;*

19 “(C) *the tamper-proofing of manhole covers,*
20 *fire hydrants, and valve boxes;*

21 “(D) *the purchase and installation of im-*
22 *proved treatment technologies and equipment to*
23 *improve the resilience of the system;*

1 “(E) improvements to electronic, computer,
2 financial, or other automated systems and re-
3 mote systems;

4 “(F) participation in training programs,
5 and the purchase of training manuals and guid-
6 ance materials, relating to security and resil-
7 ience;

8 “(G) improvements in the use, storage, or
9 handling of chemicals by the community water
10 system;

11 “(H) security screening of employees or con-
12 tractor support services;

13 “(I) equipment necessary to support emer-
14 gency power or water supply, including standby
15 and mobile sources; and

16 “(J) the development of alternative source
17 water options, relocation of water intakes, and
18 construction of flood protection barriers.

19 “(3) *EXCLUSIONS*.—A grant under this sub-
20 section may not be used for personnel costs, or for
21 monitoring, operation, or maintenance of facilities,
22 equipment, or systems.

23 “(4) *TECHNICAL ASSISTANCE*.—For each fiscal
24 year, the Administrator may use not more than
25 \$5,000,000 from the funds made available to carry

1 *out this subsection to provide technical assistance to*
 2 *community water systems to assist in responding to*
 3 *and alleviating a vulnerability that would substan-*
 4 *tially disrupt the ability of the system to provide a*
 5 *safe and reliable supply of drinking water (including*
 6 *sources of water for such systems) which the Adminis-*
 7 *trator determines to present an immediate and urgent*
 8 *need.*

9 *“(5) GRANTS FOR SMALL SYSTEMS.—For each*
 10 *fiscal year, the Administrator may use not more than*
 11 *\$10,000,000 from the funds made available to carry*
 12 *out this subsection to make grants to community*
 13 *water systems serving a population of less than 3,300*
 14 *persons, or nonprofit organizations receiving assist-*
 15 *ance under section 1442(e), for activities and projects*
 16 *undertaken in accordance with the guidance provided*
 17 *to such systems under subsection (e) of this section.*

18 *“(6) AUTHORIZATION OF APPROPRIATIONS.—To*
 19 *carry out this subsection, there are authorized to be*
 20 *appropriated \$25,000,000 for each of fiscal years*
 21 *2020 and 2021.*

22 *“(h) DEFINITIONS.—In this section—*

23 *“(1) the term ‘resilience’ means the ability of a*
 24 *community water system or an asset of a community*
 25 *water system to adapt to or withstand the effects of*

1 *a malevolent act or natural hazard without interrup-*
 2 *tion to the asset's or system's function, or if the func-*
 3 *tion is interrupted, to rapidly return to a normal op-*
 4 *erating condition; and*

5 *“(2) the term ‘natural hazard’ means a natural*
 6 *event that threatens the functioning of a community*
 7 *water system, including an earthquake, tornado,*
 8 *flood, hurricane, wildfire, and hydrologic changes.”.*

9 ***(b) SENSITIVE INFORMATION.—***

10 ***(1) PROTECTION FROM DISCLOSURE.—****Informa-*
 11 *tion submitted to the Administrator of the Environ-*
 12 *mental Protection Agency pursuant to section 1433 of*
 13 *the Safe Drinking Water Act, as in effect on the day*
 14 *before the date of enactment of America's Water In-*
 15 *frastructure Act of 2018, shall be protected from dis-*
 16 *closure in accordance with the provisions of such sec-*
 17 *tion as in effect on such day.*

18 ***(2) DISPOSAL.—****The Administrator, in partner-*
 19 *ship with community water systems (as defined in*
 20 *section 1401 of the Safe Drinking Water Act), shall*
 21 *develop a strategy to, in a timeframe determined ap-*
 22 *propriate by the Administrator, securely and perma-*
 23 *nently dispose of, or return to the applicable commu-*
 24 *nity water system, any information described in*
 25 *paragraph (1).*

1 **SEC. 2014. AUTHORIZATION FOR GRANTS FOR STATE PRO-**
 2 **GRAMS.**

3 *Section 1443(a)(7) of the Safe Drinking Water Act (42*
 4 *U.S.C. 300j-2(a)(7)) is amended by striking “\$100,000,000*
 5 *for each of fiscal years 1997 through 2003” and inserting*
 6 *“\$125,000,000 for each of fiscal years 2020 and 2021”.*

7 **SEC. 2015. STATE REVOLVING LOAN FUNDS.**

8 *(a) USE OF FUNDS.—Section 1452(a)(2)(B) of the*
 9 *Safe Drinking Water Act (42 U.S.C. 300j-12(a)(2)(B)) is*
 10 *amended by striking “(including expenditures for planning,*
 11 *design, and associated preconstruction activities, including*
 12 *activities relating to the siting of the facility, but not” and*
 13 *inserting “(including expenditures for planning, design,*
 14 *siting, and associated preconstruction activities, or for re-*
 15 *placing or rehabilitating aging treatment, storage, or dis-*
 16 *tribution facilities of public water systems, but not”.*

17 *(b) PREVAILING WAGES.—Section 1452(a) of the Safe*
 18 *Drinking Water Act (42 U.S.C. 300j-12(a)) is further*
 19 *amended by adding at the end the following:*

20 *“(5) PREVAILING WAGES.—The requirements of*
 21 *section 1450(e) shall apply to any construction*
 22 *project carried out in whole or in part with assist-*
 23 *ance made available by a State loan fund.”.*

24 *(c) ASSISTANCE FOR DISADVANTAGED COMMU-*
 25 *NITIES.—Section 1452(d)(2) of the Safe Drinking Water*

1 *Act (42 U.S.C. 300j-12(d)(2)) is amended to read as fol-*
 2 *lows:*

3 “(2) *TOTAL AMOUNT OF SUBSIDIES.*—*For each*
 4 *fiscal year, of the amount of the capitalization grant*
 5 *received by the State for the year, the total amount*
 6 *of loan subsidies made by a State pursuant to para-*
 7 *graph (1)—*

8 “(A) *may not exceed 35 percent; and*

9 “(B) *to the extent that there are sufficient*
 10 *applications for loans to communities described*
 11 *in paragraph (1), may not be less than 6 per-*
 12 *cent.*”.

13 (d) *TYPES OF ASSISTANCE.*—*Section 1452(f)(1) of the*
 14 *Safe Drinking Water Act (42 U.S.C. 300j-12(f)(1)) is*
 15 *amended—*

16 (1) *by redesignating subparagraphs (C) and (D)*
 17 *as subparagraphs (D) and (E), respectively;*

18 (2) *by inserting after subparagraph (B) the fol-*
 19 *lowing new subparagraph:*

20 “(C) *each loan will be fully amortized not*
 21 *later than 30 years after the completion of the*
 22 *project, except that in the case of a disadvan-*
 23 *tagged community (as defined in subsection*
 24 *(d)(3)) a State may provide an extended term*
 25 *for a loan, if the extended term—*

1 “(i) terminates not later than the date
2 that is 40 years after the date of project
3 completion; and

4 “(ii) does not exceed the expected de-
5 sign life of the project;”; and

6 (3) in subparagraph (B), by striking “1 year
7 after completion of the project for which the loan was
8 made” and all that follows through “design life of the
9 project;” and inserting “18 months after completion
10 of the project for which the loan was made;”.

11 (e) *NEEDS SURVEY*.—Section 1452(h) of the Safe
12 Drinking Water Act (42 U.S.C. 300j–12(h)) is amended—

13 (1) by striking “The Administrator” and insert-
14 ing “(1) The Administrator”; and

15 (2) by adding at the end the following new para-
16 graph:

17 “(2) Any assessment conducted under paragraph (1)
18 after the date of enactment of America’s Water Infrastruc-
19 ture Act of 2018 shall include an assessment of costs to re-
20 place all lead service lines (as defined in section
21 1459B(a)(4)) of all eligible public water systems in the
22 United States, and such assessment shall describe separately
23 the costs associated with replacing the portions of such lead
24 service lines that are owned by an eligible public water sys-
25 tem and the costs associated with replacing any remaining

1 portions of such lead service lines, to the extent prac-
 2 ticable.”.

3 (f) OTHER AUTHORIZED ACTIVITIES.—Section
 4 1452(k)(1)(C) of the Safe Drinking Water Act (42 U.S.C.
 5 300j–12(k)(1)(C)) is amended by striking “for fiscal years
 6 1996 and 1997 to delineate and assess source water protec-
 7 tion areas in accordance with section 1453” and inserting
 8 “to delineate, assess, and update assessments for source
 9 water protection areas in accordance with section 1453”.

10 (g) BEST PRACTICES FOR ADMINISTRATION OF STATE
 11 REVOLVING LOAN FUNDS.—Section 1452 of the Safe Drink-
 12 ing Water Act (42 U.S.C. 300j–12) is amended by adding
 13 after subsection (r) the following:

14 “(s) BEST PRACTICES FOR STATE LOAN FUND ADMIN-
 15 ISTRATION.—The Administrator shall—

16 “(1) collect information from States on adminis-
 17 tration of State loan funds established pursuant to
 18 subsection (a)(1), including—

19 “(A) efforts to streamline the process for ap-
 20 plying for assistance through such State loan
 21 funds;

22 “(B) programs in place to assist with the
 23 completion of applications for assistance through
 24 such State loan funds;

1 “(C) incentives provided to public water
2 systems that partner with small public water
3 systems to assist with the application process for
4 assistance through such State loan funds;

5 “(D) practices to ensure that amounts in
6 such State loan funds are used to provide loans,
7 loan guarantees, or other authorized assistance
8 in a timely fashion;

9 “(E) practices that support effective man-
10 agement of such State loan funds;

11 “(F) practices and tools to enhance finan-
12 cial management of such State loan funds; and

13 “(G) key financial measures for use in eval-
14 uating State loan fund operations, including—

15 “(i) measures of lending capacity, such
16 as current assets and current liabilities or
17 undisbursed loan assistance liability; and

18 “(ii) measures of growth or sustain-
19 ability, such as return on net interest;

20 “(2) not later than 3 years after the date of en-
21 actment of America’s Water Infrastructure Act of
22 2018, disseminate to the States best practices for ad-
23 ministration of such State loan funds, based on the
24 information collected pursuant to this subsection; and

1 “(3) periodically update such best practices, as
2 appropriate.”.

3 **SEC. 2016. AUTHORIZATION FOR SOURCE WATER PETITION**
4 **PROGRAMS.**

5 Section 1454(e) of the Safe Drinking Water Act (42
6 U.S.C. 300j–14(e)) is amended by striking “1997 through
7 2003” and inserting “2020 through 2021”.

8 **SEC. 2017. REVIEW OF TECHNOLOGIES.**

9 Part E of the Safe Drinking Water Act (42 U.S.C. 300j
10 et seq.) is further amended by adding at the end the fol-
11 lowing new section:

12 **“SEC. 1459D. REVIEW OF TECHNOLOGIES.**

13 “(a) *REVIEW.*—The Administrator, after consultation
14 with appropriate departments and agencies of the Federal
15 Government and with State and local governments, shall
16 review (or enter into contracts or cooperative agreements
17 to provide for a review of) existing and potential methods,
18 means, equipment, and technologies (including review of
19 cost, availability, and efficacy of such methods, means,
20 equipment, and technologies) that—

21 “(1) ensure the physical integrity of community
22 water systems;

23 “(2) prevent, detect, and respond to any con-
24 taminant for which a national primary drinking
25 water regulation has been promulgated in community

1 *water systems and source water for community water*
2 *systems;*

3 “(3) *allow for use of alternate drinking water*
4 *supplies from nontraditional sources; and*

5 “(4) *facilitate source water assessment and pro-*
6 *tection.*

7 “(b) *INCLUSIONS.—The review under subsection (a)*
8 *shall include review of methods, means, equipment, and*
9 *technologies—*

10 “(1) *that are used for corrosion protection, me-*
11 *tering, leak detection, or protection against water loss;*

12 “(2) *that are intelligent systems, including hard-*
13 *ware, software, or other technology, used to assist in*
14 *protection and detection described in paragraph (1);*

15 “(3) *that are point-of-use devices or point-of-*
16 *entry devices;*

17 “(4) *that are physical or electronic systems that*
18 *monitor, or assist in monitoring, contaminants in*
19 *drinking water in real-time; and*

20 “(5) *that allow for the use of nontraditional*
21 *sources for drinking water, including physical separa-*
22 *tion and chemical and biological transformation tech-*
23 *nologies.*

1 “(c) *AVAILABILITY.*—*The Administrator shall make*
 2 *the results of the review under subsection (a) available to*
 3 *the public.*

4 “(d) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
 5 *authorized to be appropriated to the Administrator to carry*
 6 *out this section \$10,000,000 for fiscal year 2019, which*
 7 *shall remain available until expended.”.*

8 **SEC. 2018. SOURCE WATER.**

9 (a) *ADDRESSING SOURCE WATER USED FOR DRINK-*
 10 *ING WATER.*—*Section 304 of the Emergency Planning and*
 11 *Community Right-To-Know Act of 1986 (42 U.S.C. 11004)*
 12 *is amended—*

13 (1) *in subsection (b)(1), by striking “State emer-*
 14 *gency planning commission” and inserting “State*
 15 *emergency response commission”; and*

16 (2) *by adding at the end the following new sub-*
 17 *section:*

18 “(e) *ADDRESSING SOURCE WATER USED FOR DRINK-*
 19 *ING WATER.*—

20 “(1) *APPLICABLE STATE AGENCY NOTIFICA-*
 21 *TION.*—*A State emergency response commission*
 22 *shall—*

23 “(A) *promptly notify the applicable State*
 24 *agency of any release that requires notice under*
 25 *subsection (a);*

1 “(B) provide to the applicable State agency
2 the information identified in subsection (b)(2);
3 and

4 “(C) provide to the applicable State agency
5 a written followup emergency notice in accord-
6 ance with subsection (c).

7 “(2) COMMUNITY WATER SYSTEM NOTIFICA-
8 TION.—

9 “(A) IN GENERAL.—An applicable State
10 agency receiving notice of a release under para-
11 graph (1) shall—

12 “(i) promptly forward such notice to
13 any community water system the source
14 waters of which are affected by the release;

15 “(ii) forward to the community water
16 system the information provided under
17 paragraph (1)(B); and

18 “(iii) forward to the community water
19 system the written followup emergency no-
20 tice provided under paragraph (1)(C).

21 “(B) DIRECT NOTIFICATION.—In the case of
22 a State that does not have an applicable State
23 agency, the State emergency response commission
24 shall provide the notices and information de-
25 scribed in paragraph (1) directly to any commu-

1 *nity water system the source waters of which are*
 2 *affected by a release that requires notice under*
 3 *subsection (a).*

4 “(3) *DEFINITIONS.—In this subsection:*

5 “(A) *COMMUNITY WATER SYSTEM.—The*
 6 *term ‘community water system’ has the meaning*
 7 *given such term in section 1401(15) of the Safe*
 8 *Drinking Water Act.*

9 “(B) *APPLICABLE STATE AGENCY.—The*
 10 *term ‘applicable State agency’ means the State*
 11 *agency that has primary responsibility to enforce*
 12 *the requirements of the Safe Drinking Water Act*
 13 *in the State.”.*

14 (b) *AVAILABILITY TO COMMUNITY WATER SYSTEMS.—*
 15 *Section 312(e) of the Emergency Planning and Community*
 16 *Right-To-Know Act of 1986 (42 U.S.C. 11022(e)) is amend-*
 17 *ed—*

18 (1) *in paragraph (1), by striking “State emer-*
 19 *gency planning commission” and inserting “State*
 20 *emergency response commission”; and*

21 (2) *by adding at the end the following new para-*
 22 *graph:*

23 “(4) *AVAILABILITY TO COMMUNITY WATER SYS-*
 24 *TEMS.—*

1 “(A) *IN GENERAL.*—An affected community
 2 water system may have access to tier II informa-
 3 tion by submitting a request to the State emer-
 4 gency response commission or the local emer-
 5 gency planning committee. Upon receipt of a re-
 6 quest for tier II information, the State commis-
 7 sion or local committee shall, pursuant to para-
 8 graph (1), request the facility owner or operator
 9 for the tier II information and make available
 10 such information to the affected community
 11 water system.

