

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

# H. R. 7575

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IN THE SENATE OF THE UNITED STATES

JULY 30, 2020

Received

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## AN ACT

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

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

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

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

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

Sec. 1. Short title; table of contents.

Sec. 2. Secretary defined.

**TITLE I—GENERAL PROVISIONS**

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

Sec. 102. Funding for navigation.

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

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

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

Sec. 106. Coast Guard anchorages.

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

Sec. 108. Inland waterway projects.

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

Sec. 110. Resiliency planning assistance.

Sec. 111. Project consultation.

Sec. 112. Review of resiliency assessments.

Sec. 113. Small flood control projects.

Sec. 114. Conforming amendment.

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

Sec. 116. Report on corrosion prevention activities.

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

Sec. 118. Federal interest determination.

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

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

Sec. 121. Emergency response to natural disasters.

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

Sec. 123. Review of Corps of Engineers assets.

Sec. 124. Sense of Congress on multipurpose projects.

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

Sec. 126. Aquatic ecosystem restoration for anadromous fish.

Sec. 127. Annual report to Congress.

Sec. 128. Harmful algal bloom demonstration program.

Sec. 129. Update on Invasive Species Policy Guidance.

Sec. 130. Report on debris removal.

Sec. 131. Missouri River interception-rearing complex construction.

Sec. 132. Cost and benefit feasibility assessment.

Sec. 133. Materials, services, and funds for repair, restoration, or rehabilitation of projects.

- Sec. 134. Levee safety.
- Sec. 135. National Dam Safety Program.
- Sec. 136. Rehabilitation of Corps of Engineers constructed pump stations.
- Sec. 137. Non-Federal Project Implementation Pilot Program.
- Sec. 138. Definition of economically disadvantaged community.
- Sec. 139. Cost sharing provisions for territories and Indian Tribes.
- Sec. 140. Flood control and other purposes.
- Sec. 141. Review of contracting policies.
- Sec. 142. Buy America.
- Sec. 143. Annual report on status of feasibility studies.

#### TITLE II—STUDIES AND REPORTS

- Sec. 201. Authorization of proposed feasibility studies.
- Sec. 202. Expedited completions.
- Sec. 203. Feasibility study modifications.
- Sec. 204. Selma, Alabama.
- Sec. 205. Comprehensive study of the Sacramento River, Yolo Bypass, California.
- Sec. 206. Lake Okeechobee regulation schedule, Florida.
- Sec. 207. Great Lakes Coastal Resiliency Study.
- Sec. 208. Rathbun Lake, Chariton River, Iowa.
- Sec. 209. Report on the status of restoration in the Louisiana coastal area.
- Sec. 210. Lower Mississippi River comprehensive study.
- Sec. 211. Upper Mississippi River Comprehensive Plan.
- Sec. 212. Lower Missouri Basin Flood Risk and Resiliency Study, Iowa, Kansas, Nebraska, and Missouri.
- Sec. 213. Portsmouth Harbor and Piscataqua River and Rye Harbor, New Hampshire.
- Sec. 214. Cougar and Detroit Dams, Willamette River Basin, Oregon.
- Sec. 215. Port Orford, Oregon.
- Sec. 216. Wilson Creek and Sloan Creek, Fairview, Texas.
- Sec. 217. GAO study on mitigation for water resources development projects.
- Sec. 218. GAO study on application of Harbor Maintenance Trust Fund expenditures.
- Sec. 219. GAO study on administration of environmental banks.
- Sec. 220. Study on Corps of Engineers concessionaire agreements.
- Sec. 221. Study on water supply and water conservation at water resources development projects.
- Sec. 222. PFAS review and inventory at Corps facilities.
- Sec. 223. Report on recreational facilities.

#### TITLE III—DEAUTHORIZATIONS AND MODIFICATIONS

- Sec. 301. Deauthorization of inactive projects.
- Sec. 302. Abandoned and inactive noncoal mine restoration.
- Sec. 303. Tribal partnership program.
- Sec. 304. Lakes program.
- Sec. 305. Watercraft inspection stations.
- Sec. 306. Rehabilitation of Corps of Engineers constructed dams.
- Sec. 307. Chesapeake Bay Environmental Restoration and Protection Program.
- Sec. 308. Upper Mississippi River System Environmental Management Program.
- Sec. 309. McClellan-Kerr Arkansas River Navigation System.
- Sec. 310. Ouachita-Black River Navigation Project, Arkansas.
- Sec. 311. Sacramento River, Glenn-Colusa, California.

- Sec. 312. Lake Isabella, California.
- Sec. 313. Lower San Joaquin River flood control project.
- Sec. 314. San Diego River and Mission Bay, San Diego County, California.
- Sec. 315. San Francisco, California, Waterfront Area.
- Sec. 316. Western Pacific Interceptor Canal, Sacramento River, California.
- Sec. 317. Rio Grande Environmental Management Program, Colorado, New Mexico, and Texas.
- Sec. 318. New London Harbor Waterfront Channel, Connecticut.
- Sec. 319. Washington Harbor, District of Columbia.
- Sec. 320. Big Cypress Seminole Indian Reservation Water Conservation Plan, Florida.
- Sec. 321. Central Everglades, Florida.
- Sec. 322. Miami River, Florida.
- Sec. 323. Julian Keen, Jr. Lock and Dam, Moore Haven, Florida.
- Sec. 324. Taylor Creek Reservoir and Levee L-73 (Section 1), Upper St. Johns River Basin, Florida.
- Sec. 325. Calcasieu River and Pass, Louisiana.
- Sec. 326. San Juan-Chama project; Abiquiu Dam, New Mexico.
- Sec. 327. Pawcatuck River, Little Narragansett Bay and Watch Hill Cove, Rhode Island and Connecticut.
- Sec. 328. Harris County, Texas.
- Sec. 329. Cap Sante Waterway, Washington.
- Sec. 330. Regional sediment management.
- Sec. 331. Additional assistance for critical projects.
- Sec. 332. Project modification authorizations.
- Sec. 333. Application of credit.
- Sec. 334. Project reauthorizations.
- Sec. 335. Conveyances.
- Sec. 336. Repeals.

#### TITLE IV—WATER RESOURCES INFRASTRUCTURE

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

#### TITLE V—BUDGETARY EFFECTS

- Sec. 501. Determination of Budgetary Effects.

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

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

1 **TITLE I—GENERAL PROVISIONS**

2 **SEC. 101. BUDGETARY TREATMENT EXPANSION AND AD-**  
3 **JUSTMENT FOR THE HARBOR MAINTENANCE**  
4 **TRUST FUND.**

5 (a) IN GENERAL.—Section 14003 of division B of the  
6 CARES Act (Public Law 116–136) is amended to read  
7 as follows:

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

12 ““(H) HARBOR MAINTENANCE ACTIVI-  
13 TIES.—If, for any fiscal year, appropriations for  
14 the Construction, Mississippi River and Tribu-  
15 taries, and Operation and Maintenance ac-  
16 counts of the Corps of Engineers are enacted  
17 that are derived from the Harbor Maintenance  
18 Trust Fund established under section 9505(a)  
19 of the Internal Revenue Code of 1986 and that  
20 the Congress designates in statute as being for  
21 harbor operations and maintenance activities,  
22 then the adjustment for that fiscal year shall be  
23 the total of such appropriations that are derived  
24 from such Fund and designated as being for

1 harbor operations and maintenance activi-  
2 ties.’”.

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

6 **SEC. 102. FUNDING FOR NAVIGATION.**

7 (a) **FUNDING FOR NAVIGATION.**—Section 210 of the  
8 Water Resources Development Act of 1986 (33 U.S.C.  
9 2238) is amended, in the section heading, by striking  
10 “**AUTHORIZATION OF APPROPRIATIONS**” and insert-  
11 ing “**FUNDING FOR NAVIGATION**”.

12 (b) **OPERATION AND MAINTENANCE OF HARBOR**  
13 **PROJECTS.**—Section 210(e) of the Water Resources De-  
14 velopment Act of 1986 (33 U.S.C. 2238(e)) is amended—

15 (1) by amending paragraph (1) to read as fol-  
16 lows:

17 “(1) **IN GENERAL.**—For each fiscal year, of the  
18 funds made available under this section (including  
19 funds appropriated from the Harbor Maintenance  
20 Trust Fund), the Secretary shall make expenditures  
21 to pay for operation and maintenance costs of the  
22 harbors and inland harbors referred to in subsection  
23 (a)(2), using—

24 “(A) not less than 20 percent of such  
25 funds for emerging harbor projects, to the ex-

1           tent there are identifiable operations and main-  
2           tenance needs, including eligible breakwater and  
3           jetty needs, at such harbor projects;

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

7           “(C) 10 percent of such funds for ex-  
8           panded uses carried out at donor ports, as such  
9           term is defined in section 2106 of the Water  
10          Resources Reform and Development Act of  
11          2014 (33 U.S.C. 2238c); and

12          “(D) any remaining funds for operation  
13          and maintenance costs of any harbor or inland  
14          harbor referred to in subsection (a)(2) based on  
15          an equitable allocation of such funds among  
16          such harbors and inland harbors.”;

17          (2) by amending paragraph (3) to read as fol-  
18          lows:

19                 “(3) ADDITIONAL USES AT EMERGING HAR-  
20                 BORS.—

21                 “(A) IN GENERAL.—In each fiscal year,  
22                 the Secretary may use not more than  
23                 \$5,000,000 of funds designated for emerging  
24                 harbor projects under paragraph (1)(A) to pay  
25                 for the costs of up to 10 projects for mainte-

1 nance dredging of a marina or berthing area, in  
2 an emerging harbor, that includes an area that  
3 is located adjacent to, or is accessible by, a  
4 Federal navigation project, subject to subpara-  
5 graphs (B) and (C) of this paragraph.

6 “(B) ELIGIBLE EMERGING HARBORS.—  
7 The Secretary may use funds as authorized  
8 under subparagraph (A) at an emerging harbor  
9 that—

10 “(i) supports commercial activities, in-  
11 cluding commercial fishing operations,  
12 commercial fish processing operations, rec-  
13 reational and sport fishing, and commer-  
14 cial boat yards; or

15 “(ii) supports activities of the Sec-  
16 retary of the department in which the  
17 Coast Guard is operating.

18 “(C) COST-SHARING REQUIREMENTS.—  
19 The Secretary shall require a non-Federal inter-  
20 est to contribute not less than 25 percent of the  
21 costs for maintenance dredging of that portion  
22 of a maintenance dredging project described in  
23 subparagraph (A) that is located outside of the  
24 Federal navigation project, which may be pro-  
25 vided as an in-kind contribution, including



1 through the use of dredge equipment owned by  
2 non-Federal interest to carry out such activi-  
3 ties.”; and

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

5 “(5) EMERGENCY EXPENDITURES.—Nothing in  
6 this subsection prohibits the Secretary from making  
7 an expenditure to pay for the operation and mainte-  
8 nance costs of a specific harbor or inland harbor, in-  
9 cluding the transfer of funding from the operation  
10 and maintenance of a separate project, if—

11 “(A) the Secretary determines that the ac-  
12 tion is necessary to address the navigation  
13 needs of a harbor or inland harbor where safe  
14 navigation has been severely restricted due to  
15 an unforeseen event; and

16 “(B) the Secretary provides within 90 days  
17 of the action notice and information on the  
18 need for the action to the Committee on Envi-  
19 ronment and Public Works and the Committee  
20 on Appropriations of the Senate and the Com-  
21 mittee on Transportation and Infrastructure  
22 and the Committee on Appropriations of the  
23 House of Representatives.”.

24 (c) PRIORITIZATION.—Section 210 of the Water Re-  
25 sources Development Act of 1986 (33 U.S.C. 2238) is

1 amended by striking subsection (d) and redesignating sub-  
2 sections (e) and (f) as subsections (d) and (e), respectively.

3 (d) ASSESSMENT OF HARBORS AND INLAND HAR-  
4 BORS.—Section 210(d)(2)(A)(ii) of the Water Resources  
5 Development Act of 1986 (as so redesignated) is amended  
6 by striking “expanded uses at eligible harbors or inland  
7 harbors referred to in subsection (d)(2)” and inserting  
8 “uses described in paragraphs (1)(C) and (3) of sub-  
9 section (c)”.

10 (e) DEFINITIONS.—Section 210(e) of the Water Re-  
11 sources Development Act of 1986 (as so redesignated) is  
12 amended—

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

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

16 (3) by striking paragraph (2) and inserting the  
17 following:

18 “(2) EMERGING HARBOR.—The term ‘emerging  
19 harbor’ means a harbor or inland harbor referred to  
20 in subsection (a)(2) that transits less than  
21 1,000,000 tons of cargo annually.

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

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

3 “(C) An in-water improvement, if the im-  
4 provement—

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

10 “(ii) benefits commercial navigation at  
11 the harbor; and

12 “(iii) is located in, or adjacent to, a  
13 berth that is accessible to a Federal navi-  
14 gation project.

15 “(D) An activity to maintain slope stability  
16 at a berth in a harbor that is accessible to a  
17 Federal navigation project if such activity bene-  
18 fits commercial navigation at the harbor.”.

19 **SEC. 103. ANNUAL REPORT TO CONGRESS ON THE HARBOR**  
20 **MAINTENANCE TRUST FUND.**

21 Section 330 of the Water Resources Development Act  
22 of 1992 (26 U.S.C. 9505 note; 106 Stat. 4851) is amend-  
23 ed—

24 (1) in subsection (a)—

1 (A) by striking “and annually thereafter,”  
2 and inserting “and annually thereafter concu-  
3 rent with the submission of the President’s an-  
4 nual budget request to Congress,”; and

5 (B) by striking “Public Works and Trans-  
6 portation” and inserting “Transportation and  
7 Infrastructure”; and

8 (2) in subsection (b)(1) by adding at the end  
9 the following:

10 “(D) A description of the expected expend-  
11 itures from the trust fund to meet the needs of  
12 navigation for the fiscal year of the budget re-  
13 quest.”.

14 **SEC. 104. ADDITIONAL MEASURES AT DONOR PORTS AND**  
15 **ENERGY TRANSFER PORTS.**

16 (a) DEFINITIONS.—Section 2106(a) of the Water Re-  
17 sources Reform and Development Act of 2014 (33 U.S.C.  
18 2238c(a)) is amended—

19 (1) in paragraph (3)(A)—

20 (A) by amending clause (ii) to read as fol-  
21 lows:

22 “(ii) at which the total amount of har-  
23 bor maintenance taxes collected (including  
24 the estimated taxes related to domestic  
25 cargo and cruise passengers) comprise not

1 less than \$15,000,000 annually of the total  
2 funding of the Harbor Maintenance Trust  
3 Fund in each of the previous 3 fiscal  
4 years;”;

5 (B) in clause (iii), by inserting “(including  
6 the estimated taxes related to domestic cargo  
7 and cruise passengers)” after “taxes collected”;  
8 and

9 (C) in clause (iv), by striking “fiscal year  
10 2012” and inserting “each of the previous 3 fis-  
11 cal years”;

12 (2) in paragraph (5)(B), by striking “fiscal year  
13 2012” each place it appears and inserting “each of  
14 the previous 3 fiscal years”;

15 (3) by redesignating paragraph (8) as para-  
16 graph (9) and inserting after paragraph (7) the fol-  
17 lowing:

18 “(8) HARBOR MAINTENANCE TRUST FUND.—  
19 The term ‘Harbor Maintenance Trust Fund’ means  
20 the Harbor Maintenance Trust Fund established by  
21 section 9505 of the Internal Revenue Code of  
22 1986.”; and

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

24 (A) by amending subparagraph (B) to read  
25 as follows:

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

8           (B) in subparagraph (C), by inserting “(in-  
9 cluding the estimated taxes related to domestic  
10 cargo and cruise passengers)” after “taxes col-  
11 lected”; and

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

15       (b) REPORT TO CONGRESS; AUTHORIZATION OF AP-  
16 PROPRIATIONS.—Section 2106 of the Water Resources  
17 Reform and Development Act of 2014 (33 U.S.C. 2238e)  
18 is amended—

19           (1) by striking subsection (e) and redesignating  
20 subsections (f) and (g) as subsections (e) and (f), re-  
21 spectively; and

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

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

25           (B) by striking paragraph (3).

1 **SEC. 105. ASSUMPTION OF MAINTENANCE OF A LOCALLY**  
2 **PREFERRED PLAN.**

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

6 “(f) OPERATION AND MAINTENANCE.—

7 “(1) ASSUMPTION OF MAINTENANCE.—When-  
8 ever a non-Federal interest carries out improvements  
9 to a federally authorized harbor or inland harbor,  
10 the Secretary shall be responsible for operation and  
11 maintenance in accordance with section 101(b) if—

12 “(A) before construction of the improve-  
13 ments—

14 “(i) the Secretary determines that the  
15 improvements are feasible and consistent  
16 with the purposes of this title; and

17 “(ii) the Secretary and the non-Fed-  
18 eral interest execute a written agreement  
19 relating to operation and maintenance of  
20 the improvements;

21 “(B) the Secretary certifies that the  
22 project or separable element of the project is  
23 constructed in accordance with applicable per-  
24 mits and appropriate engineering and design  
25 standards; and

1           “(C) the Secretary does not find that the  
2           project or separable element is no longer fea-  
3           sible.

4           “(2) FEDERAL FINANCIAL PARTICIPATION IN  
5           THE COSTS OF A LOCALLY PREFERRED PLAN.—In  
6           the case of improvements determined by the Sec-  
7           retary pursuant to paragraph (1)(A)(i) to deviate  
8           from the national economic development plan, the  
9           Secretary shall be responsible for all operation and  
10          maintenance costs of such improvements, as de-  
11          scribed in section 101(b), including costs in excess  
12          of the costs of the national economic development  
13          plan, if the Secretary determines that the improve-  
14          ments satisfy the requirements of paragraph (1).”.

15 **SEC. 106. COAST GUARD ANCHORAGES.**

16          The Secretary is authorized to perform dredging at  
17          Federal expense within and adjacent to anchorages on the  
18          Columbia River established by the Coast Guard pursuant  
19          to section 7 of the Act of March 14, 1915 (33 U.S.C. 471),  
20          to provide safe anchorage for deep draft vessels commen-  
21          surate with the authorized Federal navigation channel  
22          depth, including advanced maintenance.