12 “(B) *DEFINITION.*—In this paragraph, the
 13 term ‘affected community water system’ means a
 14 community water system (as defined in section
 15 1401(15) of the Safe Drinking Water Act) that
 16 receives supplies of drinking water from a source
 17 water area, delineated under section 1453 of the
 18 Safe Drinking Water Act, in which a facility
 19 that is required to prepare and submit an inven-
 20 tory form under subsection (a)(1) is located.”.

21 **SEC. 2019. REPORT ON FEDERAL CROSS-CUTTING REQUIRE-**
 22 **MENTS.**

23 (a) *REPORT.*—Not later than 1 year after the date of
 24 enactment of this Act, the Comptroller General shall submit
 25 to Congress a report containing the results of a study, to

1 *be conducted in consultation with the Administrator of the*
 2 *Environmental Protection Agency, any State agency that*
 3 *has primary responsibility to enforce the requirements of*
 4 *the Safe Drinking Water Act (42 U.S.C. 300f et seq.) in*
 5 *a State, and public water systems, to identify demonstra-*
 6 *tions of compliance with a State or local environmental law*
 7 *that may be substantially equivalent to any demonstration*
 8 *required by the Administrator for compliance with a Fed-*
 9 *eral cross-cutting requirement.*

10 (b) *DEFINITIONS.—In this subsection:*

11 (1) *FEDERAL CROSS-CUTTING REQUIREMENT.—*

12 *The term “Federal cross-cutting requirement” means*
 13 *a requirement of a Federal law or regulation, compli-*
 14 *ance with which is a condition on receipt of a loan*
 15 *or loan guarantee pursuant to section 1452 of the*
 16 *Safe Drinking Water Act (42 U.S.C. 300j–12), that,*
 17 *if applied with respect to projects and activities for*
 18 *which a public water system receives such a loan or*
 19 *loan guarantee, would be substantially equivalent to*
 20 *a requirement of an applicable State or local law.*

21 (2) *PUBLIC WATER SYSTEM.—The term “public*
 22 *water system” has the meaning given that term in*
 23 *section 1401 of the Safe Drinking Water Act (42*
 24 *U.S.C. 300f).*

1 **SEC. 2020. ASSISTANCE FOR AREAS AFFECTED BY NATURAL**
 2 **DISASTERS.**

3 (a) *DEFINITIONS.—In this section:*

4 (1) *COMMUNITY WATER SYSTEM.—The term*
 5 *“community water system” has the meaning given*
 6 *such term in section 1401(15) of the Safe Drinking*
 7 *Water Act (42 U.S.C. 300f(15)).*

8 (2) *ELIGIBLE STATE.—The term “eligible State”*
 9 *means a State, as defined in section 1401(13)(B) of*
 10 *the Safe Drinking Water Act (42 U.S.C. 300f(13)(B)).*

11 (3) *ELIGIBLE SYSTEM.—The term “eligible sys-*
 12 *tem” means a community water system—*

13 (A) *that serves an area for which, after*
 14 *January 1, 2017, the President under the Robert*
 15 *T. Stafford Disaster Relief and Emergency As-*
 16 *sistance Act (42 U.S.C. 5121 et seq.)—*

17 (i) *has issued a major disaster declara-*
 18 *tion; and*

19 (ii) *provided disaster assistance; or*

20 (B) *that is capable of extending its potable*
 21 *drinking water service into an underserved area.*

22 (4) *NATIONAL PRIMARY DRINKING WATER REGU-*
 23 *LATION.—The term “national primary drinking*
 24 *water regulation” means a national primary drink-*
 25 *ing water regulation under section 1412 of the Safe*
 26 *Drinking Water Act (42 U.S.C. 300g–1).*

1 (5) *UNDERSERVED AREA.*—*The term “under-*
 2 *served area” means a geographic area in an eligible*
 3 *State that—*

4 *(A) is served by a community water system*
 5 *serving fewer than 50,000 persons where delivery*
 6 *of, or access to, potable water is or was dis-*
 7 *rupted; and*

8 *(B) received disaster assistance pursuant to*
 9 *a declaration described in paragraph (3)(A).*

10 **(b) STATE REVOLVING LOAN FUND ASSISTANCE.**—

11 **(1) IN GENERAL.**—*An eligible State may use*
 12 *funds provided pursuant to subsection (e)(1) to pro-*
 13 *vide assistance to an eligible system within the eligi-*
 14 *ble State for the purpose of restoring or increasing*
 15 *compliance with national primary drinking water*
 16 *regulations in an underserved area.*

17 **(2) INCLUSION.**—

18 **(A) ADDITIONAL SUBSIDIZATION.**—*With re-*
 19 *spect to assistance provided under paragraph*
 20 *(1), an eligible system shall be eligible to receive*
 21 *loans with additional subsidization (including*
 22 *forgiveness of principal, negative-interest loans,*
 23 *or grants (or any combination thereof)) for the*
 24 *purpose described in paragraph (1).*

1 (B) *NONDESIGNATION.*—*Assistance provided*
 2 *under paragraph (1) may include additional*
 3 *subsidization, as described in subparagraph (A),*
 4 *even if the service area of the eligible system has*
 5 *not been designated by the applicable eligible*
 6 *State as a disadvantaged community pursuant*
 7 *to section 1452(d)(3) of the Safe Drinking Water*
 8 *Act (42 U.S.C. 300j–12(d)(3)).*

9 (c) *EXCLUSION.*—*Assistance provided under this sec-*
 10 *tion shall not include assistance for a project that is fi-*
 11 *nanced (directly or indirectly), in whole or in part, with*
 12 *proceeds of any obligation issued after the date of enactment*
 13 *of this Act the interest of which is exempt from the tax im-*
 14 *posed under chapter 1 of the Internal Revenue Code of 1986.*

15 (d) *NONDUPLICATION OF WORK.*—*An activity carried*
 16 *out pursuant to this section shall not duplicate the work*
 17 *or activity of any other Federal or State department or*
 18 *agency.*

19 (e) *ADDITIONAL DRINKING WATER STATE REVOLVING*
 20 *FUND CAPITALIZATION GRANTS.*—

21 (1) *IN GENERAL.*—*There is authorized to be ap-*
 22 *propriated to the Administrator of the Environmental*
 23 *Protection Agency \$100,000,000 to provide additional*
 24 *capitalization grants pursuant to section 1452 of the*

1 *Safe Drinking Water Act (42 U.S.C. 300j–12) to eli-*
2 *gible States, to be available—*

3 *(A) for a period of 24 months beginning on*
4 *the date on which the funds are made available*
5 *for the purpose described in subsection (b)(1);*
6 *and*

7 *(B) after the end of such 24-month period,*
8 *until expended for the purpose described in para-*
9 *graph (3) of this subsection.*

10 (2) *SUPPLEMENTED INTENDED USE PLANS.—*

11 *(A) OBLIGATION OF AMOUNTS.—Not later*
12 *than 30 days after the date on which an eligible*
13 *State submits to the Administrator a supple-*
14 *mental intended use plan under section 1452(b)*
15 *of the Safe Drinking Water Act (42 U.S.C. 300j–*
16 *12(b)), from funds made available under para-*
17 *graph (1), the Administrator shall obligate to*
18 *such eligible State such amounts as are appro-*
19 *priate to address the needs identified in such*
20 *supplemental intended use plan for the purpose*
21 *described in subsection (b)(1).*

22 *(B) PLANS.—A supplemental intended use*
23 *plan described in subparagraph (A) shall include*
24 *information regarding projects to be funded*
25 *using the assistance provided under subsection*

1 (b)(1), including, with respect to each such
2 project—

3 (i) a description of the project;

4 (ii) an explanation of the means by
5 which the project will restore or improve
6 compliance with national primary drinking
7 water regulations in an underserved area;

8 (iii) the estimated cost of the project;
9 and

10 (iv) the projected start date for the
11 project.

12 (3) *UNOBLIGATED AMOUNTS.*—Any amounts
13 made available to the Administrator under paragraph
14 (1) that are unobligated on the date that is 24 months
15 after the date on which the amounts are made avail-
16 able shall be available for the purpose of providing
17 additional grants to States to capitalize State loan
18 funds as provided under section 1452 of the Safe
19 Drinking Water Act (42 U.S.C. 300j–12).

20 (4) *APPLICABILITY.*—

21 (A) *IN GENERAL.*—Except as otherwise pro-
22 vided in this section, all requirements of the Safe
23 Drinking Water Act (42 U.S.C. 300f et seq.)
24 shall apply to funding provided under this sec-
25 tion.

1 (B) *INTENDED USE PLANS.*—Section
 2 1452(b)(1) of the Safe Drinking Water Act (42
 3 U.S.C. 300j–12(b)(1)) shall not apply to a sup-
 4 plemental intended use plan under paragraph
 5 (2).

6 (C) *STATE CONTRIBUTION.*—For amounts
 7 authorized to be appropriated under paragraph
 8 (1), the matching requirements in section
 9 1452(e) of the Safe Drinking Water Act (42
 10 U.S.C. 300j–12(e)) shall not apply to any funds
 11 provided to the Commonwealth of Puerto Rico
 12 under this section.

13 **SEC. 2021. MONITORING FOR UNREGULATED CONTAMI-**
 14 **NANTS.**

15 (a) *IN GENERAL.*—Section 1445 of the Safe Drinking
 16 Water Act (42 U.S.C. 300j–4) is amended by adding at the
 17 end the following:

18 “(j) *MONITORING BY CERTAIN SYSTEMS.*—

19 “(1) *IN GENERAL.*—Notwithstanding subsection
 20 (a)(2)(A), the Administrator shall, subject to the
 21 availability of appropriations for such purpose—

22 “(A) require public water systems serving
 23 between 3,300 and 10,000 persons to monitor for
 24 unregulated contaminants in accordance with
 25 this section; and

1 “(B) ensure that only a representative sam-
2 ple of public water systems serving fewer than
3 3,300 persons are required to monitor.

4 “(2) *EFFECTIVE DATE.*—Paragraph (1) shall
5 take effect 3 years after the date of enactment of this
6 subsection.

7 “(3) *LIMITATION.*—Paragraph (1) shall take ef-
8 fect unless the Administrator determines that there is
9 not sufficient laboratory capacity to accommodate the
10 analysis necessary to carry out monitoring required
11 under such paragraph.

12 “(4) *LIMITATION ON ENFORCEMENT.*—The Ad-
13 ministrator may not enforce a requirement to mon-
14 itor pursuant to paragraph (1) with respect to any
15 public water system serving fewer than 3,300 persons,
16 including by subjecting such a public water system to
17 any civil penalty.

18 “(5) *AUTHORIZATION OF APPROPRIATIONS.*—
19 There are authorized to be appropriated \$15,000,000
20 in each fiscal year for which monitoring is required
21 to be carried out under this subsection for the Admin-
22 istrator to pay the reasonable cost of such testing and
23 laboratory analysis as are necessary to carry out
24 monitoring required under this subsection.”.

1 (b) *AUTHORIZATION OF APPROPRIATIONS.*—Section
 2 1445(a)(2)(H) of the Safe Drinking Water Act (42 U.S.C.
 3 300j-4(a)(2)(H)) is amended by striking “1997 through
 4 2003” and inserting “2019 through 2021”.

5 (c) *INCLUSION IN DATA BASE.*—Section 1445(g)(7) of
 6 the Safe Drinking Water Act (42 U.S.C. 300j-4(g)(7)) is
 7 amended by—

8 (1) striking “and” at the end of subparagraph
 9 (B);

10 (2) redesignating subparagraph (C) as subpara-
 11 graph (D); and

12 (3) inserting after subparagraph (B) the fol-
 13 lowing:

14 “(C) if applicable, monitoring information
 15 collected by public water systems pursuant to
 16 subsection (j) that is not duplicative of moni-
 17 toring information included in the data base
 18 under subparagraph (B) or (D); and”.

19 **SEC. 2022. AMERICAN IRON AND STEEL PRODUCTS.**

20 Section 1452(a)(4)(A) of the Safe Drinking Water Act
 21 (42 U.S.C. 300j-12(a)(4)(A)) is amended by striking “fiscal
 22 year 2017” and inserting “fiscal years 2019 through 2023”.

1 **SEC. 2023. AUTHORIZATION FOR CAPITALIZATION GRANTS**
 2 **TO STATES FOR STATE DRINKING WATER**
 3 **TREATMENT REVOLVING LOAN FUNDS.**

4 *Section 1452(m) of the Safe Drinking Water Act (42*
 5 *U.S.C. 300j–12(m)) is amended—*

6 *(1) by striking the first sentence and inserting*
 7 *the following:*

8 *“(1) There are authorized to be appropriated to*
 9 *carry out the purposes of this section—*

10 *“(A) \$1,174,000,000 for fiscal year 2019;*

11 *“(B) \$1,300,000,000 for fiscal year 2020;*

12 *and*

13 *“(C) \$1,950,000,000 for fiscal year 2021.”;*

14 *(2) by striking “To the extent amounts author-*
 15 *ized to be” and inserting the following:*

16 *“(2) To the extent amounts authorized to be”;*

17 *and*

18 *(3) by striking “(prior to the fiscal year 2004)”.*

19 **TITLE III—ENERGY**

20 **SEC. 3001. MODERNIZING AUTHORIZATIONS FOR NEC-**
 21 **CESSARY HYDROPOWER APPROVALS.**

22 *(a) PRELIMINARY PERMITS.—Section 5 of the Federal*
 23 *Power Act (16 U.S.C. 798) is amended—*

24 *(1) in subsection (a), by striking “three” and in-*
 25 *serting “4”; and*

26 *(2) in subsection (b)—*

1 (A) by striking “Commission may extend
 2 the period of a preliminary permit once for not
 3 more than 2 additional years beyond the 3
 4 years” and inserting the following: “Commission
 5 may—

6 “(1) extend the period of a preliminary permit
 7 once for not more than 4 additional years beyond the
 8 4 years”;

9 (B) by striking the period at the end and
 10 inserting “; and”; and

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

12 “(2) after the end of an extension period granted
 13 under paragraph (1), issue an additional permit to
 14 the permittee if the Commission determines that there
 15 are extraordinary circumstances that warrant the
 16 issuance of the additional permit.”.

17 (b) *TIME LIMIT FOR CONSTRUCTION OF PROJECT*
 18 *WORKS.*—Section 13 of the Federal Power Act (16 U.S.C.
 19 806) is amended in the second sentence by striking “once
 20 but not longer than two additional years” and inserting
 21 “for not more than 8 additional years,”.