1 **SEC. 107. STATE CONTRIBUTION OF FUNDS FOR CERTAIN**  
2 **OPERATION AND MAINTENANCE COSTS.**

3 In carrying out eligible operations and maintenance  
4 activities within the Great Lakes Navigation System pur-  
5 suant to section 210 of the Water Resources Development  
6 Act of 1986 (33 U.S.C. 2238) in a State that has imple-  
7 mented any additional State limitation on the disposal of  
8 dredged material in the open waters of such State, the  
9 Secretary may, pursuant to section 5 of the Act of June  
10 22, 1936 (33 U.S.C. 701h), receive from such State, and  
11 expend, such funds as may be contributed by the State  
12 to cover the additional costs for operations and mainte-  
13 nance activities for a harbor or inland harbor within such  
14 State that result from such limitation.

15 **SEC. 108. INLAND WATERWAY PROJECTS.**

16 (a) IN GENERAL.—Notwithstanding section 102 of  
17 the Water Resources Development Act of 1986 (33 U.S.C.  
18 2212), 35 percent of the costs of construction of any  
19 project for navigation on the inland waterways shall be  
20 paid from amounts appropriated from the Inland Water-  
21 ways Trust Fund—

22 (1) during each of fiscal years 2021 through  
23 2027; and

24 (2) for a project the construction of which is  
25 initiated during such period, in each fiscal year until  
26 such construction is complete.

1 (b) PRIORITIZATION.—In selecting projects described  
2 in subsection (a) for which to initiate construction during  
3 any of fiscal years 2021 through 2027, the Secretary shall  
4 prioritize projects that are included in the most recent 20-  
5 year program for making capital investments developed  
6 under section 302(d) of the Water Resources Development  
7 Act of 1986 (33 U.S.C. 2251(d)).

8 **SEC. 109. IMPLEMENTATION OF WATER RESOURCES PRIN-**  
9 **CIPLES AND REQUIREMENTS.**

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

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

19 (1) develops such projects in accordance with—

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

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

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

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

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

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

14           (2) provide opportunities for interested non-  
15           Federal stakeholders to engage with, and provide  
16           input and recommendations to, the Secretary on the  
17           revision of the procedures; and

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

20          (e) DEFINITIONS.—In this section:

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

1 Act of 2007 (42 U.S.C. 1962–3) in December 2014,  
2 to implement the principles and requirements.

3 (2) PRINCIPLES AND REQUIREMENTS.—The  
4 term “principles and requirements” means the prin-  
5 ciples and requirements contained in the document  
6 prepared by the Council on Environmental Quality  
7 pursuant to section 2031 of the Water Resources  
8 Development Act of 2007 (42 U.S.C. 1962–3), enti-  
9 tled “Principles and Requirements for Federal In-  
10 vestments in Water Resources”, and dated March  
11 2013.

12 **SEC. 110. RESILIENCY PLANNING ASSISTANCE.**

13 (a) IN GENERAL.—Section 206(a) of the Flood Con-  
14 trol Act of 1960 (33 U.S.C. 709a(a)) is amended by in-  
15 serting “, to avoid repetitive flooding impacts, to antici-  
16 pate, prepare, and adapt to changing climatic conditions  
17 and extreme weather events, and to withstand, respond to,  
18 and recover rapidly from disruption due to the flood haz-  
19 ards” after “in planning to ameliorate the flood hazard”.

20 (b) PRIORITIZING FLOOD RISK RESILIENCY TECH-  
21 NICAL ASSISTANCE FOR ECONOMICALLY DISADVANTAGED  
22 COMMUNITIES.—In carrying out section 206 of the Flood  
23 Control Act of 1960 (33 U.S.C. 709a), the Secretary shall  
24 prioritize the provision of technical assistance to support

1 flood risk resiliency planning efforts of an economically  
2 disadvantaged community.

3 **SEC. 111. PROJECT CONSULTATION.**

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

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

10 (2) The report required under section  
11 1120(a)(3) of the Water Resources Development Act  
12 of 2016 (130 Stat. 1643).

13 (b) CONSULTATION.—

14 (1) AGENCIES AND TRIBES.—The Secretary  
15 shall ensure that all covered community consultation  
16 policies, regulations, and guidance of the Corps of  
17 Engineers continue to be implemented, and that con-  
18 sultations with Federal and State agencies and In-  
19 dian Tribes required for a water resources develop-  
20 ment project are carried out.

21 (2) COMMUNITIES.—The Secretary shall ensure  
22 that any covered communities, including such com-  
23 munities identified in the reports submitted under  
24 subsection (a), that are found to be disproportion-  
25 ately or adversely affected are included in consulta-

1       tion policies, regulations, and guidance of the Corps  
2       of Engineers.

3               (3) PROJECT PLANNING AND CONSTRUCTION.—

4       The Secretary shall ensure that covered communities  
5       are consulted in the development of water resources  
6       development project planning and construction, for  
7       the purposes of achieving environmental justice and  
8       addressing any disproportionate or adverse effects  
9       on such communities.

10              (c) ENVIRONMENTAL JUSTICE UPDATES.—

11              (1) IN GENERAL.—Not later than 1 year after  
12       the date of enactment of this Act, the Secretary  
13       shall update any policies, regulations, and guidance  
14       of the Corps of Engineers related to achieving envi-  
15       ronmental justice for covered communities.

16              (2) RECOMMENDATIONS AND CONSULTATION.—

17       In carrying out paragraph (1), the Secretary shall—

18              (A) consult with a wide array of represent-  
19              atives of covered communities; and

20              (B) use the recommendations from the re-  
21              ports submitted under subsection (a).

22              (d) COMMUNITY ENGAGEMENT.—The Secretary shall  
23       ensure that in carrying out authorized water resources de-  
24       velopment projects in, and all other activities of the Corps

1 of Engineers related to, covered communities, the Corps  
2 of Engineers—

3 (1) promotes the meaningful involvement of  
4 such communities in the project development and  
5 implementation, enforcement efforts, and other ac-  
6 tivities of the Corps of Engineers;

7 (2) provides guidance and technical assistance  
8 to such communities to increase understanding of  
9 the project development and implementation activi-  
10 ties, regulations, and policies of the Corps of Engi-  
11 neers; and

12 (3) cooperates with State, Tribal, and local gov-  
13 ernments with respect to activities carried out pur-  
14 suant to this subsection.

15 (e) TRIBAL LANDS AND CONSULTATION.—The Sec-  
16 retary shall ensure that in carrying out authorized water  
17 resources development projects and in all other activities  
18 of the Corps of Engineers, that the Corps of Engineers—

19 (1)(A) consults with Indian Tribes specifically  
20 on any Tribal lands near or adjacent to any activi-  
21 ties of the Corps of Engineers, for purposes of iden-  
22 tifying lands of ancestral, cultural, or religious im-  
23 portance; and

1           (B) cooperates with Indian Tribes to avoid, or  
2 otherwise find alternate solutions with respect to,  
3 such lands; and

4           (2)(A) consults with Indian Tribes specifically  
5 on any Tribal areas near or adjacent to any activi-  
6 ties of the Corps of Engineers, for purposes of iden-  
7 tifying lands, waters, and other resources critical to  
8 the livelihood of the Indian Tribes; and

9           (B) cooperates with Indian Tribes to avoid, or  
10 otherwise find alternate solutions with respect to,  
11 such areas.

12 (f) DEFINITIONS.—In this section:

13           (1) COMMUNITY OF COLOR.—The term “com-  
14 munity of color” means a community of individuals  
15 who are—

16                   (A) American Indian or Alaska Native;

17                   (B) Asian or Pacific Islander;

18                   (C) Black, not of Hispanic origin; or

19                   (D) Hispanic.

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

22                   (A) A community of color.

23                   (B) An economically disadvantaged com-  
24 munity.

25                   (C) A rural community.



1 (D) A Tribal or indigenous community.

2 (3) STATE.—The term “State” means each of  
3 the several States, the District of Columbia, and  
4 each of the commonwealths, territories, and posses-  
5 sions of the United States.

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

7 (a) RESILIENCY ASSESSMENT.—

8 (1) IN GENERAL.—Not later than 180 days  
9 after the date of enactment of this section, and in  
10 conjunction with the development of procedures  
11 under section 109 of this Act, the Secretary is di-  
12 rected to review, and where appropriate, revise the  
13 existing planning guidance documents and regula-  
14 tions on the assessment of the effects of sea level  
15 rise on future water resources development projects  
16 to ensure that such guidance documents and regula-  
17 tions are based on the best available, peer-reviewed  
18 science and data on the current and future effects  
19 of sea level rise on coastal communities.

20 (2) COORDINATION.—In carrying out this sub-  
21 section, the Secretary shall—

22 (A) coordinate the review with the Engi-  
23 neer Research and Development Center, other  
24 Federal and State agencies, and other relevant  
25 entities; and

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

4 (b) ASSESSMENT OF BENEFITS OF SEA LEVEL RISE  
5 RESILIENCY IN FEASIBILITY REPORTS.—

6 (1) IN GENERAL.—Upon the request of a non-  
7 Federal interest, in carrying out a feasibility study  
8 for a project for flood risk mitigation, hurricane and  
9 storm damage risk reduction, or ecosystem restora-  
10 tion under section 905 of the Water Resources De-  
11 velopment Act of 1986 (33 U.S.C. 2282), the Sec-  
12 retary shall consider whether the need for the  
13 project is predicated upon or exacerbated by condi-  
14 tions related to sea level rise.

15 (2) SEA LEVEL RISE RESILIENCY BENEFITS.—  
16 To the maximum extent practicable, in carrying out  
17 a study pursuant to paragraph (1), the Secretary  
18 shall document the potential effects of sea level rise  
19 on the project, and benefits of the project relating  
20 to sea level rise, during the 50-year period after the  
21 date of completion of the project.