22 (c) *OBLIGATION FOR PAYMENT OF ANNUAL*
 23 *CHARGES.*—Any obligation of a licensee or exemptee for the
 24 payment of annual charges under section 10(e) of the Fed-
 25 eral Power Act (16 U.S.C. 803(e)) for a project that has

1 *not commenced construction as of the date of enactment of*
 2 *this Act shall commence not earlier than the latest of—*

3 *(1) the date by which the licensee or exemptee is*
 4 *required to commence construction; or*

5 *(2) the date of any extension of the deadline*
 6 *under paragraph (1).*

7 **SEC. 3002. QUALIFYING CONDUIT HYDROPOWER FACILI-**
 8 **TIES.**

9 *Section 30(a) of the Federal Power Act (16 U.S.C.*
 10 *823a(a)) is amended—*

11 *(1) in paragraph (2)(C), by striking “45 days”*
 12 *and inserting “30 days”; and*

13 *(2) in paragraph (3)(C)(ii), by striking “5” and*
 14 *inserting “40”.*

15 **SEC. 3003. PROMOTING HYDROPOWER DEVELOPMENT AT**
 16 **EXISTING NONPOWERED DAMS.**

17 *Part I of the Federal Power Act (16 U.S.C. 792 et seq.)*
 18 *is amended by adding at the end the following:*

19 **“SEC. 34. PROMOTING HYDROPOWER DEVELOPMENT AT EX-**
 20 **ISTING NONPOWERED DAMS.**

21 *“(a) EXPEDITED LICENSING PROCESS FOR NON-FED-*
 22 *ERAL HYDROPOWER PROJECTS AT EXISTING NONPOWERED*
 23 *DAMS.—*

24 *“(1) IN GENERAL.—As provided in this section,*
 25 *the Commission may issue and amend licenses, as ap-*

1 *appropriate, for any facility the Commission determines*
2 *is a qualifying facility.*

3 “(2) *RULE.*—*Not later than 180 days after the*
4 *date of enactment of this section, the Commission*
5 *shall issue a rule establishing an expedited process for*
6 *issuing and amending licenses for qualifying facilities*
7 *under this section.*

8 “(3) *INTERAGENCY TASK FORCE.*—

9 “(A) *In establishing the expedited process*
10 *under this section, the Commission shall convene*
11 *an interagency task force, with appropriate Fed-*
12 *eral and State agencies and Indian tribes rep-*
13 *resented, to coordinate the regulatory processes*
14 *associated with the authorizations required to*
15 *construct and operate a qualifying facility.*

16 “(B) *The task force shall develop procedures*
17 *that are consistent with subsection (e)(1)(E) to*
18 *seek to ensure that, for projects licensed pursuant*
19 *to this section, the Commission and appropriate*
20 *Federal and State agencies and Indian tribes*
21 *shall exercise their authorities in a manner that,*
22 *to the extent practicable, will not result in any*
23 *material change to the storage, release, or flow*
24 *operations of the associated nonpowered dam ex-*

1 *isting at the time an applicant files its license*
 2 *application.*

3 “(4) *LENGTH OF PROCESS.*—*The Commission*
 4 *shall seek to ensure that the expedited process under*
 5 *this section will result in a final decision on an ap-*
 6 *plication for a license by not later than 2 years after*
 7 *receipt of a completed application for the license.*

8 “(b) *DAM SAFETY.*—

9 “(1) *ASSESSMENT.*—*Before issuing any license*
 10 *for a qualifying facility, the Commission shall assess*
 11 *the safety of existing non-Federal dams and other*
 12 *non-Federal structures related to the qualifying facil-*
 13 *ity (including possible consequences associated with*
 14 *failure of such structures).*

15 “(2) *REQUIREMENTS.*—*In issuing any license for*
 16 *a qualifying facility at a non-Federal dam, the Com-*
 17 *mission shall ensure that the Commission’s dam safe-*
 18 *ty requirements apply to such qualifying facility, and*
 19 *the associated qualifying nonpowered dam, over the*
 20 *term of such license.*

21 “(c) *INTERAGENCY COMMUNICATIONS.*—*Interagency*
 22 *cooperation in the preparation of environmental documents*
 23 *under the National Environmental Policy Act of 1969 (42*
 24 *U.S.C. 4321 et seq.) with respect to an application for a*
 25 *license for a qualifying facility under this section, and*

1 *interagency communications relating to licensing process*
 2 *coordination pursuant to this section, shall not—*

3 “(1) *be considered to be ex parte communications*
 4 *under Commission rules; or*

5 “(2) *preclude an agency from participating in a*
 6 *licensing proceeding under this part, providing that*
 7 *any agency participating as a party in a licensing*
 8 *proceeding under this part shall, to the extent prac-*
 9 *ticable, demonstrate a separation of staff cooperating*
 10 *with the Commission under the National Environ-*
 11 *mental Policy Act (42 U.S.C. 4321 et seq.) and staff*
 12 *participating in the applicable proceeding under this*
 13 *part.*

14 “(d) *IDENTIFICATION OF NONPOWERED DAMS FOR HY-*
 15 *DROPOWER DEVELOPMENT.—*

16 “(1) *IN GENERAL.—Not later than 12 months*
 17 *after the date of enactment of this section, the Com-*
 18 *mission, with the Secretary of the Army, the Sec-*
 19 *retary of the Interior, and the Secretary of Agri-*
 20 *culture, shall jointly develop a list of existing non-*
 21 *powered Federal dams that the Commission and the*
 22 *Secretaries agree have the greatest potential for non-*
 23 *Federal hydropower development.*

1 “(2) *CONSIDERATIONS.*—*In developing the list*
2 *under paragraph (1), the Commission and the Secre-*
3 *taries may consider the following:*

4 “(A) *The compatibility of hydropower gen-*
5 *eration with existing purposes of the dam.*

6 “(B) *The proximity of the dam to existing*
7 *transmission resources.*

8 “(C) *The existence of studies to characterize*
9 *environmental, cultural, and historic resources*
10 *relating to the dam.*

11 “(D) *The effects of hydropower development*
12 *on release or flow operations of the dam.*

13 “(3) *AVAILABILITY.*—*The Commission shall—*

14 “(A) *provide the list developed under para-*
15 *graph (1) to—*

16 “(i) *the Committee on Energy and*
17 *Commerce, the Committee on Transpor-*
18 *tation and Infrastructure, and the Com-*
19 *mittee on Natural Resources, of the House*
20 *of Representatives; and*

21 “(ii) *the Committee on Environment*
22 *and Public Works, and the Committee on*
23 *Energy and Natural Resources, of the Sen-*
24 *ate; and*

25 “(B) *make such list available to the public.*

1 “(e) *DEFINITIONS.—For purposes of this section:*

2 “(1) *QUALIFYING CRITERIA.—The term ‘quali-*
3 *fying criteria’ means, with respect to a facility—*

4 “(A) *as of the date of enactment of this sec-*
5 *tion, the facility is not licensed under, or ex-*
6 *empted from the license requirements contained*
7 *in, this part;*

8 “(B) *the facility will be associated with a*
9 *qualifying nonpowered dam;*

10 “(C) *the facility will be constructed, oper-*
11 *ated, and maintained for the generation of elec-*
12 *tric power;*

13 “(D) *the facility will use for such genera-*
14 *tion any withdrawals, diversions, releases, or*
15 *flows from the associated qualifying nonpowered*
16 *dam, including its associated impoundment or*
17 *other infrastructure; and*

18 “(E) *the operation of the facility will not*
19 *result in any material change to the storage, re-*
20 *lease, or flow operations of the associated quali-*
21 *fying nonpowered dam.*

22 “(2) *QUALIFYING FACILITY.—The term ‘quali-*
23 *fying facility’ means a facility that is determined*
24 *under this section to meet the qualifying criteria.*

1 “(3) *QUALIFYING NONPOWERED DAM*.—The term
2 ‘qualifying nonpowered dam’ means any dam, dike,
3 embankment, or other barrier—

4 “(A) the construction of which was com-
5 pleted on or before the date of enactment of this
6 section;

7 “(B) that is or was operated for the control,
8 release, or distribution of water for agricultural,
9 municipal, navigational, industrial, commercial,
10 environmental, recreational, aesthetic, drinking
11 water, or flood control purposes; and

12 “(C) that, as of the date of enactment of this
13 section, is not generating electricity with hydro-
14 power generating works that are licensed under,
15 or exempted from the license requirements con-
16 tained in, this part.

17 “(f) *SAVINGS CLAUSE*.—Nothing in this section af-
18 fects—

19 “(1) any authority of the Commission to license
20 a facility at a nonpowered dam under this part; and

21 “(2) any authority of the Commission to issue
22 an exemption to a small hydroelectric power project
23 under the Public Utility Regulatory Policies Act of
24 1978.”.

1 **SEC. 3004. CLOSED-LOOP PUMPED STORAGE PROJECTS.**

2 *Part I of the Federal Power Act (16 U.S.C. 792 et*
 3 *seq.), as amended, is further amended by adding at the end*
 4 *the following:*

5 **“SEC. 35. CLOSED-LOOP PUMPED STORAGE PROJECTS.**

6 *“(a) EXPEDITED LICENSING PROCESS FOR CLOSED-*
 7 *LOOP PUMPED STORAGE PROJECTS.—*

8 *“(1) IN GENERAL.—As provided in this section,*
 9 *the Commission may issue and amend licenses, as ap-*
 10 *propriate, for closed-loop pumped storage projects.*

11 *“(2) RULE.—Not later than 180 days after the*
 12 *date of enactment of this section, the Commission*
 13 *shall issue a rule establishing an expedited process for*
 14 *issuing and amending licenses for closed-loop pumped*
 15 *storage projects under this section.*

16 *“(3) INTERAGENCY TASK FORCE.—In estab-*
 17 *lishing the expedited process under this section, the*
 18 *Commission shall convene an interagency task force,*
 19 *with appropriate Federal and State agencies and In-*
 20 *dian tribes represented, to coordinate the regulatory*
 21 *processes associated with the authorizations required*
 22 *to construct and operate closed-loop pumped storage*
 23 *projects.*

24 *“(4) LENGTH OF PROCESS.—The Commission*
 25 *shall seek to ensure that the expedited process under*
 26 *this section will result in final decision on an appli-*

1 *cation for a license by not later than 2 years after re-*
 2 *ceipt of a completed application for such license.*

3 “(b) *DAM SAFETY.*—*Before issuing any license for a*
 4 *closed-loop pumped storage project, the Commission shall*
 5 *assess the safety of existing dams and other structures re-*
 6 *lated to the project (including possible consequences associ-*
 7 *ated with failure of such structures).*

8 “(c) *EXCEPTIONS FROM OTHER REQUIREMENTS.*—

9 “(1) *IN GENERAL.*—*In issuing or amending a li-*
 10 *cence for a closed-loop pumped storage project pursu-*
 11 *ant to the expedited process established under this sec-*
 12 *tion, the Commission may grant an exception from*
 13 *any other requirement of this part with respect to any*
 14 *part of the closed-loop pumped storage project (not in-*
 15 *cluding any dam or other impoundment).*

16 “(2) *CONSULTATION.*—*In granting an exception*
 17 *under paragraph (1), the Commission shall consult*
 18 *with the United States Fish and Wildlife Service, the*
 19 *National Marine Fisheries Service, and the State*
 20 *agency exercising administration over the fish and*
 21 *wildlife resources of the State in which the closed-loop*
 22 *pumped storage project is or will be located, in the*
 23 *manner provided by the Fish and Wildlife Coordina-*
 24 *tion Act (16 U.S.C. 661 et seq.).*

1 “(3) *TERMS AND CONDITIONS.*—*In granting an*
2 *exception under paragraph (1), the Commission shall*
3 *include in any such exception—*

4 “(A) *such terms and conditions as the*
5 *United States Fish and Wildlife Service, the Na-*
6 *tional Marine Fisheries Service, and the State*
7 *agency described in paragraph (2) each deter-*
8 *mine are appropriate to prevent loss of, or dam-*
9 *age to, fish and wildlife resources and to other-*
10 *wise carry out the purposes of the Fish and*
11 *Wildlife Coordination Act; and*

12 “(B) *such terms and conditions as the Com-*
13 *mission deems appropriate to ensure that such*
14 *closed-loop pumped storage project continues to*
15 *comply with the provisions of this section and*
16 *terms and conditions included in any such ex-*
17 *ception.*

18 “(4) *FEES.*—*The Commission, in addition to the*
19 *requirements of section 10(e), shall establish fees*
20 *which shall be paid by an applicant for a license for*
21 *a closed-loop pumped storage project that is required*
22 *to meet terms and conditions set by fish and wildlife*
23 *agencies under paragraph (3). Such fees shall be ade-*
24 *quate to reimburse the fish and wildlife agencies re-*
25 *ferred to in paragraph (3) for any reasonable costs*

1 *incurred in connection with any studies or other re-*
 2 *views carried out by such agencies for purposes of*
 3 *compliance with this section. The fees shall, subject to*
 4 *annual appropriations Acts, be transferred to such*
 5 *agencies by the Commission for use solely for purposes*
 6 *of carrying out such studies and shall remain avail-*
 7 *able until expended.*

8 *“(d) TRANSFERS.—Notwithstanding section 5, and re-*
 9 *gardless of whether the holder of a preliminary permit for*
 10 *a closed-loop pumped storage project claimed municipal*
 11 *preference under section 7(a) when obtaining the permit,*
 12 *on request by a municipality, the Commission may, to fa-*
 13 *cilitate development of a closed-loop pumped storage*
 14 *project—*

15 *“(1) add entities as joint permittees following*
 16 *issuance of a preliminary permit; and*

17 *“(2) transfer a license in part to one or more*
 18 *nonmunicipal entities as co-licensees with a munici-*
 19 *pality, if the municipality retains majority owner-*
 20 *ship of the project for which the license was issued.*

21 *“(e) INTERAGENCY COMMUNICATIONS.—Interagency*
 22 *cooperation in the preparation of environmental documents*
 23 *under the National Environmental Policy Act of 1969 (42*
 24 *U.S.C. 4321 et seq.) with respect to an application for a*
 25 *license for a closed-loop pumped storage project submitted*

1 *pursuant to this section, and interagency communications*
 2 *relating to licensing process coordination pursuant to this*
 3 *section, shall not—*

4 “(1) *be considered to be ex parte communications*
 5 *under Commission rules; or*

6 “(2) *preclude an agency from participating in a*
 7 *licensing proceeding under this part, providing that*
 8 *any agency participating as a party in a licensing*
 9 *proceeding under this part shall, to the extent prac-*
 10 *ticable, demonstrate a separation of staff cooperating*
 11 *with the Commission under the National Environ-*
 12 *mental Policy Act (42 U.S.C. 4321 et seq.) and staff*
 13 *participating in the applicable proceeding under this*
 14 *part.*

15 “(f) *DEVELOPING ABANDONED MINES FOR PUMPED*
 16 *STORAGE.—*

17 “(1) *WORKSHOP.—Not later than 6 months after*
 18 *the date of enactment of this section, the Commission*
 19 *shall hold a workshop to explore potential opportuni-*
 20 *ties for development of closed-loop pumped storage*
 21 *projects at abandoned mine sites.*

22 “(2) *GUIDANCE.—Not later than 1 year after the*
 23 *date of enactment of this section, the Commission*
 24 *shall issue guidance to assist applicants for licenses*

1 or preliminary permits for closed-loop pumped stor-
 2 age projects at abandoned mine sites.

3 “(g) *QUALIFYING CRITERIA FOR CLOSED-LOOP*
 4 *PUMPED STORAGE PROJECTS.*—

5 “(1) *IN GENERAL.*—*The Commission shall estab-*
 6 *lish criteria that a pumped storage project shall meet*
 7 *in order to qualify as a closed-loop pumped storage*
 8 *project eligible for the expedited process established*
 9 *under this section.*

10 “(2) *INCLUSIONS.*—*In establishing the criteria*
 11 *under paragraph (1), the Commission shall include*
 12 *criteria requiring that the pumped storage project—*

13 “(A) *cause little to no change to existing*
 14 *surface and ground water flows and uses; and*

15 “(B) *is unlikely to adversely affect species*
 16 *listed as a threatened species or endangered spe-*
 17 *cies under the Endangered Species Act of 1973.*

18 “(h) *SAVINGS CLAUSE.*—*Nothing in this section affects*
 19 *any authority of the Commission to license a closed-loop*
 20 *pumped storage project under this part.”.*

21 **SEC. 3005. CONSIDERATIONS FOR RELICENSING TERMS.**

22 *Part I of the Federal Power Act (16 U.S.C. 792 et*
 23 *seq.), as amended, is further amended by adding at the end*
 24 *the following:*

1 **“SEC. 36. CONSIDERATIONS FOR RELICENSING TERMS.**

2 “(a) *IN GENERAL.*—*In determining the term of a new*
 3 *license issued when an existing license under this part ex-*
 4 *pires, the Commission shall take into consideration, among*
 5 *other things—*

6 “(1) *project-related investments by the licensee*
 7 *under the new license; and*

8 “(2) *project-related investments by the licensee*
 9 *over the term of the existing license.*

10 “(b) *EQUAL WEIGHT.*—*The determination of the Com-*
 11 *mission under subsection (a) shall give equal weight to—*

12 “(1) *investments by the licensee to implement the*
 13 *new license under this part, including investments re-*
 14 *lating to redevelopment, new construction, new capac-*
 15 *ity, efficiency, modernization, rehabilitation or re-*
 16 *placement of major equipment, safety improvements,*
 17 *or environmental, recreation, or other protection,*
 18 *mitigation, or enhancement measures required or au-*
 19 *thorized by the new license; and*

20 “(2) *investments by the licensee over the term of*
 21 *the existing license (including any terms under an-*
 22 *ual licenses) that—*

23 “(A) *resulted in redevelopment, new con-*
 24 *struction, new capacity, efficiency, moderniza-*
 25 *tion, rehabilitation or replacement of major*
 26 *equipment, safety improvements, or environ-*

1 *mental, recreation, or other protection, mitiga-*
 2 *tion, or enhancement measures conducted over*
 3 *the term of the existing license; and*