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

23 Section 205 of the Flood Control Act of 1948 (33  
24 U.S.C. 701s) is amended by inserting “, and projects that  
25 use natural features or nature-based features (as those

1 terms are defined in section 1184(a) of the Water Re-  
2 sources Development Act of 2016 (33 U.S.C. 2289a(a)),”  
3 after “nonstructural projects”.

4 **SEC. 114. CONFORMING AMENDMENT.**

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

7 (1) in the subsection heading, by striking  
8 “NONSTRUCTURAL FLOOD CONTROL PROJECTS”  
9 and inserting “PROJECTS USING NONSTRUCTURAL,  
10 NATURAL, OR NATURE-BASED FEATURES”; and

11 (2) in paragraph (1)—

12 (A) by striking “nonstructural flood con-  
13 trol measures” and inserting “a flood risk man-  
14 agement or hurricane and storm damage risk  
15 reduction measure using a nonstructural fea-  
16 ture, or a natural feature or nature-based fea-  
17 ture (as those terms are defined in section  
18 1184(a) of the Water Resources Development  
19 Act of 2016 (33 U.S.C. 2289a(a)),”; and

20 (B) by striking “cash during construction  
21 of the project” and inserting “cash during con-  
22 struction for a nonstructural feature if the costs  
23 of land, easements, rights-of-way, dredged ma-  
24 terial disposal areas, and relocations for such  
25 feature are estimated to exceed 35 percent”.

1 **SEC. 115. FEASIBILITY STUDIES; REVIEW OF NATURAL AND**  
2 **NATURE-BASED FEATURES.**

3 (a) TECHNICAL CORRECTION.—Section 1149(c) of  
4 the Water Resources Development Act of 2018 (33 U.S.C.  
5 2282 note; 132 Stat. 3787) is amended by striking “nat-  
6 ural infrastructure alternatives” and inserting “natural  
7 feature or nature-based feature alternatives (as such  
8 terms are defined in section 1184 of the Water Resources  
9 Development Act of 2016 (32 U.S.C. 2289a))”.

10 (b) SUMMARY OF ANALYSIS.—To the maximum ex-  
11 tent practicable, the Secretary shall include in each feasi-  
12 bility report developed under section 905 of the Water Re-  
13 sources Development Act of 1986 (33 U.S.C. 2282) for  
14 a project that contains a flood risk management or hurri-  
15 cane and storm damage risk reduction element, a sum-  
16 mary of the natural feature or nature-based feature alter-  
17 natives that were evaluated in the development of the fea-  
18 sibility report, and, if such alternatives were not included  
19 in the recommended plan, an explanation of why such al-  
20 ternatives were not included into the recommended plan.

21 **SEC. 116. REPORT ON CORROSION PREVENTION ACTIVI-**  
22 **TIES.**

23 Not later than 180 days after the date of enactment  
24 of this Act, the Secretary shall submit to the Committee  
25 on Transportation and Infrastructure of the House of  
26 Representatives and the Committee on Environment and

1 Public Works of the Senate, and make publicly available,  
2 a report that describes—

3 (1) the extent to which the Secretary has car-  
4 ried out section 1033 of the Water Resources Re-  
5 form and Development Act of 2014 (33 U.S.C.  
6 2350);

7 (2) the extent to which the Secretary has incor-  
8 porated corrosion prevention activities (as defined in  
9 such section) at water resources development  
10 projects constructed or maintained by the Secretary  
11 since the date of enactment of such section; and

12 (3) in instances where the Secretary has not in-  
13 corporated corrosion prevention activities at such  
14 water resources development projects since such  
15 date, an explanation as to why such corrosion pre-  
16 vention activities have not been incorporated.

17 **SEC. 117. QUANTIFICATION OF BENEFITS FOR FLOOD RISK**  
18 **MANAGEMENT PROJECTS IN SEISMIC ZONES.**

19 (a) **IN GENERAL.**—Upon the request of the non-Fed-  
20 eral interest for a flood risk management project in a seis-  
21 mic zone, the Secretary shall quantify the seismic hazard  
22 risk reduction benefits for the project if the non-Federal  
23 interest identifies, and the Secretary approves, an accept-  
24 able methodology to quantify such benefits.

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

1           (1) include all associated seismic hazard risk re-  
2           duction benefits approved by the Secretary in the  
3           calculation of the national economic development  
4           benefit-cost ratio for a flood risk management  
5           project in a seismic hazard zone for purposes of plan  
6           formulation pursuant to section 905 of the Water  
7           Resources Development Act of 1986; and

8           (2) seek to maximize the combination of flood  
9           risk reduction and seismic hazard risk reduction  
10          benefits in the formulation of the national economic  
11          development alternative for such project.

12 **SEC. 118. FEDERAL INTEREST DETERMINATION.**

13          Section 905 of the Water Resources Development Act  
14          of 1986 (33 U.S.C. 2282) is amended by inserting after  
15          subsection (a) the following:

16          “(b) FEDERAL INTEREST DETERMINATION.—

17                 “(1) IN GENERAL.—In preparing a feasibility  
18                 report under subsection (a) for a study that will ben-  
19                 efit an economically disadvantaged community, upon  
20                 request by the non-Federal interest for the study,  
21                 the Secretary shall first determine the Federal inter-  
22                 est in carrying out the study and the projects that  
23                 may be proposed in the study.

24                 “(2) COST SHARE.—The costs of a determina-  
25                 tion under paragraph (1)—

1 “(A) shall be at Federal expense; and

2 “(B) shall not exceed \$200,000.

3 “(3) DEADLINE.—A determination under para-  
4 graph (1) shall be completed by not later than 120  
5 days after the date on which funds are made avail-  
6 able to the Secretary to carry out the determination.

7 “(4) TREATMENT.—

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

15 “(B) COST.—The cost of a determination  
16 under paragraph (1) shall not be included for  
17 purposes of the maximum Federal cost under  
18 section 1001(a)(2) of the Water Resources Re-  
19 form and Development Act of 2014 (33 U.S.C.  
20 2282c(a)(2)).

21 “(5) REPORT TO NON-FEDERAL INTEREST.—If,  
22 based on a determination under paragraph (1), the  
23 Secretary determines that a study or project is not  
24 in the Federal interest because the project will not  
25 result, or is unlikely to result, in a recommended

1 plan that will produce national economic develop-  
2 ment benefits greater than cost, but may result in  
3 a technically sound and environmentally acceptable  
4 plan that is otherwise consistent with section 904 of  
5 the Water Resources Development Act of 1986 (33  
6 U.S.C. 2281), the Secretary shall issue a report to  
7 the non-Federal interest with recommendations on  
8 how the non-Federal interest might modify the pro-  
9 posal such that the project could be in the Federal  
10 interest and feasible.”.

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

15 (a) IN GENERAL.—Not later than 180 days after the  
16 date of enactment of this Act, the Secretary shall establish  
17 and implement a pilot program to evaluate opportunities  
18 to address the flood risk management and hurricane and  
19 storm damage risk reduction needs of economically dis-  
20 advantaged communities.

21 (b) PARTICIPATION IN PILOT PROGRAM.—In car-  
22 rying out subsection (a), the Secretary shall—

23 (1) publish a notice in the Federal Register  
24 that requests from non-Federal interests proposals  
25 for the potential feasibility study of a flood risk



1 management project or hurricane and storm damage  
2 risk reduction project for an economically disadvan-  
3 tagged community;

4 (2) upon request of a non-Federal interest for  
5 such a project, provide technical assistance to such  
6 non-Federal interest in the formulation of a proposal  
7 for a potential feasibility study to be submitted to  
8 the Secretary under the pilot program; and

9 (3) review such proposals and select 10 feasi-  
10 bility studies for such projects to be carried out by  
11 the Secretary, in coordination with the non-Federal  
12 interest, under this pilot program.

13 (c) SELECTION CRITERIA.—In selecting a feasibility  
14 study under subsection (b)(3), the Secretary shall consider  
15 whether—

16 (1) the percentage of people living in poverty in  
17 the county or counties (or county-equivalent entity  
18 or entities) in which the project is located is above  
19 the percentage of people living in poverty in the  
20 State, based on census bureau data;

21 (2) the percentage of families with income  
22 above the poverty threshold but below the average  
23 household income in the county or counties (or coun-  
24 ty-equivalent entity or entities) in which the project

1 is located is above the percentage of the same for  
2 the State, based on census bureau data;

3 (3) the percentage of the population that identi-  
4 fies as belonging to a minority or indigenous group  
5 in the county or counties (or county-equivalent enti-  
6 ty or entities) in which the project is located is above  
7 the average percentage in the State, based on census  
8 bureau data; and

9 (4) the project is addressing flooding or hurri-  
10 cane or storm damage effects that have a dispropor-  
11 tionate impact on a rural community or a commu-  
12 nity of color (as such term is defined in section 111  
13 of this Act), including Tribal or indigenous peoples.

14 (d) ADMINISTRATION.—Notwithstanding the require-  
15 ments of section 105(a)(1)(A) of the Water Resources De-  
16 velopment Act of 1986 (33 U.S.C. 2215), the Federal  
17 share of the cost of a feasibility study carried out under  
18 the pilot program shall be 100 percent.

19 (e) GEOGRAPHIC DIVERSITY.—When selecting feasi-  
20 bility studies under subsection (b)(3), the Secretary shall  
21 consider the geographic diversity among proposed  
22 projects.

23 (f) STUDY REQUIREMENTS.—Feasibility studies car-  
24 ried out under this subsection shall, to the maximum ex-  
25 tent practical, incorporate natural features or nature-

1 based features (as such terms are defined in section 1184  
2 of the Water Resources Development Act of 2016 (33  
3 U.S.C. 2289a)), or a combination of such features and  
4 nonstructural features, that avoid or reduce at least 50  
5 percent of flood or storm damages in one or more of the  
6 alternatives included in the final alternatives evaluated.

7 (g) NOTIFICATION.—The Secretary shall notify 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 of the selection of  
11 each feasibility study under the pilot program.

12 (h) COMPLETION.—Upon completion of a feasibility  
13 report for a feasibility study selected to be carried out  
14 under this section, the Secretary shall transmit the report  
15 to Congress for authorization, and shall include the report  
16 in the next annual report submitted under section 7001  
17 of the Water Resources Reform and Development Act of  
18 2014 (33 U.S.C. 2282d).

19 (i) SUNSET.—The authority to commence a feasi-  
20 bility study under this section shall terminate on the date  
21 that is 10 years after the date of enactment of this Act.

22 (j) REPORT.—Not later than 5 years and 10 years  
23 after the date of enactment of this Act, the Secretary shall  
24 submit to the Committee on Transportation and Infra-  
25 structure of the House of Representatives and the Com-

1 mittee on Environment and Public Works of the Senate,  
2 and make publicly available, a report detailing the results  
3 of the pilot program carried out under this section, includ-  
4 ing—

5 (1) a description of proposals received from  
6 non-Federal interests pursuant to subsection (b)(1);

7 (2) a description of technical assistance pro-  
8 vided to non-Federal interests under subsection  
9 (b)(2); and

10 (3) a description of proposals selected under  
11 subsection (b)(3) and criteria used to select such  
12 proposals.

13 (k) STATE DEFINED.—In this section, the term  
14 “State” means each of the several States, the District of  
15 Columbia, and each of the commonwealths, territories, and  
16 possessions of the United States.

17 **SEC. 120. PERMANENT MEASURES TO REDUCE EMERGENCY**

18 **FLOOD FIGHTING NEEDS FOR COMMUNITIES**

19 **SUBJECT TO REPETITIVE FLOODING.**

20 (a) DEFINITIONS.—In this section:

21 (1) AFFECTED COMMUNITY.—The term “af-  
22 fected community” means a legally constituted pub-  
23 lic body (as that term is used in section 221(b) of  
24 the Flood Control Act of 1970 (42 U.S.C. 1962d-  
25 5b(b))—

1 (A) with jurisdiction over an area that has  
2 been subject to flooding in two or more events  
3 in any 10-year period; and

4 (B) that has received emergency flood-  
5 fighting assistance, including construction of  
6 temporary barriers by the Secretary, under sec-  
7 tion 5 of the Act of August 18, 1941 (33  
8 U.S.C. 701n) with respect to such flood events.

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

14 (b) PROGRAM.—

15 (1) IN GENERAL.—The Secretary is authorized  
16 to carry out a program to study, design, and con-  
17 struct water resources development projects through  
18 measures involving, among other things, strength-  
19 ening, raising, extending, realigning, or otherwise  
20 modifying existing flood control works, designing  
21 new works, and incorporating natural features, na-  
22 ture-based features, or nonstructural features, as ap-  
23 propriate to provide flood and coastal storm risk  
24 management to affected communities.

1           (2) CONSIDERATIONS.—In carrying out para-  
2 graph (1), the Secretary shall, to the maximum ex-  
3 tent practical, review and, where appropriate, incor-  
4 porate natural features or nature-based features, or  
5 a combination of such features and nonstructural  
6 features, that avoid or reduce at least 50 percent of  
7 flood or storm damages in one or more of the alter-  
8 natives included in the final alternatives evaluated.

9           (3) CONSTRUCTION.—

10           (A) IN GENERAL.—The Secretary may  
11 carry out a project described in paragraph (1)  
12 without further congressional authorization if—

13           (i) the Secretary determines that the  
14 project—

15           (I) is advisable to reduce the risk  
16 of flooding for an affected community;  
17 and

18           (II) produces benefits that are in  
19 excess of the estimated costs; and

20           (ii) the Federal share of the cost of  
21 the construction does not exceed  
22 \$15,000,000.

23           (B) SPECIFIC AUTHORIZATION.—If the  
24 Federal share of the cost of a project described  
25 in paragraph (1) exceeds \$15,000,000, the Sec-

1           retary shall submit the project recommendation  
2           to Congress for authorization prior to construc-  
3           tion, and shall include the project recommenda-  
4           tion in the next annual report submitted under  
5           section 7001 of the Water Resources Reform  
6           and Development Act of 2014.

7           (C) FINANCING.—

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

19          (ii) EFFECT ON NON-FEDERAL  
20          SHARE.—Amounts provided by an affected  
21          community under clause (i) shall be in ad-  
22          dition to any payments or contributions  
23          the affected community is required to pro-  
24          vide toward the remaining costs of design  
25          and construction of the project under sec-

1                   tion 103 of the Water Resources Develop-  
2                   ment Act of 1986 (33 U.S.C. 2213).

3                   (4) ABILITY TO PAY.—

4                   (A) IN GENERAL.—Any cost-sharing agree-  
5                   ment for a project entered into pursuant to this  
6                   section shall be subject to the ability of the af-  
7                   fected community to pay.

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

12                  (C) EFFECT OF REDUCTION.—Any reduc-  
13                  tion in the non-Federal share of the cost of a  
14                  project described in paragraph (1) as a result  
15                  of a determination under this paragraph shall  
16                  not be included in the Federal share for pur-  
17                  poses of subparagraphs (A) and (B) of para-  
18                  graph (3).

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

20                  (a) IN GENERAL.—Section 5 of the Act of August  
21                  18, 1941 (33 U.S.C. 701n) is amended—

22                  (1) in subsection (a), by adding at the end the  
23                  following—

24                  “(5) FEASIBILITY STUDY.—



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

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

21          (2) in subsection (c)—

22           (A) in the subsection heading, by striking  
23          “LEVEE OWNERS MANUAL” and inserting  
24          “ELIGIBILITY”;

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

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

7 “(2) COMPLIANCE.—

8 “(A) IN GENERAL.—Notwithstanding the  
9 status of compliance of a non-Federal interest  
10 with the requirements of a levee owner’s man-  
11 ual described in paragraph (1), or with any  
12 other eligibility requirement established by the  
13 Secretary related to the maintenance and up-  
14 keep responsibilities of the non-Federal interest,  
15 the Secretary shall consider the non-Federal in-  
16 terest to be eligible for repair and rehabilitation  
17 assistance under this section if the non-Federal  
18 interest—

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

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

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

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

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

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

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

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

24                  (a) DEFINITION OF NATURAL FEATURE AND NA-  
25   TURE-BASED FEATURE.—In this section, the terms “nat-

1 ural feature” and “nature-based feature” have the mean-  
2 ings given those terms in section 1184(a) of the Water  
3 Resources Development Act of 2016 (33 U.S.C.  
4 2289a(a)).

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

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

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

23 (2) an assessment, based on information from  
24 relevant Federal and non-Federal sources, of—

1 (A) the costs, benefits, and effects associ-  
2 ated with natural infrastructure, natural fea-  
3 tures, and nature-based features recommended  
4 by the Secretary for flood risk management,  
5 hurricane and storm damage risk reduction,  
6 and ecosystem restoration; and

7 (B) the effectiveness of natural infrastruc-  
8 ture, natural features, and nature-based fea-  
9 tures;

10 (3) an analysis of projects for flood risk man-  
11 agement, hurricane and storm damage risk reduc-  
12 tion, and ecosystem restoration that have incor-  
13 porated natural infrastructure, natural features, or  
14 nature-based features to identify best practices, in-  
15 cluding for measuring project benefits and costs;

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

22 (5) any recommendations for changes to law, or  
23 to fiscal, regulatory, or other policies, to improve the  
24 use of natural infrastructure, natural features, and

1 nature-based features by the Corps of Engineers in  
2 carrying out feasibility studies and projects.

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

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

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

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

12 “(b) INVENTORY.—Not later than 18 months after  
13 the date of enactment of the Water Resources Develop-  
14 ment Act of 2020, the Secretary shall, based on the as-  
15 sessment carried out under subsection (a), develop an in-  
16 ventory of projects or portions of projects—

17 “(1) that are not needed for the missions of the  
18 Corps of Engineers;

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

1           “(3) that are no longer having project purposes  
2           adequately met by the Corps of Engineers, because  
3           of deferment of maintenance or other challenges,  
4           and the divestment of which to a non-Federal entity  
5           could better meet the local and regional needs for  
6           operation and maintenance.

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

10           “(1) The extent to which the project aligns with  
11           the current missions of the Corps of Engineers.

12           “(2) The economic and environmental impacts  
13           of the project on existing communities in the vicinity  
14           of the project.

15           “(3) The extent to which the divestment or  
16           modification of the project could reduce operation  
17           and maintenance costs of the Corps of Engineers.

18           “(4) The extent to which the divestment or  
19           modification of the project is in the public interest.

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

1           “(6) The extent to which the authorized pur-  
2           pose of the project is no longer being met.