4 *“(B) were not expressly considered by the*
 5 *Commission as contributing to the length of the*
 6 *existing license term in any order establishing or*
 7 *extending the existing license term.*

8 *“(c) COMMISSION DETERMINATION.—At the request of*
 9 *the licensee, the Commission shall make a determination as*
 10 *to whether any planned, ongoing, or completed investment*
 11 *meets the criteria under subsection (b)(2). Any determina-*
 12 *tion under this subsection shall be issued within 60 days*
 13 *following receipt of the licensee’s request. When issuing its*
 14 *determination under this subsection, the Commission shall*
 15 *not assess the incremental number of years that the invest-*
 16 *ment may add to the new license term. All such assessment*
 17 *shall occur only as provided in subsection (a).”.*

18 **SEC. 3006. FAIR RATEPAYER ACCOUNTABILITY, TRANS-**
 19 **PARENCY, AND EFFICIENCY STANDARDS.**

20 *Section 205 of the Federal Power Act (16 U.S.C. 824d)*
 21 *is amended by adding at the end the following:*

22 *“(g) INACTION OF COMMISSIONERS.—*

23 *“(1) IN GENERAL.—With respect to a change de-*
 24 *scribed in subsection (d), if the Commission permits*
 25 *the 60-day period established therein to expire with-*

1 *out issuing an order accepting or denying the change*
 2 *because the Commissioners are divided two against*
 3 *two as to the lawfulness of the change, as a result of*
 4 *vacancy, incapacity, or recusal on the Commission, or*
 5 *if the Commission lacks a quorum—*

6 *“(A) the failure to issue an order accepting*
 7 *or denying the change by the Commission shall*
 8 *be considered to be an order issued by the Com-*
 9 *mission accepting the change for purposes of sec-*
 10 *tion 313(a); and*

11 *“(B) each Commissioner shall add to the*
 12 *record of the Commission a written statement ex-*
 13 *plaining the views of the Commissioner with re-*
 14 *spect to the change.*

15 *“(2) APPEAL.—If, pursuant to this subsection, a*
 16 *person seeks a rehearing under section 313(a), and*
 17 *the Commission fails to act on the merits of the re-*
 18 *hearing request by the date that is 30 days after the*
 19 *date of the rehearing request because the Commis-*
 20 *sioners are divided two against two, as a result of va-*
 21 *cancy, incapacity, or recusal on the Commission, or*
 22 *if the Commission lacks a quorum, such person may*
 23 *appeal under section 313(b).”.*

1 **SEC. 3007. J. BENNETT JOHNSTON WATERWAY HYDRO-**
 2 **POWER EXTENSION.**

3 (a) *IN GENERAL.*—Notwithstanding the time period
 4 specified in section 13 of the Federal Power Act (16 U.S.C.
 5 806) that would otherwise apply to Federal Energy Regu-
 6 latory Commission project numbers 12756, 12757, and
 7 12758, the Commission may, at the request of the licensee
 8 for the applicable project, and after reasonable notice, in
 9 accordance with the good faith, due diligence, and public
 10 interest requirements of that section and the Commission's
 11 procedures under that section, extend the time period dur-
 12 ing which such licensee is required to commence the con-
 13 struction of its applicable project for up to 3 consecutive
 14 2-year periods from the date of the expiration of the exten-
 15 sion originally issued by the Commission under that section
 16 for such project.

17 (b) *OBLIGATION FOR PAYMENT OF ANNUAL*
 18 *CHARGES.*—Any obligation of a licensee for a project de-
 19 scribed in subsection (a) for the payment of annual charges
 20 under section 10(e) of the Federal Power Act (16 U.S.C.
 21 803(e)) shall commence when the construction of the project
 22 commences.

23 (c) *REINSTATEMENT OF LICENSE; EFFECTIVE DATE*
 24 *FOR EXTENSION.*—

25 (1) *REINSTATEMENT.*—If the time period re-
 26 quired for commencement of construction of a project

1 described in subsection (a) has expired prior to the
 2 date of the enactment of this Act, the Commission
 3 may reinstate the license for such project, effective as
 4 of the date of the expiration of the license.

5 (2) *EFFECTIVE DATE FOR EXTENSION.*—If the
 6 Commission reinstates a license under paragraph (1)
 7 for a project, the first extension authorized under sub-
 8 section (a) with respect to such project shall take effect
 9 on the effective date of such reinstatement under
 10 paragraph (1).

11 **SEC. 3008. STAY AND REINSTATEMENT OF FERC LICENSE**

12 **NO. 11393 FOR THE MAHONEY LAKE HYDRO-**
 13 **ELECTRIC PROJECT.**

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

15 (1) *COMMISSION.*—The term “Commission”
 16 means the Federal Energy Regulatory Commission.

17 (2) *LICENSE.*—The term “license” means the li-
 18 cense for the Commission project numbered 11393.

19 (3) *LICENSEE.*—The term “licensee” means the
 20 holder of the license.

21 (b) *STAY OF LICENSE.*—On the request of the licensee,
 22 the Commission shall issue an order continuing the stay
 23 of the license.

1 (c) *LIFTING OF STAY.*—On the request of the licensee,
 2 but not later than 10 years after the date of enactment of
 3 this Act, the Commission shall—

4 (1) *issue an order lifting the stay of the license*
 5 *under subsection (b); and*

6 (2) *make the effective date of the license the date*
 7 *on which the stay is lifted under paragraph (1).*

8 (d) *EXTENSION OF LICENSE.*—

9 (1) *IN GENERAL.*—Notwithstanding the time pe-
 10 riod specified in section 13 of the Federal Power Act
 11 (16 U.S.C. 806) that would otherwise apply to the
 12 Commission project numbered 11393, the Commission
 13 may, at the request of the licensee, and after reason-
 14 able notice, in accordance with the good faith, due
 15 diligence, and public interest requirements of, and the
 16 procedures of the Commission under, that section, ex-
 17 tend the time period during which the licensee is re-
 18 quired to commence the construction of the project for
 19 not more than 3 consecutive 2-year periods from the
 20 date of the expiration of the extension originally
 21 issued by the Commission.

22 (2) *REINSTATEMENT OF EXPIRED LICENSE.*—

23 (A) *IN GENERAL.*—If the period required for
 24 the commencement of construction of the project
 25 described in paragraph (1) has expired prior to

1 *the date of enactment of this Act, the Commis-*
 2 *sion may reinstate the license effective as of the*
 3 *date of the expiration of the license.*

4 *(B) EXTENSION.—If the Commission rein-*
 5 *states the license under subparagraph (A), the*
 6 *first extension authorized under paragraph (1)*
 7 *shall take effect on the date of that expiration.*

8 *(e) EFFECT.—Nothing in this Act prioritizes, or cre-*
 9 *ates any advantage or disadvantage to, Commission project*
 10 *numbered 11393 under Federal law, including the Federal*
 11 *Power Act (16 U.S.C. 791a et seq.) or the Public Utility*
 12 *Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.),*
 13 *as compared to—*

14 *(1) any electric generating facility in existence*
 15 *on the date of enactment of this Act; or*

16 *(2) any electric generating facility that may be*
 17 *examined, proposed, or developed during the period of*
 18 *any stay or extension of the license under this Act.*

19 **SEC. 3009. STRATEGIC PETROLEUM RESERVE DRAWDOWN.**

20 *(a) DRAWDOWN AND SALE.—*

21 *(1) IN GENERAL.—Notwithstanding section 161*
 22 *of the Energy Policy and Conservation Act (42 U.S.C.*
 23 *6241), except as provided in subsection (b), the Sec-*
 24 *retary of Energy shall draw down and sell 5,000,000*

1 *barrels of crude oil from the Strategic Petroleum Re-*
 2 *serve during fiscal year 2028.*

3 (2) *DEPOSIT OF AMOUNTS RECEIVED FROM*
 4 *SALE.*—*Amounts received from a sale under para-*
 5 *graph (1) shall be deposited in the general fund of the*
 6 *Treasury during the fiscal year in which the sale oc-*
 7 *curs.*

8 (b) *EMERGENCY PROTECTION.*—*The Secretary of En-*
 9 *ergy may not draw down and sell crude oil under this sec-*
 10 *tion in quantities that would limit the authority to sell pe-*
 11 *troleum products under subsection (h) of section 161 of the*
 12 *Energy Policy and Conservation Act (42 U.S.C. 6241) in*
 13 *the full quantity authorized by that subsection.*

14 ***TITLE IV—OTHER MATTERS***

15 ***Subtitle A—Clean Water***

16 ***SEC. 4101. STORMWATER INFRASTRUCTURE FUNDING TASK*** 17 ***FORCE.***

18 (a) *IN GENERAL.*—*Not later than 180 days after the*
 19 *date of enactment of this Act, the Administrator of the En-*
 20 *vironmental Protection Agency shall establish a stormwater*
 21 *infrastructure funding task force composed of representa-*
 22 *tives of Federal, State, and local governments and private*
 23 *(including nonprofit) entities to conduct a study on, and*
 24 *develop recommendations to improve, the availability of*
 25 *public and private sources of funding for the construction,*

1 *rehabilitation, and operation and maintenance of*
2 *stormwater infrastructure to meet the requirements of the*
3 *Federal Water Pollution Control Act (33 U.S.C. 1251 et*
4 *seq.).*

5 *(b) CONSIDERATIONS.—In carrying out subsection (a),*
6 *the task force shall—*

7 *(1) identify existing Federal, State, and local*
8 *public sources and private sources of funding for*
9 *stormwater infrastructure; and*

10 *(2) consider—*

11 *(A) how funding for stormwater infrastruc-*
12 *ture from such sources has been made available,*
13 *and utilized, in each State to address stormwater*
14 *infrastructure needs identified pursuant to sec-*
15 *tion 516(b)(1) of the Federal Water Pollution*
16 *Control Act (33 U.S.C. 1375(b)(1));*

17 *(B) how the source of funding affects the af-*
18 *fordability of the infrastructure (as determined*
19 *based on the considerations used to assess the fi-*
20 *nancial capability of municipalities under the*
21 *integrated planning guidelines described in the*
22 *Integrated Municipal Stormwater and Waste-*
23 *water Planning Approach Framework, issued by*
24 *the Environmental Protection Agency on June 5,*
25 *2012, and dated May, 2012), including consider-*

1 *ation of the costs associated with financing the*
 2 *infrastructure; and*

3 *(C) whether such sources of funding are suf-*
 4 *ficient to support capital expenditures and long-*
 5 *term operation and maintenance costs necessary*
 6 *to meet the stormwater infrastructure needs of*
 7 *municipalities.*

8 *(c) REPORT.—Not later than 18 months after the date*
 9 *of enactment of this Act, the Administrator shall submit*
 10 *to Congress a report that describes the results of the study*
 11 *conducted, and the recommendations developed, under sub-*
 12 *section (a).*

13 *(d) STATE DEFINED.—In this section, the term*
 14 *“State” has the meaning given that term in section 502*
 15 *of the Federal Water Pollution Control Act (33 U.S.C.*
 16 *1362).*

17 **SEC. 4102. WASTEWATER TECHNOLOGY CLEARINGHOUSE.**

18 *(a) IN GENERAL.—*

19 *(1) IN GENERAL.—The Administrator of the En-*
 20 *vironmental Protection Agency shall—*

21 *(A) for each of the programs described in*
 22 *paragraph (2), update the information for those*
 23 *programs to include information on cost-effective*
 24 *and alternative wastewater recycling and treat-*

1 *ment technologies, including onsite and decen-*
 2 *tralized systems; and*

3 *(B) disseminate to units of local government*
 4 *and nonprofit organizations seeking Federal*
 5 *funds for wastewater technology information on*
 6 *the cost effectiveness of alternative wastewater*
 7 *treatment and recycling technologies, including*
 8 *onsite and decentralized systems.*

9 *(2) PROGRAMS DESCRIBED.—The programs re-*
 10 *ferred to in paragraph (1)(A) are programs that pro-*
 11 *vide technical assistance for wastewater management,*
 12 *including—*

13 *(A) programs for nonpoint source manage-*
 14 *ment under section 319 of the Federal Water*
 15 *Pollution Control Act (33 U.S.C. 1329); and*

16 *(B) the permit program for the disposal of*
 17 *sewer sludge under section 405 of the Federal*
 18 *Water Pollution Control Act (33 U.S.C. 1345).*

19 *(b) REPORT TO CONGRESS.—Not later than 1 year*
 20 *after the date of enactment of this Act, and not less fre-*
 21 *quently than every 3 years thereafter, the Administrator of*
 22 *the Environmental Protection Agency shall submit to Con-*
 23 *gress a report that describes—*

24 *(1) the type and amount of information provided*
 25 *under subsection (a) to units of local government and*

1 *nonprofit organizations regarding alternative waste-*
 2 *water treatment and recycling technologies;*

3 *(2) the States and regions that have made great-*
 4 *est use of alternative wastewater treatment and recy-*
 5 *cling technologies; and*

6 *(3) the actions taken by the Administrator to as-*
 7 *sist States in the deployment of alternative waste-*
 8 *water treatment and recycling technologies, including*
 9 *onsite and decentralized systems.*

10 **SEC. 4103. TECHNICAL ASSISTANCE FOR TREATMENT**
 11 **WORKS.**

12 *(a) TECHNICAL ASSISTANCE.—Section 104 of the Fed-*
 13 *eral Water Pollution Control Act (33 U.S.C. 1254) is*
 14 *amended—*

15 *(1) in subsection (b)—*

16 *(A) by striking “and” at the end of para-*
 17 *graph (6);*

18 *(B) by striking the period at the end of*
 19 *paragraph (7) and inserting “; and”; and*

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

21 *“(8) make grants to nonprofit organizations—*

22 *“(A) to provide technical assistance to*
 23 *rural, small, and tribal municipalities for the*
 24 *purpose of assisting, in consultation with the*
 25 *State in which the assistance is provided, such*

1 *municipalities and tribal governments in the*
 2 *planning, developing, and acquisition of financ-*
 3 *ing for eligible projects and activities described*
 4 *in section 603(c);*

5 *“(B) to provide technical assistance and*
 6 *training for rural, small, and tribal publicly*
 7 *owned treatment works and decentralized waste-*
 8 *water treatment systems to enable such treatment*
 9 *works and systems to protect water quality and*
 10 *achieve and maintain compliance with the re-*
 11 *quirements of this Act; and*

12 *“(C) to disseminate information to rural,*
 13 *small, and tribal municipalities and municipali-*
 14 *ties that meet the affordability criteria estab-*
 15 *lished under section 603(i)(2) by the State in*
 16 *which the municipality is located with respect to*
 17 *planning, design, construction, and operation of*
 18 *publicly owned treatment works and decentral-*
 19 *ized wastewater treatment systems.”; and*

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

21 *“(w) NONPROFIT ORGANIZATION.—For purposes of*
 22 *subsection (b)(8), the term ‘nonprofit organization’ means*
 23 *a nonprofit organization that the Administrator deter-*
 24 *mines, after consultation with the States regarding what*
 25 *small publicly owned treatments works in the State find*

1 *to be most beneficial and effective, is qualified and experi-*
 2 *enced in providing on-site training and technical assistance*
 3 *to small publicly owned treatment works.”.*

4 (b) *AUTHORIZATION OF APPROPRIATIONS.—Section*
 5 *104(u) of the Federal Water Pollution Control Act (33*
 6 *U.S.C. 1254(u)) is amended—*

7 (1) *by striking “and (6)” and inserting “(6)”;*
 8 *and*

9 (2) *by inserting before the period at the end the*
 10 *following: “; and (7) not to exceed \$25,000,000 for*
 11 *each of fiscal years 2019 through 2023 for carrying*
 12 *out subsections (b)(3), (b)(8), and (g)”.*

13 **SEC. 4104. AMENDMENTS TO LONG ISLAND SOUND PRO-**
 14 **GRAMS.**

15 (a) *LONG ISLAND SOUND RESTORATION PROGRAM.—*
 16 *Section 119 of the Federal Water Pollution Control Act (33*
 17 *U.S.C. 1269) is amended—*

18 (1) *in subsection (c)—*

19 (A) *in the matter preceding paragraph (1),*
 20 *by striking “Management Conference of the Long*
 21 *Island Sound Study” and inserting “conference*
 22 *study”;*

23 (B) *in paragraph (2)—*

24 (i) *in each of subparagraphs (A)*
 25 *through (G), by striking the commas at the*

1 *end of the subparagraphs and inserting*
 2 *semicolons;*

3 *(ii) in subparagraph (H), by striking*
 4 *“, and” and inserting a semicolon;*

5 *(iii) in subparagraph (I), by striking*
 6 *the period at the end and inserting a semi-*
 7 *colon; and*

8 *(iv) by adding at the end the following:*

9 *“(J) environmental vulnerabilities of the*
 10 *Long Island Sound watershed, including—*

11 *“(i) the identification and assessment*
 12 *of such vulnerabilities in the watershed;*

13 *“(ii) the development and implementa-*
 14 *tion of adaptation strategies to reduce such*
 15 *vulnerabilities; and*

16 *“(iii) the identification and assessment*
 17 *of the effects of sea level rise on water qual-*
 18 *ity, habitat, and infrastructure; and”;*

19 *(C) by striking paragraph (4) and inserting*
 20 *the following:*

21 *“(4) develop and implement strategies to increase*
 22 *public education and awareness with respect to the ec-*
 23 *ological health and water quality conditions of Long*
 24 *Island Sound;”;*

1 (D) in paragraph (5), by inserting “study”
2 after “conference”;

3 (E) in paragraph (6)—

4 (i) by inserting “(including on a pub-
5 licly accessible website)” after “the public”;
6 and

7 (ii) by inserting “study” after “con-
8 ference”; and

9 (F) by striking paragraph (7) and inserting
10 the following:

11 “(7) monitor the progress made toward meeting
12 the identified goals, actions, and schedules of the
13 Comprehensive Conservation and Management Plan,
14 including through the implementation and support of
15 a monitoring system for the ecological health and
16 water quality conditions of Long Island Sound; and”;

17 (2) in subsection (d)(3), in the second sentence,
18 by striking “50 per centum” and inserting “60 per-
19 cent”;

20 (3) by redesignating subsection (f) as subsection
21 (h); and

22 (4) by inserting after subsection (e) the following:
23 “(f) *REPORT*.—

24 “(1) *IN GENERAL*.—Not later than 2 years after
25 the date of enactment of this Act, and biennially

1 *thereafter, the Director of the Office, in consultation*
2 *with the Governor of each Long Island Sound State,*
3 *shall submit to Congress a report that—*

4 “(A) *summarizes and assesses the progress*
5 *made by the Office and the Long Island Sound*
6 *States in implementing the Long Island Sound*
7 *Comprehensive Conservation and Management*
8 *Plan, including an assessment of the progress*
9 *made toward meeting the performance goals and*
10 *milestones contained in the Plan;*

11 “(B) *assesses the key ecological attributes*
12 *that reflect the health of the ecosystem of the*
13 *Long Island Sound watershed;*

14 “(C) *describes any substantive modifica-*
15 *tions to the Long Island Sound Comprehensive*
16 *Conservation and Management Plan made dur-*
17 *ing the 2-year period preceding the date of sub-*
18 *mission of the report;*

19 “(D) *provides specific recommendations to*
20 *improve progress in restoring and protecting the*
21 *Long Island Sound watershed, including, as ap-*
22 *propriate, proposed modifications to the Long Is-*
23 *land Sound Comprehensive Conservation and*
24 *Management Plan;*

1 “(E) identifies priority actions for imple-
2 mentation of the Long Island Sound Comprehen-
3 sive Conservation and Management Plan for the
4 2-year period following the date of submission of
5 the report; and

6 “(F) describes the means by which Federal
7 funding and actions will be coordinated with the
8 actions of the Long Island Sound States and
9 other entities.

10 “(2) PUBLIC AVAILABILITY.—The Administrator
11 shall make the report described in paragraph (1)
12 available to the public, including on a publicly acces-
13 sible website.

14 “(g) FEDERAL ENTITIES.—

15 “(1) COORDINATION.—The Administrator shall
16 coordinate the actions of all Federal departments and
17 agencies that affect water quality in the Long Island
18 Sound watershed in order to improve the water qual-
19 ity and living resources of the watershed.

20 “(2) METHODS.—In carrying out this section,
21 the Administrator, acting through the Director of the
22 Office, may—

23 “(A) enter into interagency agreements; and

24 “(B) make intergovernmental personnel ap-
25 pointments.

1 “(4) *CONSISTENCY WITH COMPREHENSIVE CON-*
 2 *SERVATION AND MANAGEMENT PLAN.—To the max-*
 3 *imum extent practicable, the head of each Federal de-*
 4 *partment or agency that owns or occupies real prop-*
 5 *erty, or carries out activities, within the Long Island*
 6 *Sound watershed shall ensure that the property and*
 7 *all activities carried out by the department or agency*
 8 *are consistent with the Long Island Sound Com-*
 9 *prehensive Conservation and Management Plan (in-*
 10 *cluding any related subsequent agreements and*
 11 *plans).”.*

12 **(b) LONG ISLAND SOUND STEWARDSHIP PROGRAM.—**
 13 *Section 8(g) of the Long Island Sound Stewardship Act of*
 14 *2006 (33 U.S.C. 1269 note; Public Law 109–359) is amend-*
 15 *ed by striking “2011” and inserting “2021”.*

16 **(c) REAUTHORIZATION OF LONG ISLAND SOUND PRO-**
 17 **GRAMS.—**

18 **(1) LONG ISLAND SOUND GRANTS.—***Subsection*
 19 *(h) of section 119 of the Federal Water Pollution Con-*
 20 *trol Act (33 U.S.C. 1269) (as redesignated by sub-*
 21 *section (a)) is amended to read as follows:*

22 **“(h) AUTHORIZATION OF APPROPRIATIONS.—***There is*
 23 *authorized to be appropriated to the Administrator to carry*
 24 *out this section \$40,000,000 for each of fiscal years 2019*
 25 *through 2023.”.*

1 (2) *LONG ISLAND SOUND STEWARDSHIP*
 2 *GRANTS.—Section 11(a) of the Long Island Sound*
 3 *Stewardship Act of 2006 (33 U.S.C. 1269 note; Public*
 4 *Law 109–359) is amended by striking “2007 through*
 5 *2011” and inserting “2019 through 2023”.*

6 **SEC. 4105. AUTHORIZATION OF APPROPRIATIONS FOR CO-**
 7 **LUMBIA RIVER BASIN RESTORATION.**

8 *Section 123(d) of the Federal Water Pollution Control*
 9 *Act (33 U.S.C. 1275(d)) is amended by adding at the end*
 10 *the following:*

11 “(6) *AUTHORIZATION OF APPROPRIATIONS.—*
 12 *There is authorized to be appropriated to carry out*
 13 *this subsection \$30,000,000 for each of fiscal years*
 14 *2020 and 2021.”.*

15 **SEC. 4106. SEWER OVERFLOW CONTROL GRANTS.**

16 *Section 221 of the Federal Water Pollution Control Act*
 17 *(33 U.S.C. 1301) is amended—*

18 (1) *by amending the section heading to read as*
 19 *follows: “SEWER OVERFLOW AND STORMWATER*
 20 ***REUSE MUNICIPAL GRANTS*”;**

21 (2) *by amending subsection (a) to read as fol-*
 22 *lows:*

23 “(a) *IN GENERAL.—*

24 “(1) *GRANTS TO STATES.—The Administrator*
 25 *may make grants to States for the purpose of pro-*

1 *viding grants to a municipality or municipal entity*
 2 *for planning, design, and construction of—*

3 *“(A) treatment works to intercept, trans-*
 4 *port, control, treat, or reuse municipal combined*
 5 *sewer overflows, sanitary sewer overflows, or*
 6 *stormwater; and*

7 *“(B) any other measures to manage, reduce,*
 8 *treat, or recapture stormwater or subsurface*
 9 *drainage water eligible for assistance under sec-*
 10 *tion 603(c).*

11 *“(2) DIRECT MUNICIPAL GRANTS.—Subject to*
 12 *subsection (g), the Administrator may make a direct*
 13 *grant to a municipality or municipal entity for the*
 14 *purposes described in paragraph (1).”;*

15 *(3) by amending subsection (e) to read as fol-*
 16 *lows:*

17 *“(e) ADMINISTRATIVE REQUIREMENTS.—A project*
 18 *that receives assistance under this section shall be carried*
 19 *out subject to the same requirements as a project that re-*
 20 *ceives assistance from a State water pollution control re-*
 21 *volving fund under title VI, except to the extent that the*
 22 *Governor of the State in which the project is located deter-*
 23 *mines that a requirement of title VI is inconsistent with*
 24 *the purposes of this section. For the purposes of this sub-*
 25 *section, a Governor may not determine that the require-*

1 *ments of title VI relating to the application of section 513*
 2 *are inconsistent with the purposes of this section.”;*

3 *(4) by amending subsection (f) to read as follows:*

4 *“(f) AUTHORIZATION OF APPROPRIATIONS.—*

5 *“(1) IN GENERAL.—There is authorized to be ap-*
 6 *propriated to carry out this section \$225,000,000 for*
 7 *each of fiscal years 2019 through 2020.*

8 *“(2) MINIMUM ALLOCATIONS.—To the extent*
 9 *there are sufficient eligible project applications, the*
 10 *Administrator shall ensure that a State uses not less*
 11 *than 20 percent of the amount of the grants made to*
 12 *the State under subsection (a) in a fiscal year to*
 13 *carry out projects to intercept, transport, control,*
 14 *treat, or reuse municipal combined sewer overflows,*
 15 *sanitary sewer overflows, or stormwater through the*
 16 *use of green infrastructure, water and energy effi-*
 17 *ciency improvements, and other environmentally in-*
 18 *novative activities.”; and*

19 *(5) by amending subsection (g) to read as fol-*
 20 *lows:*

21 *“(g) ALLOCATION OF FUNDS.—*

22 *“(1) FISCAL YEAR 2019.—Subject to subsection*
 23 *(h), the Administrator shall use the amounts appro-*
 24 *priated to carry out this section for fiscal year 2019*
 25 *for making grants to municipalities and municipal*

1 *entities under subsection (a)(2) in accordance with*
 2 *the criteria set forth in subsection (b).*

3 “(2) *FISCAL YEAR 2020 AND THEREAFTER.*—Sub-
 4 *ject to subsection (h), the Administrator shall use the*
 5 *amounts appropriated to carry out this section for*
 6 *fiscal year 2020 and each fiscal year thereafter for*
 7 *making grants to States under subsection (a)(1) in*
 8 *accordance with a formula to be established by the*
 9 *Administrator, after providing notice and an oppor-*
 10 *tunity for public comment, that allocates to each*
 11 *State a proportional share of such amounts based on*
 12 *the total needs of the State for municipal combined*
 13 *sewer overflow controls, sanitary sewer overflow con-*
 14 *trols, and stormwater identified in the most recent de-*
 15 *tailed estimate and comprehensive study submitted*
 16 *pursuant to section 516 and any other information*
 17 *the Administrator considers appropriate.”.*

18 **SEC. 4107. ASSISTANCE FOR INDIVIDUAL HOUSEHOLD DE-**
 19 **CENTRALIZED WASTEWATER SYSTEMS OF IN-**
 20 **DIVIDUALS WITH LOW OR MODERATE IN-**
 21 **COME.**

22 (a) *PROJECTS AND ACTIVITIES ELIGIBLE FOR ASSIST-*
 23 *ANCE.*—Section 603 of the Federal Water Pollution Control
 24 *Act (33 U.S.C. 1383) is amended—*

25 (1) *in subsection (c)—*

1 (A) by striking “and” at the end of para-
2 graph (10);

3 (B) by striking “Act.” at the end of para-
4 graph (11) and inserting “Act; and”; and

5 (C) by inserting after paragraph (11) the
6 following:

7 “(12) to any qualified nonprofit entity, as deter-
8 mined by the Administrator, to provide assistance to
9 an eligible individual (as defined in subsection (j))—

10 “(A) for the repair or replacement of exist-
11 ing individual household decentralized waste-
12 water treatment systems; or

13 “(B) in a case in which an eligible indi-
14 vidual resides in a household that could be cost-
15 effectively connected to an available publicly
16 owned treatment works, for the connection of the
17 applicable household to such treatment works.”;
18 and

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

20 “(j) *DEFINITION OF ELIGIBLE INDIVIDUAL.*—In sub-
21 section (c)(12), the term ‘eligible individual’ means a mem-
22 ber of a household, the members of which have a combined
23 income (for the most recent 12-month period for which in-
24 formation is available) equal to not more than 50 percent
25 of the median nonmetropolitan household income for the

1 *State in which the household is located, according to the*
 2 *most recent decennial census.”.*

3 (b) *REPORT.*—*Not later than 2 years after the date*
 4 *of enactment of this section, the Administrator of the Envi-*
 5 *ronmental Protection Agency shall submit to the Committee*
 6 *on Environment and Public Works of the Senate and the*
 7 *Committee on Transportation and Infrastructure of the*
 8 *House of Representatives a report describing—*

9 (1) *the prevalence throughout the United States*
 10 *of low- and moderate-income households without ac-*
 11 *cess to a treatment works; and*

12 (2) *the use by States of assistance under section*
 13 *603(c)(12) of the Federal Water Pollution Control*
 14 *Act.*

15 ***Subtitle B—WIFIA Reauthorization***
 16 ***and Innovative Financing for***
 17 ***State Loan Funds***

18 ***SEC. 4201. WIFIA REAUTHORIZATION AND INNOVATIVE FI-***
 19 ***NANCING FOR STATE LOAN FUNDS.***

20 (a) *WIFIA REAUTHORIZATION.*—

21 (1) *AUTHORITY TO PROVIDE ASSISTANCE.*—*Sec-*
 22 *tion 5023 of the Water Resources Reform and Devel-*
 23 *opment Act of 2014 (33 U.S.C. 3902) is amended—*

24 (A) *by striking “pilot” each place it ap-*
 25 *pears; and*

1 (B) in subsection (b)(1), by inserting “pro-
2 vide financial assistance to” before “carry out”.

3 (2) *DETERMINATION OF ELIGIBILITY AND*
4 *PROJECT SELECTION.*—Section 5028(a)(1)(E) of the
5 *Water Resources Reform and Development Act of*
6 *2014 (33 U.S.C. 3907(a)(1)(E)) is amended to read*
7 *as follows:*

8 “(E) *SPECIAL RULE FOR CERTAIN COM-*
9 *BINED PROJECTS.*—The Administrator shall de-
10 velop a credit evaluation process for a Federal
11 credit instrument provided to—

12 “(i) a State infrastructure financing
13 authority for a project under section
14 5026(9), which may include requiring the
15 provision of a final rating opinion letter
16 from at least one rating agency; or

17 “(ii) an entity for a project under sec-
18 tion 5026(10), which may include requiring
19 the provision of a final rating opinion letter
20 from at least two rating agencies.”.

21 (3) *REPAYMENTS.*—Section 5029(c)(2)(B) of the
22 *Water Resources Reform and Development Act of*
23 *2014 (33 U.S.C. 3908(c)(2)(B)) is amended—*

24 (A) by striking “Scheduled” and inserting
25 the following:

1 “(i) *TIMING OF SCHEDULED LOAN RE-*
 2 *PAYMENTS.—Scheduled*”; and
 3 *(B) by adding at the end:*

4 “(ii) *REPAYMENTS.—None of the funds*
 5 *for repayment of a secured loan under this*
 6 *title from a State infrastructure financing*
 7 *authority may come from funds provided to*
 8 *a State revolving loan fund under title VI*
 9 *of the Federal Water Pollution Control Act*
 10 *(33 U.S.C. 1381 et seq.) or section 1452 of*
 11 *the Safe Drinking Water Act (42 U.S.C.*
 12 *300j–12).’*.”.