3           “(d) RECOMMENDATIONS OF NON-FEDERAL INTER-  
4           ESTS.—A non-Federal interest for a project may rec-  
5           ommend that the Secretary include such project in the as-  
6           sessment or inventory required under this section.

7           “(e) REPORT TO CONGRESS.—

8           “(1) IN GENERAL.—Upon completion of the in-  
9           ventory required by subsection (b), the Secretary  
10          shall submit to the Committee on Environment and  
11          Public Works of the Senate and the Committee on  
12          Transportation and Infrastructure of the House of  
13          Representatives, and make publicly available, a re-  
14          port containing the findings of the Secretary with  
15          respect to the assessment and inventory required  
16          under this section.

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



1 **SEC. 124. SENSE OF CONGRESS ON MULTIPURPOSE**  
2 **PROJECTS.**

3 It is the sense of Congress that the Secretary, in co-  
4 ordination with non-Federal interests, should maximize  
5 the development, evaluation, and recommendation of  
6 project alternatives for future water resources develop-  
7 ment projects that produce multiple project benefits, such  
8 as navigation, flood risk management, and ecosystem res-  
9 toration benefits, including through the use of natural or  
10 nature-based features and the beneficial reuse of dredged  
11 material.

12 **SEC. 125. BENEFICIAL REUSE OF DREDGED MATERIAL;**  
13 **DREDGED MATERIAL MANAGEMENT PLANS.**

14 (a) NATIONAL POLICY ON THE BENEFICIAL REUSE  
15 OF DREDGED MATERIAL.—

16 (1) IN GENERAL.—It is the policy of the United  
17 States for the Corps of Engineers to maximize the  
18 beneficial reuse, in an environmentally acceptable  
19 manner, of suitable dredged material obtained from  
20 the construction or operation and maintenance of  
21 water resources development projects.

22 (2) PLACEMENT OF DREDGED MATERIALS.—

23 (A) IN GENERAL.—In evaluating the place-  
24 ment of dredged material obtained from the  
25 construction or operation and maintenance of

1 water resources development projects, the Sec-  
2 retary shall consider—

3 (i) the suitability of the dredged mate-  
4 rial for a full range of beneficial uses; and

5 (ii) the economic and environmental  
6 benefits, efficiencies, and impacts (includ-  
7 ing the effects on living coral) of using the  
8 dredged material for beneficial uses, in-  
9 cluding, in the case of beneficial reuse ac-  
10 tivities that involve more than one water  
11 resources development project, the benefits,  
12 efficiencies, and impacts that result from  
13 the combined activities.

14 (B) CALCULATION OF FEDERAL STAND-  
15 ARD.—The economic benefits and efficiencies  
16 from the beneficial use of dredged material con-  
17 sidered by the Secretary under subparagraph  
18 (A) shall be included in any determination re-  
19 lating to the “Federal standard” by the Sec-  
20 retary under section 335.7 of title 33, Code of  
21 Federal Regulations for the placement or dis-  
22 posal of such material.

23 (b) BENEFICIAL USE OF DREDGED MATERIAL.—

1           (1) PILOT PROGRAM PROJECTS.—Section 1122  
2 of the Water Resources Development Act of 2016  
3 (33 U.S.C. 2326 note) is amended—

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

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

8           (2) SENSE OF CONGRESS.—It is the sense of  
9 Congress that the Secretary, in selecting projects for  
10 the beneficial reuse of dredged materials under sec-  
11 tion 1122 of the Water Resources Development Act  
12 of 2016 (33 U.S.C. 2326 note), should ensure the  
13 thorough evaluation of project submissions from  
14 rural, small, and economically disadvantaged com-  
15 munities.

16           (c) FIVE-YEAR REGIONAL DREDGED MATERIAL  
17 MANAGEMENT PLANS.—

18                   (1) IN GENERAL.—Not later than 1 year after  
19 the date of enactment of this Act, and annually  
20 thereafter, the District Commander of each district  
21 of the Corps of Engineers that obtains dredged ma-  
22 terial through the construction or operation and  
23 maintenance of a water resources development  
24 project shall, at Federal expense, develop and submit  
25 to the Secretary a 5-year dredged material manage-

1       ment plan in coordination with relevant State agen-  
2       cies and stakeholders.

3               (2) SCOPE.—Each plan developed under this  
4       subsection shall include—

5                       (A) a dredged material budget for each  
6       watershed or littoral system within the district;

7                       (B) an estimate of the amount of dredged  
8       material likely to be obtained through the con-  
9       struction or operation and maintenance of all  
10      water resources development projects projected  
11      to be carried out within the district during the  
12      5-year period following submission of the plan,  
13      and the estimated timing for obtaining such  
14      dredged material;

15                      (C) an identification of potential water re-  
16      sources development projects projected to be  
17      carried out within the district during such 5-  
18      year period that are suitable for, or that re-  
19      quire, the placement of dredged material, and  
20      an estimate of the amount of dredged material  
21      placement capacity of such projects;

22                      (D) an evaluation of—

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

1                   (ii) the economic and environmental  
2                   benefits, efficiencies, and impacts (includ-  
3                   ing the effects on living coral) of using the  
4                   dredged material for beneficial uses, in-  
5                   cluding, in the case of beneficial reuse ac-  
6                   tivities that involve more than one water  
7                   resources development project, the benefits,  
8                   efficiencies, and impacts that result from  
9                   the combined activities; and

10                  (E) the district-wide goals for beneficial  
11                  reuse of the dredged material, including any ex-  
12                  pected cost savings from aligning and coordi-  
13                  nating multiple projects (including projects  
14                  across Corps districts) in the reuse of the  
15                  dredged material.

16                  (3) PUBLIC COMMENT.—In developing each  
17                  plan under this subsection, each District Com-  
18                  mander shall provide notice and an opportunity for  
19                  public comment.

20                  (4) PUBLIC AVAILABILITY.—Upon submission  
21                  of each plan to the Secretary under this subsection,  
22                  each District Commander shall make the plan pub-  
23                  licly available, including on a publicly available  
24                  website.

25                  (d) DREDGE PILOT PROGRAM.—

1           (1) REVISIONS.—Section 1111 of the Water  
2 Resources Development Act of 2018 (33 U.S.C.  
3 2326 note) is amended—

4           (A) in subsection (a), by striking “for the  
5 operation and maintenance of harbors and in-  
6 land harbors” and all that follows through the  
7 period at the end and inserting the following:

8           “for the operation and maintenance of—

9           “(1) harbors and inland harbors referred to in  
10 section 210(a)(2) of the Water Resources Develop-  
11 ment Act of 1986 (33 U.S.C. 2238(a)(2)); or

12           “(2) inland and intracoastal waterways of the  
13 United States described in section 206 of the Inland  
14 Waterways Revenue Act of 1978 (33 U.S.C.  
15 1804).”; and

16           (B) in subsection (b), by striking “or in-  
17 land harbors” and inserting “, inland harbors,  
18 or inland or intracoastal waterways”.

19           (2) COORDINATION WITH EXISTING AUTHORI-  
20 TIES.—The Secretary may carry out the dredge pilot  
21 program authorized by section 1111 of the Water  
22 Resources Development Act of 2018 (33 U.S.C.  
23 2326 note) in coordination with Federal regional  
24 dredge demonstration programs in effect on the date  
25 of enactment of this Act.

1 **SEC. 126. AQUATIC ECOSYSTEM RESTORATION FOR ANAD-**  
2 **ROMOUS FISH.**

3 (a) ANADROMOUS FISH HABITAT AND PASSAGE.—  
4 Section 206 of the Water Resources Development Act of  
5 1996 (33 U.S.C. 2330) is amended—

6 (1) in subsection (a), by adding at the end the  
7 following:

8 “(3) ANADROMOUS FISH HABITAT AND PAS-  
9 SAGE.—

10 “(A) MEASURES.—A project under this  
11 section may include measures to improve habi-  
12 tat or passage for anadromous fish, including—

13 “(i) installing fish bypass structures  
14 on small water diversions;

15 “(ii) modifying tide gates; and

16 “(iii) restoring or reconnecting  
17 floodplains and wetlands that are impor-  
18 tant for anadromous fish habitat or pas-  
19 sage.

20 “(B) BENEFITS.—A project that includes  
21 measures under this paragraph shall be formu-  
22 lated to maximize benefits for the anadromous  
23 fish species benefitted by the project.”; and

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

25 “(g) PRIORITIZATION.—The Secretary shall give  
26 projects that include measures described in subsection

1 (a)(3) equal priority for implementation as other projects  
2 under this section.”.

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

4 Section 7001(c)(4)(B) of the Water Resources Re-  
5 form and Development Act of 2014 (33 U.S.C.  
6 2282d(c)(4)(B)) is amended—

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

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

9 and

10 (3) by inserting after clause (i) the following:

11 “(ii) the Secretary shall not include  
12 proposals in the appendix of the annual re-  
13 port that otherwise meet the criteria for  
14 inclusion in the annual report solely on the  
15 basis that the proposals are for the pur-  
16 poses of navigation, flood risk manage-  
17 ment, ecosystem restoration, or municipal  
18 or agricultural water supply; and”.

19 **SEC. 128. HARMFUL ALGAL BLOOM DEMONSTRATION PRO-**  
20 **GRAM.**

21 (a) IN GENERAL.—The Secretary shall carry out a  
22 demonstration program to determine the causes of, and  
23 implement measures to effectively detect, prevent, treat,  
24 and eliminate, harmful algal blooms associated with water  
25 resources development projects.