13 (4) *AUTHORIZATION OF APPROPRIATIONS.—Sec-*
 14 *tion 5033 of the Water Resources Reform and Devel-*
 15 *opment Act of 2014 (33 U.S.C. 3912) is amended—*

16 *(A) in subsection (a)—*

17 *(i) by redesignating paragraphs (1)*
 18 *through (5) as subparagraphs (A) through*
 19 *(E), respectively, and indenting appro-*
 20 *priately;*

21 *(ii) in the matter preceding subpara-*
 22 *graph (A) (as so redesignated), by striking*
 23 *“There is” and inserting the following:*

24 “(1) *FISCAL YEARS 2015 THROUGH 2019.—There*
 25 *are*”; and

1 (iii) by adding at the end the fol-
 2 lowing:

3 “(2) *FISCAL YEARS 2020 AND 2021.*—There is au-
 4 thorized to be appropriated to the Administrator to
 5 carry out this subtitle \$50,000,000 for each of fiscal
 6 years 2020 and 2021, to remain available until ex-
 7 pended.”; and

8 (B) in subsection (b)—

9 (i) by striking “Of the funds” and in-
 10 serting the following:

11 “(1) *FISCAL YEARS 2015 THROUGH 2019.*—Of the
 12 funds”; and

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

14 “(2) *FISCAL YEARS 2020 AND 2021.*—Of the funds
 15 made available to carry out this subtitle, the Admin-
 16 istrator may use for the administration of this sub-
 17 title, including for the provision of technical assist-
 18 ance to aid project sponsors in obtaining the nec-
 19 essary approvals for the project, not more than
 20 \$5,000,000 for each of fiscal years 2020 and 2021.”.

21 (b) *INNOVATIVE FINANCING FOR STATE LOAN*
 22 *FUNDS.*—

23 (1) *MAXIMUM FEDERAL INVOLVEMENT.*—Section
 24 5029(b)(9) of the Water Resources Reform and Devel-

1 *opment Act of 2014 (33 U.S.C. 3908(b)(9)) is amend-*
 2 *ed by adding at the end the following:*

3 “(C) *EXCEPTION FOR PROJECTS FUNDED BY*
 4 *A STATE INFRASTRUCTURE FINANCING AUTHOR-*
 5 *ITY.—Notwithstanding subparagraph (A), a*
 6 *State infrastructure financing authority may fi-*
 7 *nance up to 100 percent of the costs of a project*
 8 *using the proceeds of financial assistance author-*
 9 *ized under section 5033(e), provided that, in the*
 10 *event of a default with respect to any such assist-*
 11 *ance, the State infrastructure financing author-*
 12 *ity is solely responsible for immediate repayment*
 13 *of such costs.”.*

14 (2) *PROGRAM ADMINISTRATION.—Section 5030 of*
 15 *the Water Resources Reform and Development Act of*
 16 *2014 (33 U.S.C. 3909) is amended—*

17 (A) *in subsection (b), by inserting after*
 18 *paragraph (1) the following:*

19 “(2) *PROHIBITION ON PASS THROUGH FEES.—*
 20 *The Administrator, in the case where a State infra-*
 21 *structure financing authority obtains financial assist-*
 22 *ance under section 5033(e), shall require as a condi-*
 23 *tion of obtaining such assistance, that the State infra-*
 24 *structure financing authority is prohibited from pass-*
 25 *ing any portion of the fees required under section*

1 5029(b)(7) to any party that utilizes any portion of
 2 such assistance for a project funded by such author-
 3 ity.”; and

4 (B) by redesignating subsection (e) as sub-
 5 section (h) and inserting after subsection (d) the
 6 following:

7 “(e) *SPECIAL RULE FOR STATE REVIEWS OF*
 8 *PROJECTS FOR STATE INFRASTRUCTURE FINANCING AU-*
 9 *THORITIES.*—

10 “(1) *IN GENERAL.*—A project described in sec-
 11 tion 5026(9) for which funding is provided under this
 12 title shall comply with any applicable State environ-
 13 mental or engineering review requirements pursuant
 14 to, as applicable—

15 “(A) title VI of the Federal Water Pollution
 16 Control Act (33 U.S.C. 1381 et seq.); and

17 “(B) section 1452 of the Safe Drinking
 18 Water Act (42 U.S.C. 300j–12).

19 “(2) *NO NEW REVIEWS REQUIRED.*—Nothing in
 20 this title requires any additional or new environ-
 21 mental or engineering review for a project described
 22 in section 5026(9) for which funding is provided,
 23 other than any requirement otherwise applicable to
 24 the project.

1 “(f) *SPECIAL RULE FOR EXPEDITED REVIEW OF AP-*
 2 *PLICATIONS FROM STATE INFRASTRUCTURE FINANCING*
 3 *AUTHORITIES.*—*Not later than 180 days after the date on*
 4 *which the Administrator receives a complete application*
 5 *from a State infrastructure financing authority for a*
 6 *project under section 5026(9), the Administrator shall,*
 7 *through a written notice to the State infrastructure financ-*
 8 *ing authority—*

9 “(1) *approve the application; or*

10 “(2) *provide detailed guidance and an expla-*
 11 *nation of any changes to the application necessary for*
 12 *approval of the application.”.*

13 “(3) *AUTHORIZATION OF APPROPRIATIONS.*—*Sec-*
 14 *tion 5033 of the Water Resources Reform and Devel-*
 15 *opment Act of 2014 (33 U.S.C. 3912) is further*
 16 *amended by adding at the end the following:*

17 “(e) *ASSISTANCE FOR STATE INFRASTRUCTURE FI-*
 18 *NANCING AUTHORITIES.*—

19 “(1) *IN GENERAL.*—*With respect to fiscal years*
 20 *2020 and 2021, if the Administrator has available for*
 21 *obligation in a fiscal year at least \$50,000,000, there*
 22 *is authorized to be appropriated to the Administrator*
 23 *\$5,000,000 for that fiscal year to provide financial*
 24 *assistance for projects described in section 5026(9) to*
 25 *State infrastructure financing authorities.*

1 “(2) *NO IMPACT ON OTHER FEDERAL FUND-*
 2 *ING.—No funds shall be made available in a fiscal*
 3 *year to the Administrator for purposes of this sub-*
 4 *section if—*

5 “(A) *the total amount appropriated for the*
 6 *fiscal year for State loan funds under section*
 7 *1452 of the Safe Drinking Water Act is less than*
 8 *either the amount made available for such pur-*
 9 *pose in fiscal year 2018, or 105 percent of the*
 10 *previous fiscal year’s appropriation for such*
 11 *purpose, whichever is greater; and*

12 “(B) *the total amount appropriated for the*
 13 *fiscal year for water pollution control revolving*
 14 *funds under title VI of the Federal Water Pollu-*
 15 *tion Control Act is less than either the amount*
 16 *made available for such purpose for fiscal year*
 17 *2018, or 105 percent of the previous fiscal year’s*
 18 *appropriation for such purpose, whichever is*
 19 *greater.*

20 “(3) *INCLUSION IN AGREEMENT.—If the Admin-*
 21 *istrator provides financial assistance to a State infra-*
 22 *structure financing authority under section 5029*
 23 *using funds made available pursuant to this sub-*
 24 *section, the Administrator shall specify in the agree-*

1 *ment under such section the amount of such assist-*
 2 *ance that is attributable to such funds.”.*

3 *(c) ADMINISTRATION OF WIFIA PROGRAM.—Section*
 4 *5030 of the Water Resources Reform and Development Act*
 5 *of 2014 (33 U.S.C. 3909), as amended by subsection (b),*
 6 *is further amended by inserting after subsection (f) the fol-*
 7 *lowing:*

8 *“(g) AGREEMENTS.—*

9 *“(1) IN GENERAL.—Subject to paragraphs (3)*
 10 *and (4), the Administrator may enter into an agree-*
 11 *ment with another relevant Federal agency to provide*
 12 *assistance in administering and servicing Federal*
 13 *credit instruments that such agency is authorized to*
 14 *make available.*

15 *“(2) DUTIES.—The Administrator may act as*
 16 *an agent for the head of another Federal agency*
 17 *under paragraph (1), subject to the terms of any*
 18 *agreement entered into by the Administrator and the*
 19 *head of such other agency under such clause.*

20 *“(3) TRANSFER OF FUNDS.—The authority of the*
 21 *Administrator to provide assistance under paragraph*
 22 *(1) is subject to—*

23 *“(A) the availability of funds appropriated*
 24 *to the other Federal agency that may be trans-*
 25 *ferred to the Administrator to carry out an*

1 *agreement entered into under paragraph (1);*
 2 *and*

3 *“(B) the transfer of such funds to the Ad-*
 4 *ministrator to carry out such an agreement.*

5 *“(4) LIMITATION.—Nothing in this subsection af-*
 6 *fects the authority of the Administrator with respect*
 7 *to the selection of projects described in paragraphs*
 8 *(1), (8), or (10) of section 5026 to receive financial*
 9 *assistance under this subtitle.”.*

10 *(d) REPORTS ON PILOT PROGRAM IMPLEMENTA-*
 11 *TION.—Section 5034 of the Water Resources Reform and*
 12 *Development Act of 2014 (33 U.S.C. 3913) is amended—*

13 *(1) in the section heading, by striking “PILOT”;*
 14 *and*

15 *(2) in subsection (b)(1), by striking “4 years*
 16 *after the date of enactment of this Act” and inserting*
 17 *“3 years after the date of enactment of the Water Re-*
 18 *sources Development Act of 2018”.*

19 ***Subtitle C—Miscellaneous***

20 ***SEC. 4301. AGREEMENT WITH COMMISSIONER OF RECLAMA-*** 21 ***TION.***

22 *Not later than 1 year after the date of enactment of*
 23 *this Act, the Administrator of the Environmental Protection*
 24 *Agency and the Commissioner of Reclamation shall enter*
 25 *into an agreement under section 5030(g) of the Water Infra-*

1 *structure Finance and Innovation Act (as added by this*
2 *Act).*

3 **SEC. 4302. SNAKE RIVER BASIN FLOOD PREVENTION AC-**
4 **TION PLAN.**

5 (a) *IN GENERAL.*—As soon as practicable after the
6 date of enactment of this Act, the Commissioner of Reclama-
7 tion, in consultation with the Secretary of the Army, shall
8 develop a flood prevention action plan for each State or
9 portion of a State within the Snake River Basin.

10 (b) *REQUIREMENTS.*—A flood prevention action plan
11 developed under subsection (a) shall—

12 (1) *focus on the areas most likely to experience*
13 *flooding within the 2 years following the date of en-*
14 *actment of this Act;*

15 (2) *include steps to manage and reduce flood*
16 *risks within the Snake River Basin; and*

17 (3) *include a description of the actions the Sec-*
18 *retary and the Commissioner of Reclamation plan to*
19 *take to improve coordination with local stakeholders*
20 *to help manage and reduce flood risks in the areas de-*
21 *scribed in paragraph (1).*

22 (c) *SUBMISSION.*—Not later than 180 days after the
23 date of enactment of this Act, after coordinating with local
24 stakeholders, the Commissioner of Reclamation shall submit
25 to the Committee on Environment and Public Works and

1 *the Committee on Energy and Natural Resources of the Sen-*
 2 *ate, and the Committee on Transportation and Infrastruc-*
 3 *ture and the Committee on Natural Resources of the House*
 4 *of Representatives, the flood prevention plans developed*
 5 *under subsection (a).*

6 **SEC. 4303. GAO AUDIT OF CONTRACTS AND TAINTER GATE**
 7 **REPAIRS OF HARLAN COUNTY DAM.**

8 *(a) IN GENERAL.—Not later than 180 days after the*
 9 *date of enactment of this Act, the Comptroller General of*
 10 *the United States shall—*

11 *(1) conduct an audit of the extraordinary main-*
 12 *tenance repayment contracts No. 16XX630077 and*
 13 *No. 16XX630076 between the United States and the*
 14 *Bostwick Division for repairs to the Tainter gates*
 15 *and other features at Harlan County Dam, includ-*
 16 *ing—*

17 *(A) an examination of whether—*

18 *(i) the Corps of Engineers should have*
 19 *designated the Tainter gate rehabilitation*
 20 *as a “Dam Safety Modification”, subject to*
 21 *the cost-sharing requirements under section*
 22 *1203 of the Water Resources Development*
 23 *Act of 1986 (33 U.S.C. 467n), instead of an*
 24 *“extraordinary maintenance project”; and*

1 (ii) a more appropriate cost share
 2 should have applied to the Bostwick Divi-
 3 sion;

4 (B) a review of—

5 (i) the amounts owed by the Bostwick
 6 Division to the Bureau of Reclamation; and

7 (ii) any reimbursements owed by the
 8 Corps of Engineers to the Bureau of Rec-
 9 lamation based on the actual costs of the
 10 project after completion; and

11 (C) a review of project designations and
 12 cost-share policies of the Bureau of Reclamation
 13 and other Federal agencies for similar spillway
 14 gate repairs; and

15 (2) submit to Congress a report on the results of
 16 the audit under paragraph (1).

17 (b) TREATMENT OF PAYMENTS.—Payments made after
 18 the date of enactment of this Act by the Bostwick Division
 19 to the Bureau of Reclamation under the contracts described
 20 in subsection (a)(1) shall be—

21 (1) deposited into a no-year account; and

22 (2) disbursed to the Bureau of Reclamation upon
 23 submission of the report under subsection (a)(2).

1 **SEC. 4304. WATER INFRASTRUCTURE AND WORKFORCE IN-**
2 **VESTMENT.**

3 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
4 *that—*

5 (1) *water and wastewater utilities provide a*
6 *unique opportunity for access to stable, high-quality*
7 *careers;*

8 (2) *as water and wastewater utilities make crit-*
9 *ical investments in infrastructure, water and waste-*
10 *water utilities can invest in the development of local*
11 *workers and local small businesses to strengthen com-*
12 *munities and ensure a strong pipeline of skilled and*
13 *diverse workers for today and tomorrow; and*

14 (3) *to further the goal of ensuring a strong pipe-*
15 *line of skilled and diverse workers in the water and*
16 *wastewater utilities sector, Congress urges—*

17 (A) *increased collaboration among Federal,*
18 *State, and local governments; and*

19 (B) *institutions of higher education, ap-*
20 *prentice programs, high schools, and other com-*
21 *munity-based organizations to align workforce*
22 *training programs and community resources*
23 *with water and wastewater utilities to accelerate*
24 *career pipelines and provide access to workforce*
25 *opportunities.*

1 (b) *INNOVATIVE WATER INFRASTRUCTURE WORK-*
 2 *FORCE DEVELOPMENT PROGRAM.*—

3 (1) *GRANTS AUTHORIZED.*—*The Administrator*
 4 *of the Environmental Protection Agency (referred to*
 5 *in this section as the “Administrator”), in consulta-*
 6 *tion with the Secretary of Agriculture, shall establish*
 7 *a competitive grant program—*

8 (A) *to assist the development and utiliza-*
 9 *tion of innovative activities relating to workforce*
 10 *development and career opportunities in the*
 11 *water utility sector; and*

12 (B) *to expand public awareness about water*
 13 *utilities and connect individuals to careers in*
 14 *the water utility sector.*

15 (2) *SELECTION OF GRANT RECIPIENTS.*—*In*
 16 *awarding grants under paragraph (1), the Adminis-*
 17 *trator shall, to the extent practicable, select nonprofit*
 18 *professional or service organizations, labor organiza-*
 19 *tions, community colleges, institutions of higher edu-*
 20 *cation, or other training and educational institu-*
 21 *tions—*

22 (A) *that have qualifications and experi-*
 23 *ence—*

1 (i) *in the development of training pro-*
 2 *grams and curricula relevant to workforce*
 3 *needs of water utilities;*

4 (ii) *working in cooperation with water*
 5 *utilities; or*

6 (iii) *developing public education mate-*
 7 *rials appropriate for communicating with*
 8 *groups of different ages and educational*
 9 *backgrounds; and*

10 (B) *that will address the human resources*
 11 *and workforce needs of water utilities that—*

12 (i) *are geographically diverse;*

13 (ii) *are of varying sizes; and*

14 (iii) *serve urban, suburban, and rural*
 15 *populations.*

16 (3) *USE OF FUNDS.—Grants awarded under*
 17 *paragraph (1) may be used for activities such as—*

18 (A) *targeted internship, apprenticeship,*
 19 *pre-apprenticeship, and post-secondary bridge*
 20 *programs for skilled water utility trades that*
 21 *provide—*

22 (i) *on-the-job training;*

23 (ii) *skills development;*

24 (iii) *test preparation for skilled trade*
 25 *apprenticeships;*

1 (iv) advance training in the water
2 utility sector relating to construction, util-
3 ity operations, treatment and distribution,
4 green infrastructure, customer service,
5 maintenance, and engineering; or

6 (v) other support services to facilitate
7 post-secondary success;

8 (B) education programs designed for ele-
9 mentary, secondary, and higher education stu-
10 dents that—

11 (i) inform people about the role of
12 water and wastewater utilities in their com-
13 munities;

14 (ii) increase the awareness of career
15 opportunities and exposure of students to
16 water utility careers through various work-
17 based learning opportunities inside and
18 outside the classroom; and

19 (iii) connect students to career path-
20 ways related to water utilities;

21 (C) regional industry and workforce devel-
22 opment collaborations to address water utility
23 employment needs and coordinate candidate de-
24 velopment, particularly in areas of high unem-

1 *ployment or for water utilities with a high pro-*
 2 *portion of retirement eligible employees;*

3 *(D) integrated learning laboratories in sec-*
 4 *ondary educational institutions that provide stu-*
 5 *dents with—*

6 *(i) hands-on, contextualized learning*
 7 *opportunities;*

8 *(ii) dual enrollment credit for post-sec-*
 9 *ondary education and training programs;*
 10 *and*

11 *(iii) direct connection to industry em-*
 12 *ployers; and*

13 *(E) leadership development, occupational*
 14 *training, mentoring, or cross-training programs*
 15 *that ensure that incumbent water and waste*
 16 *water utilities workers are prepared for higher*
 17 *level supervisory or management-level positions.*

18 *(4) AUTHORIZATION OF APPROPRIATIONS.—*

19 *There is authorized to be appropriated to carry out*
 20 *this subsection \$1,000,000 for each of fiscal years*
 21 *2019 and 2020.*

22 **SEC. 4305. REGIONAL LIAISONS FOR MINORITY, TRIBAL,**
 23 **AND LOW-INCOME COMMUNITIES.**

24 *(a) IN GENERAL.—The Administrator of the Environ-*
 25 *mental Protection Agency (referred to in this section as the*

1 “Administrator”) shall assign at least one employee in each
 2 regional office of the Environmental Protection Agency to
 3 serve as a liaison to minority, Tribal, and low-income com-
 4 munities in the relevant region.

5 (b) *PUBLIC IDENTIFICATION.*—The Administrator
 6 shall identify each regional liaison assigned under sub-
 7 section (a) on the internet website of—

8 (1) the relevant regional office of the Environ-
 9 mental Protection Agency; and

10 (2) the Office of Environmental Justice of the
 11 Environmental Protection Agency.

12 **SEC. 4306. WATERSENSE.**

13 (a) *WATERSENSE.*—The Energy Policy and Conserva-
 14 tion Act (42 U.S.C. 6201 et seq.) is amended by adding
 15 after section 324A the following:

16 **“SEC. 324B. WATERSENSE PROGRAM.**

17 “(a) *ESTABLISHMENT OF WATERSENSE PROGRAM.*—

18 “(1) *IN GENERAL.*—There is established within
 19 the Environmental Protection Agency a voluntary
 20 program, to be known as the WaterSense program, to
 21 identify and promote water-efficient products, build-
 22 ings, landscapes, facilities, processes, and services in
 23 order to, through voluntary labeling of, or other forms
 24 of communications regarding, such products, build-

ings, landscapes, facilities, processes, and services
while meeting strict performance criteria, sensibly—

“(A) reduce water use;

“(B) reduce the strain on public water systems, community water systems, and wastewater and stormwater infrastructure;

“(C) conserve energy used to pump, heat, transport, and treat water; and

“(D) preserve water resources for future generations.

“(2) *INCLUSIONS.*—Categories of products, buildings, landscapes, facilities, processes, and services that may be included under the program include—

“(A) irrigation technologies and services;

“(B) point-of-use water treatment devices;

“(C) plumbing products;

“(D) water reuse and recycling technologies;

“(E) landscaping and gardening products, including moisture control or water enhancing technologies;

“(F) xeriscaping and other landscape conversions that reduce water use;

“(G) whole house humidifiers; and

“(H) water-efficient buildings or facilities.

1 “(b) *DUTIES.—The Administrator of the Environ-*
2 *mental Protection Agency, in coordination with the Sec-*
3 *retary of Energy as appropriate, shall—*

4 “(1) *establish—*

5 “(A) *a WaterSense label to be used for prod-*
6 *ucts, buildings, landscapes, facilities, processes,*
7 *and services meeting the certification criteria es-*
8 *tablished pursuant to this section; and*

9 “(B) *the procedure, including the methods*
10 *and means, and criteria by which products,*
11 *buildings, landscapes, facilities, processes, and*
12 *services may be certified to display the*
13 *WaterSense label;*

14 “(2) *enhance public awareness regarding the*
15 *WaterSense label through outreach and public edu-*
16 *cation;*

17 “(3) *preserve the integrity of the WaterSense*
18 *label by—*

19 “(A) *establishing and maintaining feasible*
20 *performance criteria so that products, buildings,*
21 *landscapes, facilities, processes, and services cer-*
22 *tified to display the WaterSense label perform as*
23 *well or better than less water-efficient counter-*
24 *parts;*

1 “(B) overseeing WaterSense certifications
2 made by third parties, which shall be inde-
3 pendent third-party product certification bodies
4 accredited by an accreditation entity domiciled
5 in the United States;

6 “(C) using testing protocols, from the ap-
7 propriate, applicable, and relevant consensus
8 standards, for the purpose of determining com-
9 pliance with performance criteria; and

10 “(D) auditing the use of the WaterSense
11 label in the marketplace and preventing cases of
12 misuse;

13 “(4) not more frequently than every 6 years after
14 adoption or major revision of any WaterSense per-
15 formance criteria, review and, if appropriate, revise
16 the performance criteria to achieve additional water
17 savings;

18 “(5) in revising any WaterSense criteria—

19 “(A) provide reasonable notice to interested
20 parties and the public of any changes, including
21 effective dates, and an explanation of the
22 changes;

23 “(B) solicit comments from interested par-
24 ties and the public prior to any changes;

1 “(C) as appropriate, respond to comments
2 submitted by interested parties and the public;
3 and

4 “(D) provide an appropriate transition
5 time prior to the applicable effective date of any
6 changes, taking into account the timing nec-
7 essary for the manufacture, marketing, training,
8 and distribution of the specific product, building,
9 landscape, process, or service category being ad-
10 dressed; and

11 “(6) not later than December 31, 2019, consider
12 for review and revise, if necessary, any WaterSense
13 performance criteria adopted before January 1, 2012.

14 “(c) *TRANSPARENCY.*—The Administrator of the Envi-
15 ronmental Protection Agency shall, to the extent practicable
16 and not less than annually, estimate and make available
17 to the public the relative water and energy savings attrib-
18 utable to the use of WaterSense-labeled products, buildings,
19 landscapes, facilities, processes, and services.

20 “(d) *DISTINCTION OF AUTHORITIES.*—In setting or
21 maintaining specifications and criteria for Energy Star
22 pursuant to section 324A, and WaterSense under this sec-
23 tion, the Secretary of Energy and the Administrator of the
24 Environmental Protection Agency shall coordinate to pre-

1 *vent duplicative or conflicting requirements among the re-*
 2 *spective programs.*

3 “(e) *NO WARRANTY.—A WaterSense label shall not*
 4 *create any express or implied warranty.*

5 “(f) *METHODS FOR ESTABLISHING PERFORMANCE*
 6 *CRITERIA.—In establishing performance criteria for prod-*
 7 *ucts, buildings, landscapes, facilities, processes, or services*
 8 *pursuant to this section, the Administrator of the Environ-*
 9 *mental Protection Agency shall use technical specifications*
 10 *and testing protocols established by voluntary consensus*
 11 *standards organizations relevant to specific products, build-*
 12 *ings, landscapes, facilities, processes, or services, as appro-*
 13 *priate.*

14 “(g) *DEFINITION OF FEASIBLE.—The term ‘feasible’*
 15 *means feasible with the use of the best technology, tech-*
 16 *niques, and other means that the Administrator of the En-*
 17 *vironmental Protection Agency finds, after examination for*
 18 *efficacy under field conditions and not solely under labora-*
 19 *tory conditions, are available (taking cost into consider-*
 20 *ation).’.*”

21 “(b) *TABLE OF CONTENTS.—The table of contents for*
 22 *the Energy Policy and Conservation Act is amended by*
 23 *adding after the item relating to section 324A the following:*

“Sec. 324B. *WaterSense program.*”.

1 **SEC. 4307. PREDATORY AND OTHER WILD ANIMALS.**

2 *Section 1 of the Act of March 2, 1931 (46 Stat. 1468,*
 3 *chapter 370; 7 U.S.C. 8351) is amended—*

4 *(1) in the second sentence, by striking “The Sec-*
 5 *retary” and inserting the following:*

6 *“(b) ADMINISTRATION.—The Secretary”;*

7 *(2) in the first sentence, by striking “The Sec-*
 8 *retary” and inserting the following:*

9 *“(a) IN GENERAL.—The Secretary”; and*

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

11 *“(c) ACTION BY FWS.—The Director of the United*
 12 *States Fish and Wildlife Service shall use the most expedi-*
 13 *tious procedure practicable to process and administer per-*
 14 *mits for take of—*

15 *“(1) a depredating eagle under the Act of June*
 16 *8, 1940 (commonly known as the ‘Bald Eagle Protec-*
 17 *tion Act’) (54 Stat. 250, chapter 278; 16 U.S.C. 668*
 18 *et seq.), or sections 22.11 through 22.32 of title 50,*
 19 *Code of Federal Regulations (or successor regulations)*
 20 *(including depredation of livestock, wildlife, and spe-*
 21 *cies protected under the Endangered Species Act of*
 22 *1973 (16 U.S.C. 1531 et seq.) or any other Federal*
 23 *management program); or*

24 *“(2) a migratory bird included on the list under*
 25 *section 10.13 of title 50, Code of Federal Regulations*
 26 *(or successor regulations) that is posing a conflict.”.*

1 **SEC. 4308. KLAMATH PROJECT WATER AND POWER.**

2 (a) ADDRESSING WATER MANAGEMENT AND POWER
3 COSTS FOR IRRIGATION.—*The Klamath Basin Water Sup-*
4 *ply Enhancement Act of 2000 (Public Law 106–498; 114*
5 *Stat. 2221) is amended—*

6 (1) *by redesignating sections 4 through 6 as sec-*
7 *tions 5 through 7, respectively; and*

8 (2) *by inserting after section 3 the following:*

9 **“SEC. 4. POWER AND WATER MANAGEMENT.**

10 “(a) DEFINITIONS.—*In this section:*

11 “(1) COVERED POWER USE.—*The term ‘covered*
12 *power use’ means a use of power to develop or man-*
13 *age water from any source for irrigation, wildlife*
14 *purposes, or drainage on land that is—*

15 “(A) *associated with the Klamath Project,*
16 *including land within a unit of the National*
17 *Wildlife Refuge System that receives water due*
18 *to the operation of Klamath Project facilities; or*

19 “(B) *irrigated by the class of users covered*
20 *by the agreement dated April 30, 1956, between*
21 *the California Oregon Power Company and*
22 *Klamath Basin Water Users Protective Associa-*
23 *tion and within the Off Project Area (as defined*
24 *in the Upper Basin Comprehensive Agreement*
25 *entered into on April 18, 2014), only if each ap-*
26 *plicable owner and holder of a possessory interest*

1 *of the land is a party to that agreement (or a*
 2 *successor agreement that the Secretary deter-*
 3 *mines provides a comparable benefit to the*
 4 *United States).*

5 *“(2) KLAMATH PROJECT.—*

6 *“(A) IN GENERAL.—The term ‘Klamath*
 7 *Project’ means the Bureau of Reclamation*
 8 *project in the States of California and Oregon.*

9 *“(B) INCLUSIONS.—The term ‘Klamath*
 10 *Project’ includes any dam, canal, or other works*
 11 *or interests for water diversion, storage, delivery,*
 12 *and drainage, flood control, or any similar func-*
 13 *tion that is part of the project described in sub-*
 14 *paragraph (A).*

15 *“(3) POWER COST BENCHMARK.—The term*
 16 *‘power cost benchmark’ means the average net deliv-*
 17 *ered cost of power for irrigation and drainage at Rec-*
 18 *lamation projects in the area surrounding the Klam-*
 19 *ath Project that are similarly situated to the Klamath*
 20 *Project, including Reclamation projects that—*

21 *“(A) are located in the Pacific Northwest;*

22 *and*

23 *“(B) receive project-use power.*

24 *“(b) WATER ACTIVITIES AND DROUGHT RESPONSE.—*

1 “(1) *IN GENERAL.*—Pursuant to the reclamation
2 *laws and subject to appropriations and required envi-*
3 *ronmental reviews, the Secretary may carry out ac-*
4 *tivities, including entering into a contract or making*
5 *financial assistance available through cooperative*
6 *agreements or other methods—*

7 “(A) *to plan, implement, and administer*
8 *programs to align water supplies and demand*
9 *for irrigation water users associated with the*
10 *Klamath Project, with a primary emphasis on*
11 *programs developed or endorsed by local entities*
12 *comprised of representatives of those water users;*

13 “(B) *Expenditures under this paragraph*
14 *shall not exceed \$10 million on an average an-*
15 *nual basis.*

16 “(2) *2018 DROUGHT RESPONSE.*—All disburse-
17 *ments made or to be made based on actions approved*
18 *by the Secretary under Contract Numbers 18-WC-*
19 *20-5322 and 18-WC-20-5323 are authorized.*

20 “(3) *REQUIREMENTS.*—The Secretary shall en-
21 *sure that the activities under this subsection—*

22 “(A) *do not foster groundwater use that re-*
23 *sults in groundwater level declines that, based on*
24 *existing data from the United States Geological*
25 *Survey, are more than appropriate in a criti-*

1 *cally dry year, taking into consideration the*
 2 *long-term sustainability of aquifers;*

3 *“(B) do not adversely affect compliance*
 4 *with applicable laws protecting fishery resources*
 5 *in Upper Klamath Lake and the Klamath River.*

6 *“(4) CONVEYANCE OF NON-PROJECT WATER.—*

7 *“(A) IN GENERAL.—Subject to subpara-*
 8 *graphs (B) and (C), any entity operating under*
 9 *a contract entered into with the United States*
 10 *for the operation and maintenance of any Klam-*
 11 *ath Project works or facility, and any entity op-*
 12 *erating any works or facility not owned by the*
 13 *United States that receives Klamath Project*
 14 *water, may use, without any additional Federal*
 15 *contract, permit, or other authorization, any*
 16 *Klamath Project works or facility to convey non-*
 17 *Klamath Project water for any authorized pur-*
 18 *pose of the Klamath Project.*

19 *“(B) PERMITS; MEASUREMENT.—A use of*
 20 *water pursuant to subparagraph (A) (including*
 21 *an addition or conveyance of water) shall be sub-*
 22 *ject to the requirements that—*

23 *“(i) the applicable entity shall secure*
 24 *all permits required under State or local*
 25 *law; and*

1 “(ii) as applicable—

2 “(I) all water delivered into and
3 taken out of a Klamath Project works
4 or facility pursuant to that subpara-
5 graph shall be measured; and

6 “(II) any irrigation district con-
7 veying water shall ensure that only the
8 land authorized to receive water under
9 applicable State law shall receive, and
10 put to beneficial use, the water, in ac-
11 cordance with the applicable State law
12 and any associated terms and condi-
13 tions.

14 “(C) *LIMITATION.*—A use of non-Klamath
15 Project water under this paragraph shall not—

16 “(i) adversely affect the delivery of
17 water to any water user or land served by
18 the Klamath Project; or

19 “(ii) result in any additional cost to
20 the United States.