1 (b) CONSULTATION; USE OF EXISTING DATA AND  
2 PROGRAM AUTHORITIES.—In carrying out the demonstra-  
3 tion program under subsection (a), the Secretary shall—

4 (1) consult with the heads of appropriate Fed-  
5 eral and State agencies; and

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

13 (c) FOCUS AREAS.—In carrying out the demonstra-  
14 tion program under subsection (a), the Secretary shall un-  
15 dertake program activities related to harmful algal blooms  
16 in the Great Lakes, the tidal and inland waters of the  
17 State of New Jersey, the coastal and tidal waters of the  
18 State of Louisiana, the waterways of the counties that  
19 comprise the Sacramento-San Joaquin Delta, California,  
20 and Lake Okeechobee, Florida.

21 **SEC. 129. UPDATE ON INVASIVE SPECIES POLICY GUID-**  
22 **ANCE.**

23 (a) IN GENERAL.—The Secretary shall periodically  
24 update the Invasive Species Policy Guidance, developed  
25 under section 104 of the River and Harbor Act of 1958

1 (33 U.S.C. 610) and the Nonindigenous Aquatic Nuisance  
2 Prevention and Control Act of 1990 (16 U.S.C. 4701 et  
3 seq.), in accordance with the most recent National  
4 Invasive Species Council Management Plan developed pur-  
5 suant to Executive Order 13112.

6 (b) INCLUSION.—The Secretary may include in the  
7 updated guidance invasive species specific efforts at feder-  
8 ally authorized water resources development projects lo-  
9 cated in—

10 (1) high-altitude lakes; and

11 (2) the Tennessee and Cumberland River ba-  
12 sins.

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

14 Section 1210 of the Water Resources Development  
15 Act of 2018 (132 Stat. 3808) is amended to read as fol-  
16 lows:

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

18 “Not later than 180 days after the date of enactment  
19 of the Water Resources Development Act of 2020, the Sec-  
20 retary shall submit to Congress and make publicly avail-  
21 able a report that describes—

22 “(1) the extent to which, during the 10 fiscal  
23 years prior to such date of enactment, the Secretary  
24 has carried out section 3 of the Act of March 2,  
25 1945 (33 U.S.C. 603a);

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

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

6 **SEC. 131. MISSOURI RIVER INTERCEPTION-REARING COM-**  
7 **PLEX CONSTRUCTION.**

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

15           (1) flood risk management and navigation; and

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

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

22           (1) submits the report required by subsection

23           (a);

24           (2) acting through the Engineer Research and  
25 Development Center, conducts further research on

1 interception-rearing complex design, including any  
2 effects on existing flows, flood risk management, and  
3 navigation; and

4 (3) develops a plan—

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

7 (B) to establish, repair, or improve water  
8 control structures at the headworks of con-  
9 structed shallow water habitat side-channels.

10 (c) FUTURE IRC CONSTRUCTION.—

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

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

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

21 (a) IN GENERAL.—Section 5(a)(2)(B) of the Act of  
22 August 18, 1941 (33 U.S.C. 701n(a)(2)(B)) is amended—

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

25 (2) in clause (ii)—

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

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

5 (C) by inserting “or contributions” after  
6 “non-Federal payments”.

7 (b) CONTINUED ELIGIBILITY.—Section 1161(b) of  
8 the Water Resources Development Act of 2018 (33 U.S.C.  
9 701n note) is amended—

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

11 (A) by striking the “three fiscal years pre-  
12 ceding” and inserting “five fiscal years pre-  
13 ceding”; and

14 (B) by striking “last day of the third fiscal  
15 year” and inserting “last day of the fifth fiscal  
16 year”;

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

20 (3) by striking paragraph (2) and inserting the  
21 following:

22 “(2) the Secretary determines that the damage  
23 to the structure was not as a result of negligent op-  
24 eration or maintenance.”.

1 **SEC. 133. MATERIALS, SERVICES, AND FUNDS FOR REPAIR,**  
2 **RESTORATION, OR REHABILITATION OF**  
3 **PROJECTS.**

4 (a) **IN GENERAL.**—In any area covered by an emer-  
5 gency or major disaster declaration declared under the  
6 Robert T. Stafford Disaster Relief and Emergency Assist-  
7 ance Act (42 U.S.C. 5121 et seq.), the Secretary is au-  
8 thorized to accept and use materials, services, and funds,  
9 during the period the declaration is in effect, from a non-  
10 Federal interest or private entity to repair, restore, or re-  
11 habilitate a federally authorized water resources develop-  
12 ment project, and to provide reimbursement to such non-  
13 Federal interest or private entity for such materials, serv-  
14 ices, and funds, in the Secretary's sole discretion, and sub-  
15 ject to the availability of appropriations, if the Secretary  
16 determines that reimbursement is in the public interest.

17 (b) **ADDITIONAL REQUIREMENT.**—The Secretary  
18 may only reimburse for the use of materials or services  
19 accepted under this section if such materials or services  
20 meet the Secretary's specifications and comply with all ap-  
21 plicable laws and regulations that would apply if such ma-  
22 terials and services were acquired by the Secretary, includ-  
23 ing sections 3141 through 3148 and 3701 through 3708  
24 of title 40, United States Code, section 8302 of title 41,  
25 United States Code, and the National Environmental Pol-  
26 icy Act of 1969.

1 (c) AGREEMENTS.—

2 (1) IN GENERAL.—Prior to the acceptance of  
3 materials, services, or funds under this section, the  
4 Secretary and the non-Federal interest or private  
5 entity shall enter into an agreement that specifies—

6 (A) the non-Federal interest or private en-  
7 tity shall hold and save the United States free  
8 from any and all damages that arise from use  
9 of materials or services of the non-Federal in-  
10 terest or private entity, except for damages due  
11 to the fault or negligence of the United States  
12 or its contractors;

13 (B) the non-Federal interest or private en-  
14 tity shall certify that the materials or services  
15 comply with all applicable laws and regulations  
16 under subsection (b); and

17 (C) any other term or condition required  
18 by the Secretary.

19 (2) EXCEPTION.—If an agreement under para-  
20 graph (1) was not entered prior to materials or serv-  
21 ices being contributed, a non-Federal interest or pri-  
22 vate entity shall enter into an agreement with the  
23 Secretary that—

1 (A) specifies the value, as determined by  
2 the Secretary, of those materials or services  
3 contributed and eligible for reimbursement; and

4 (B) ensures that the materials or services  
5 comply with subsection (b) and paragraph (1).

6 **SEC. 134. LEVEE SAFETY.**

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

10 “(d) IDENTIFICATION OF DEFICIENCIES.—

11 “(1) IN GENERAL.—For each levee included in  
12 an inventory established under subsection (b) or for  
13 which the Secretary has conducted a review under  
14 subsection (c), the Secretary shall—

15 “(A) identify the specific engineering and  
16 maintenance deficiencies, if any; and

17 “(B) describe the recommended remedies  
18 to correct each deficiency identified under sub-  
19 paragraph (A), and, if requested by owner of a  
20 non-Federal levee, the associated costs of those  
21 remedies.

22 “(2) CONSULTATION.—In identifying defi-  
23 ciencies and describing remedies for a levee under  
24 paragraph (1), the Secretary shall consult with rel-  
25 evant non-Federal interests, including by providing



1 an opportunity for comment by those non-Federal  
2 interests.”.

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

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

6 (1) in paragraph (4)—

7 (A) in subparagraph (A)—

8 (i) by striking clause (iii) and insert-  
9 ing the following:

10 “(iii) has an emergency action plan  
11 that—

12 “(I) is approved by the relevant  
13 State dam safety agency; or

14 “(II) is in conformance with  
15 State law and pending approval by the  
16 relevant State dam safety agency;”;  
17 and

18 (ii) by striking clause (iv) and insert-  
19 ing the following:

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

23 “(v) poses an unacceptable risk to the  
24 public, as determined by the Adminis-

1           trator, in consultation with the Board.”;

2           and

3           (B) in subparagraph (B)(i), by inserting

4           “under a hydropower project with an authorized

5           installed capacity of greater than 1.5

6           megawatts” after “dam”; and

7           (2) in paragraph (10)—

8           (A) in the heading, by striking “NON-FED-

9           ERAL SPONSOR” and inserting “ELIGIBLE SUB-

10          RECIPIENT”; and

11          (B) by striking “The term ‘non-Federal

12          sponsor’ ” and inserting “The term ‘eligible

13          subrecipient’ ”.

14          (b) REHABILITATION OF HIGH HAZARD POTENTIAL

15          DAMS.—

16               (1) ESTABLISHMENT OF PROGRAM.—Section

17               8A(a) of the National Dam Safety Program Act (33

18               U.S.C. 467f–2(a)) is amended by striking “to non-

19               Federal sponsors” and inserting “to States with

20               dam safety programs”.

21               (2) ELIGIBLE ACTIVITIES.—Section 8A(b) of

22               the National Dam Safety Program Act (33 U.S.C.

23               467f–2(b)) is amended, in the matter preceding

24               paragraph (1), by striking “for a project may be

25               used for” and inserting “to a State may be used by

1 the State to award grants to eligible subrecipients  
2 for”.