21 “(4) *EFFECT OF SUBSECTION.*—Nothing in this
22 subsection authorizes the Secretary—

23 “(A) to develop or construct new facilities
24 for the Klamath Project without appropriate ap-
25 proval from Congress under section 9 of the Rec-

1 *lamation Projects Act of 1939 (43 U.S.C. 485h);*
 2 *or*

3 *“(B) to carry out activities that have not*
 4 *otherwise been authorized.*

5 *“(c) REDUCING POWER COSTS.—*

6 *“(1) IN GENERAL.—Not later than 180 days*
 7 *after the date of enactment of America’s Water Infra-*
 8 *structure Act of 2018, the Secretary, in consultation*
 9 *with interested irrigation interests that are eligible*
 10 *for covered power use and organizations representa-*
 11 *tive of those interests, shall submit to the Committee*
 12 *on Energy and Natural Resources of the Senate and*
 13 *the Committee on Natural Resources of the House of*
 14 *Representatives a report that—*

15 *“(A) identifies the power cost benchmark;*
 16 *and*

17 *“(B) recommends actions (other than direct*
 18 *payments to persons making covered power uses*
 19 *or to other entities for the purposes of sub-*
 20 *sidizing power rates) that, in the judgment of the*
 21 *Secretary, are necessary and appropriate to en-*
 22 *sure that the net delivered power cost for covered*
 23 *power use is equal to or less than the power cost*
 24 *benchmark, including a description of—*

25 *“(i) actions—*

1 “(I) to immediately reduce power
2 costs; and

3 “(II) to ensure that the net deliv-
4 ered power cost for covered power use
5 is equal to, or less than, the power cost
6 benchmark in the near term, while
7 longer-term actions are being imple-
8 mented;

9 “(ii) actions that prioritize—

10 “(I) water and power conserva-
11 tion and efficiency measures that could
12 assist in achieving the power cost
13 benchmark;

14 “(II) to the extent actions involv-
15 ing the development or acquisition of
16 power generation are included, renew-
17 able energy technologies (including hy-
18 dropower); and

19 “(III) regional economic develop-
20 ment;

21 “(iii) the potential costs and timeline
22 for the actions recommended under this sub-
23 paragraph;

1 “(iv) provisions for modifying the ac-
 2 tions and timeline to adapt to new informa-
 3 tion or circumstances; and

4 “(v) a description of public input re-
 5 garding the proposed actions, including—

6 “(I) input from water users that
 7 have covered power use; and

8 “(II) the degree to which those
 9 water users concur with the rec-
 10 ommendations.”.

11 (b) *EFFECT.*—None of the amendments made by this
 12 section—

13 (1) modify any authority or obligation of the
 14 United States with respect to any tribal trust or trea-
 15 ty obligation of the United States;

16 (2) create or determine any water right or affects
 17 any water right or water right claim in existence on
 18 the date of enactment of this Act; or

19 (3) authorize the use of Federal funds for the
 20 physical deconstruction of the Iron Gate, Copco 1,
 21 Copco 2, or John C. Boyle Dam located on the Klam-
 22 ath River in the States of California and Oregon.

23 **SEC. 4309. CERTAIN BUREAU OF RECLAMATION DIKES.**

24 (a) *IN GENERAL.*—Notwithstanding any other provi-
 25 sion of law (including regulations), effective beginning on

1 *the date of enactment of this section, the Federal share of*
 2 *the operations and maintenance costs of a dike described*
 3 *in subsection (b) shall be 100 percent.*

4 *(b) DESCRIPTION OF DIKES.—A dike referred to in*
 5 *subsection (a) is a dike—*

6 *(1) that is owned by the Bureau of Reclamation*
 7 *on the date of enactment of this section;*

8 *(2) the construction of which was completed not*
 9 *later than December 31, 1945;*

10 *(3) a corrective action study for which was com-*
 11 *pleted not later than December 31, 2015; and*

12 *(4) the construction of which was authorized by*
 13 *the Act of June 28, 1938 (52 Stat. 1215, chapter*
 14 *795).*

15 **SEC. 4310. AUTHORITY TO MAKE ENTIRE ACTIVE CAPACITY**
 16 **OF FONTENELLE RESERVOIR AVAILABLE FOR**
 17 **USE.**

18 *(a) IN GENERAL.—The Secretary of the Interior (re-*
 19 *ferred to in this section as the “Secretary”), in cooperation*
 20 *with the State of Wyoming, may amend the Definite Plan*
 21 *Report for the Seedskadee Project authorized under the first*
 22 *section of the Act of April 11, 1956 (commonly known as*
 23 *the “Colorado River Storage Project Act”)* (43 U.S.C. 620),
 24 *to provide for the study, design, planning, and construction*
 25 *activities that will enable the use of all active storage capac-*

1 *ity (as may be defined or limited by legal, hydrologic, struc-*
 2 *tural, engineering, economic, and environmental consider-*
 3 *ations) of Fontenelle Dam and Reservoir, including the*
 4 *placement of sufficient riprap on the upstream face of*
 5 *Fontenelle Dam to allow the active storage capacity of*
 6 *Fontenelle Reservoir to be used for those purposes for which*
 7 *the Seedskafee Project was authorized.*

8 (b) *COOPERATIVE AGREEMENTS.—*

9 (1) *IN GENERAL.—The Secretary may enter into*
 10 *any contract, grant, cooperative agreement, or other*
 11 *agreement that is necessary to carry out subsection*
 12 *(a).*

13 (2) *STATE OF WYOMING.—*

14 (A) *IN GENERAL.—The Secretary shall enter*
 15 *into a cooperative agreement with the State of*
 16 *Wyoming to work in cooperation and collabora-*
 17 *tively with the State of Wyoming for planning,*
 18 *design, related preconstruction activities, and*
 19 *construction of any modification of the*
 20 *Fontenelle Dam under subsection (a).*

21 (B) *REQUIREMENTS.—The cooperative*
 22 *agreement under subparagraph (A) shall, at a*
 23 *minimum, specify the responsibilities of the Sec-*
 24 *retary and the State of Wyoming with respect*
 25 *to—*

1 (i) completing the planning and final
2 design of the modification of the Fontenelle
3 Dam under subsection (a);

4 (ii) any environmental and cultural
5 resource compliance activities required for
6 the modification of the Fontenelle Dam
7 under subsection (a) including compliance
8 with—

9 (I) the National Environmental
10 Policy Act of 1969 (42 U.S.C. 4321 et
11 seq.);

12 (II) the Endangered Species Act
13 of 1973 (16 U.S.C. 1531 et seq.); and

14 (III) subdivision 2 of division A
15 of subtitle III of title 54, United States
16 Code; and

17 (iii) the construction of the modifica-
18 tion of the Fontenelle Dam under subsection
19 (a).

20 (c) *FUNDING BY STATE OF WYOMING.*—Pursuant to
21 the Act of March 4, 1921 (41 Stat. 1404, chapter 161; 43
22 U.S.C. 395), and as a condition of providing any addi-
23 tional storage under subsection (a), the State of Wyoming
24 shall provide to the Secretary funds for any work carried
25 out under subsection (a).

1 (d) *OTHER CONTRACTING AUTHORITY.*—

2 (1) *IN GENERAL.*—*The Secretary may enter into*
 3 *contracts with the State of Wyoming, on such terms*
 4 *and conditions as the Secretary and the State of Wyo-*
 5 *ming may agree, for division of any additional active*
 6 *capacity made available under subsection (a).*

7 (2) *TERMS AND CONDITIONS.*—*Unless otherwise*
 8 *agreed to by the Secretary and the State of Wyoming,*
 9 *a contract entered into under paragraph (1) shall be*
 10 *subject to the terms and conditions of Bureau of Rec-*
 11 *lamation Contract No. 14-06-400-2474 and Bureau*
 12 *of Reclamation Contract No. 14-06-400-6193.*

13 (e) *SAVINGS PROVISIONS.*—*Unless expressly provided*
 14 *in this section, nothing in this section modifies, conflicts*
 15 *with, preempts, or otherwise affects—*

16 (1) *the Boulder Canyon Project Act (43 U.S.C.*
 17 *617 et seq.);*

18 (2) *the Colorado River Compact of 1922, as ap-*
 19 *proved by the Presidential Proclamation of June 25,*
 20 *1929 (46 Stat. 3000);*

21 (3) *the Boulder Canyon Project Adjustment Act*
 22 *(43 U.S.C. 618 et seq.);*

23 (4) *the Treaty between the United States of*
 24 *America and Mexico relating to the utilization of*
 25 *waters of the Colorado and Tijuana Rivers and of the*

1 *Rio Grande, and supplementary protocol signed No-*
 2 *vember 14, 1944, signed at Washington February 3,*
 3 *1944 (59 Stat. 1219);*

4 *(5) the Upper Colorado River Basin Compact as*
 5 *consented to by the Act of April 6, 1949 (63 Stat. 31);*

6 *(6) the Act of April 11, 1956 (commonly known*
 7 *as the “Colorado River Storage Project Act”) (43*
 8 *U.S.C. 620 et seq.);*

9 *(7) the Colorado River Basin Project Act (Public*
 10 *Law 90–537; 82 Stat. 885); or*

11 *(8) any State of Wyoming or other State water*
 12 *law.*

13 **SEC. 4311. BLACKFEET WATER RIGHTS SETTLEMENT.**

14 *(a) BLACKFEET SETTLEMENT TRUST FUND.—Section*
 15 *3716(e) of the Water Infrastructure Improvements for the*
 16 *Nation Act (130 Stat. 1835) is amended—*

17 *(1) in paragraph (2), by striking “appropria-*
 18 *tions,” and all that follows through the period at the*
 19 *end and inserting the following: “appropriations, the*
 20 *following amounts shall be made available to the*
 21 *Tribe for implementation of this subtitle:*

22 *“(A) 50 percent of the amounts in the Ad-*
 23 *ministration and Energy Account.*

24 *“(B) 50 percent of the amounts in the*
 25 *OM&R Account.*

1 “(C) 50 percent of the amounts in the St.
2 Mary Account.

3 “(D) 50 percent of the amounts in the
4 Blackfeet Water, Storage, and Development
5 Projects Account.”; and

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

7 “(3) AVAILABILITY.—

8 “(A) IN GENERAL.—Except as provided in
9 subparagraph (B), none of the funds deposited in
10 the Trust Fund in fiscal year 2018 shall be
11 available for expenditure in accordance with this
12 subsection until the enforceability date.

13 “(B) EXCEPTION.—Notwithstanding sub-
14 paragraph (A), of the funds in the Administra-
15 tion and Energy Account, \$4,800,000 shall be
16 available to the Tribe for the implementation of
17 this subtitle.”.

18 (b) BLACKFEET WATER SETTLEMENT IMPLEMENTA-
19 TION FUND.—Section 3717(e) of the Water Infrastructure
20 Improvements for the Nation Act (130 Stat. 1837) is
21 amended—

22 (1) by striking “Amounts in” and inserting the
23 following:

24 “(1) IN GENERAL.—Amounts in”; and

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

1 “(2) *FUNDING FOR IMPLEMENTATION ACTIVITIES.*—Notwithstanding paragraph (1), the following
2 *amounts shall be available to the Secretary for the*
3 *implementation of this subtitle:*

5 “(A) *50 percent of the amounts in the*
6 *MR&I System, Irrigation, and Water Storage*
7 *Account to carry out section 3711.*

8 “(B) *50 percent of the amounts in the*
9 *MR&I System, Irrigation, and Water Storage*
10 *Account to carry out section 3712.*

11 “(C) *50 percent of the amounts in the*
12 *Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improve-*
13 *ments Account to carry out section 3710(c).*

15 “(D) *The amounts in the Blackfeet Irriga-*
16 *tion Project Deferred Maintenance and Four*
17 *Horns Dam Safety Improvements Account to*
18 *carry out section 3710(d).*

19 “(E) *From the St. Mary/Water Milk Man-*
20 *agement and Activities Account:*

21 “(i) *50 percent of the amount described*
22 *in section 3707(g)(1) to carry out section*
23 *3707(c).*

1 “(ii) 50 percent of the amount de-
 2 scribed in section 3707(g)(2) to carry out
 3 section 3707(d).

4 “(iii) The amount described in section
 5 3707(g)(3) to carry out subsection (f).

6 “(iv) The amounts in the Account to
 7 carry out section 3705.

8 “(3) AVAILABILITY.—None of the funds made
 9 available under this section in fiscal year 2018 shall
 10 be available until the enforceability date.”.

11 (c) TECHNICAL CORRECTIONS.—Section 3720 of the
 12 Water Infrastructure Improvements for the Nation Act (130
 13 Stat. 1839) is amended—

14 (1) in subsection (a)(3)(B), by striking “section
 15 3706” and inserting “section 6”; and

16 (2) in subsection (h), in the matter preceding
 17 paragraph (1), by striking “January 21, 2026” and
 18 inserting “January 21, 2025”.

19 **SEC. 4312. INDIAN IRRIGATION FUND REAUTHORIZATION.**

20 (a) DEPOSITS TO FUNDS.—Section 3212(a) of the
 21 Water Infrastructure Improvements for the Nation Act (130
 22 Stat. 1750) is amended by striking “each of fiscal years
 23 2017 through 2021” and inserting “each of fiscal years
 24 2017 through 2028”.

1 (b) *EXPENDITURES FROM FUND.*—Section 3213(a) of
 2 the *Water Infrastructure Improvements for the Nation Act*
 3 (130 Stat. 1750) is amended in the matter preceding para-
 4 graph (1) by striking “each of fiscal years 2017 through
 5 2021” and inserting “each of fiscal years 2017 through
 6 2028”.

7 (c) *TERMINATION.*—Section 3216 of the *Water Infra-*
 8 structure *Improvements for the Nation Act* (130 Stat. 1750)
 9 is amended in the matter preceding paragraph (1) by strik-
 10 ing “September 30, 2021” and inserting “September 30,
 11 2028”.

12 **SEC. 4313. REAUTHORIZATION OF REPAIR, REPLACEMENT,**
 13 **AND MAINTENANCE OF CERTAIN INDIAN IR-**
 14 **RIGATION PROJECTS.**

15 (a) *IN GENERAL.*—Section 3221(b) of the *Water Infra-*
 16 structure *Improvements for the Nation Act* (130 Stat. 1751)
 17 is amended in the matter preceding paragraph (1) by strik-
 18 ing “each of fiscal years 2017 through 2021” and inserting
 19 “each of fiscal years 2017 through 2028”.

20 (b) *STATUS REPORT ON CERTAIN PROJECTS.*—Section
 21 3224(d) of the *Water Infrastructure Improvements for the*
 22 *Nation Act* (130 Stat. 1753) is amended in the matter pre-
 23 ceding paragraph (1) by striking “fiscal year 2021” and
 24 inserting “fiscal year 2028”.

1 (c) *ALLOCATION AMONG PROJECTS*.—Section 3226 of
 2 the *Water Infrastructure Improvements for the Nation Act*
 3 (130 Stat. 1753) is amended—

4 (1) in subsection (a), by striking “each of fiscal
 5 years 2017 through 2021” and inserting “each of fis-
 6 cal years 2017 through 2028”; and

7 (2) in subsection (b), by striking “the day before
 8 the date of enactment of this Act” and inserting “the
 9 day before the date of enactment of America’s Water
 10 Infrastructure Act of 2018”.

11 **SEC. 4314. INDIAN DAM SAFETY REAUTHORIZATION.**

12 Section 3101 of the *Water Infrastructure Improve-*
 13 *ments for the Nation Act* (25 U.S.C. 3805) is amended—

14 (1) by striking “each of fiscal years 2017 through
 15 2023” each place it appears and inserting “each of
 16 fiscal years 2017 through 2030”;

17 (2) in subsection (b)—

18 (A) in paragraph (1)(F), in the matter pre-
 19 ceding clause (i), by striking “September 30,
 20 2023” and inserting “September 30, 2030”; and

21 (B) in paragraph (2)(F), in the matter pre-
 22 ceding clause (i), by striking “September 30,
 23 2023” and inserting “September 30, 2030”; and

24 (3) in subsection (f)—

1 (A) in paragraph (2), by striking “4 years”
 2 and inserting “11 years”; and
 3 (B) in paragraph (3), by striking “each of
 4 fiscal years 2017, 2018, and 2019” and inserting
 5 “each of fiscal years 2017 through 2026”.

6 **SEC. 4315. DIANA E. MURPHY UNITED STATES COURT-**
 7 **HOUSE.**

8 (a) *DESIGNATION.*—*The United States courthouse lo-*
 9 *cated at 300 South Fourth Street in Minneapolis, Min-*
 10 *nesota, shall be known and designated as the “Diana E.*
 11 *Murphy United States Courthouse”.*

12 (b) *REFERENCES.*—*Any reference in a law, map, regu-*
 13 *lation, document, paper, or other record of the United*
 14 *States to the United States courthouse referred to in sub-*
 15 *section (a) shall be deemed to be a reference to the “Diana*
 16 *E. Murphy United States Courthouse”.*

Amend the title so as to read: “An Act to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, to provide for water pollution control activities, and for other purposes.”.

Attest:

Clerk.

115TH CONGRESS
2^D SESSION

S. 3021

AMENDMENTS