3 (3) AWARD OF GRANTS.—Section 8A(c) of the  
4 National Dam Safety Program Act (33 U.S.C.  
5 467f–2(c)) is amended—

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

8 (B) in paragraph (2)—

9 (i) in subparagraph (A), by striking  
10 “an eligible high hazard potential dam to  
11 a non-Federal sponsor” and inserting “eli-  
12 gible high hazard potential dams to a  
13 State”;

14 (ii) in subparagraph (B)—

15 (I) in the subparagraph heading,  
16 by striking “PROJECT GRANT” and in-  
17 serting “GRANT”;

18 (II) by striking “project grant  
19 agreement with the non-Federal spon-  
20 sor” and inserting “grant agreement  
21 with the State”; and

22 (III) by striking “project,” and  
23 inserting “projects for which the  
24 grant is awarded,”;

1 (iii) by amending subparagraph (C) to  
2 read as follows:

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

12 (iv) in subparagraph (D), by striking  
13 “A grant provided under this section shall  
14 not exceed” and inserting “A State may  
15 not award a grant to an eligible sub-  
16 recipient under this section that exceeds,  
17 for any 1 dam,”.

18 (4) REQUIREMENTS.—Section 8A(d) of the Na-  
19 tional Dam Safety Program Act (33 U.S.C. 467f-  
20 2(d)) is amended—

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

23 (B) in paragraph (2)—

1 (i) in the paragraph heading, by strik-  
2 ing “NON-FEDERAL SPONSOR” and insert-  
3 ing “ELIGIBLE SUBRECIPIENT”;

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

10 (iii) by amending subparagraph (A) to  
11 read as follows:

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

20 (iv) in subparagraph (B), by striking  
21 “have” and inserting “beginning not later  
22 than 2 years after the date on which the  
23 Administrator publishes criteria for hazard  
24 mitigation plans under paragraph (3),  
25 demonstrate that the Tribal or local gov-

1 ernment with jurisdiction over the area in  
2 which the dam is located has”; and

3 (v) in subparagraph (C), by striking  
4 “50-year period” and inserting “expected  
5 life of the dam”; and

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

7 “(3) HAZARD MITIGATION PLAN CRITERIA.—

8 Not later than 1 year after the date of enactment  
9 of this paragraph, the Administrator, in consultation  
10 with the Board, shall publish criteria for hazard  
11 mitigation plans required under paragraph (2)(B).”.

12 (5) FLOODPLAIN MANAGEMENT PLANS.—Sec-  
13 tion 8A(e) of the National Dam Safety Program Act  
14 (33 U.S.C. 467f–2(e)) is amended—

15 (A) in paragraph (1)—

16 (i) in the matter preceding subpara-  
17 graph (A), by striking “the non-Federal  
18 sponsor” and inserting “an eligible sub-  
19 recipient”; and

20 (ii) in subparagraph (B), by striking  
21 “1 year” and inserting “2 years” each  
22 place it appears; and

23 (B) by striking paragraph (3) and insert-  
24 ing the following:

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

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

12 **SEC. 136. REHABILITATION OF CORPS OF ENGINEERS CON-**  
13 **STRUCTED PUMP STATIONS.**

14          (a) DEFINITIONS.—In this section:

15           (1) ELIGIBLE PUMP STATION.—The term “eli-  
16          gible pump station” means a pump station—

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

20                   (B) that the Secretary has identified as  
21                   having a major deficiency; and

22                   (C) the failure of which the Secretary has  
23                   determined would impair the function of a flood  
24                   risk management project constructed by the  
25                   Corps of Engineers.

1 (2) REHABILITATION.—

2 (A) IN GENERAL.—The term “rehabilita-  
3 tion”, with respect to an eligible pump station,  
4 means to address a major deficiency of the eli-  
5 gible pump station caused by long-term deg-  
6 radation of the foundation, construction mate-  
7 rials, or engineering systems or components of  
8 the eligible pump station.

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

12 (i) the incorporation into the eligible  
13 pump station of—

- 14 (I) current design standards;  
15 (II) efficiency improvements; and  
16 (III) associated drainage; and

17 (ii) increasing the capacity of the eli-  
18 gible pump station, subject to the condition  
19 that the increase shall—

20 (I) significantly decrease the risk  
21 of loss of life and property damage; or

22 (II) decrease total lifecycle reha-  
23 bilitation costs for the eligible pump  
24 station.



1 (b) AUTHORIZATION.—The Secretary may carry out  
2 rehabilitation of an eligible pump station, if the Secretary  
3 determines that the rehabilitation is feasible.

4 (c) COST SHARING.—The non-Federal interest for  
5 the eligible pump station shall—

6 (1) provide 35 percent of the cost of rehabilita-  
7 tion of an eligible pump station carried out under  
8 this section; and

9 (2) provide all land, easements, rights-of-way,  
10 and necessary relocations associated with the reha-  
11 bilitation described in subparagraph (A), at no cost  
12 to the Federal Government.

13 (d) AGREEMENT REQUIRED.—The rehabilitation of  
14 an eligible pump station pursuant to this section shall be  
15 initiated only after a non-Federal interest has entered into  
16 a binding agreement with the Secretary—

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

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

23 (e) TREATMENT.—The rehabilitation of an eligible  
24 pump station pursuant to this section shall not be consid-  
25 ered to be a separable element of the associated flood risk

1 management project constructed by the Corps of Engi-  
2 neers.

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

6 **SEC. 137. NON-FEDERAL PROJECT IMPLEMENTATION**  
7 **PILOT PROGRAM.**

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

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

14 (2) in paragraph (8), by striking “2023” and  
15 inserting “2026”; and

16 (3) by adding at the end the following:

17 “(9) IMPLEMENTATION GUIDANCE.—

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

23 “(i) the metrics for measuring the  
24 success of the pilot program;

1           “(ii) a process for identifying future  
2           projects to participate in the pilot pro-  
3           gram;

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

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

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

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

1 **SEC. 138. DEFINITION OF ECONOMICALLY DISADVANTAGED**  
2 **COMMUNITY.**

3 (a) IN GENERAL.—Not later than 180 days after the  
4 date of enactment of this Act, the Secretary shall issue  
5 guidance defining the term “economically disadvantaged  
6 community” for the purposes of this Act and the amend-  
7 ments made by this Act.

8 (b) CONSIDERATIONS.—In defining the term “eco-  
9 nomically disadvantaged community” under subsection  
10 (a), the Secretary shall, to the maximum extent prac-  
11 ticable, utilize the criteria under paragraphs (1) or (2) of  
12 section 301(a) of the Public Works and Economic Devel-  
13 opment Act of 1965 (42 U.S.C. 3161), to the extent that  
14 such criteria are applicable in relation to the development  
15 of water resources development projects.

16 (c) PUBLIC COMMENT.—In developing the guidance  
17 under subsection (a), the Secretary shall provide notice  
18 and an opportunity for public comment.

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

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

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

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

4 (1) by striking “Except as” and inserting the  
5 following:

6 “(1) IN GENERAL.—Except as”; and

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

8 “(2) RENEGOTIATION OF TERMS.—

9 “(A) IN GENERAL.—At the request of a  
10 non-Federal interest, the Secretary and the  
11 non-Federal interest may renegotiate the terms  
12 and conditions of an eligible deferred payment,  
13 including—

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

17 “(ii) recalculation of the interest rate;

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

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

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

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

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

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

12           “(C) CREDIT FOR NON-FEDERAL CON-  
13 TRIBUTION.—

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

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

1 contributions for a project to remedy a de-  
2 sign or construction deficiency of a project  
3 or separable element which has a 100 per-  
4 cent Federal cost share, and the Secretary  
5 determines the remedy to be integral to the  
6 completion or performance of the project,  
7 the Secretary is authorized to credit such  
8 costs to any interest accrued on a deferred  
9 non-Federal contribution.”.

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

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

18 (b) REPORT.—Not later than 90 days after com-  
19 pleting the review under subsection (a), the Secretary shall  
20 submit to the Committee on Transportation and Infra-  
21 structure of the House of Representatives and the Com-  
22 mittee on Environment and Public Works of the Senate,  
23 and make publicly available, a report that includes—

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





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

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

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

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

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

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

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

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

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

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

10          (7) SOUTHERN CALIFORNIA, CALIFORNIA.—  
11 Project for coastal storm damage reduction, South-  
12 ern California.

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

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

20          (10) WAIMEA RIVER, HAWAII.—Project for  
21 flood risk management, Waimea River, Kauai, Ha-  
22 waii.

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

1 Calumet River, Grand Calumet River, Little Cal-  
2 umet River, and other waterways in the vicinity of  
3 Chicago, Illinois.

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

6 (13) LOWER MISSOURI RIVER, KANSAS.—  
7 Project for bank stabilization and navigation, Lower  
8 Missouri River, Sioux City, Kansas.

9 (14) TANGIPAHOA PARISH, LOUISIANA.—  
10 Project for flood risk management, Tangipahoa Par-  
11 ish, Louisiana.

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

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

20 (17) LOWER ST. CROIX RIVER, MINNESOTA.—  
21 Project for flood risk management, ecosystem res-  
22 toration, and recreation, Lower St. Croix River,  
23 Minnesota.

24 (18) ESCATAWPA RIVER BASIN, MISSISSIPPI.—  
25 Project for flood risk management and ecosystem

1 restoration, Escatawpa River, Jackson County, Mis-  
2 sissippi.

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

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

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

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

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

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

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

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

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

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

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

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

1           (31) CITY OF CHARLESTON, SOUTH CARO-  
2           LINA.—Project for tidal- and inland-related flood  
3           risk management, Charleston, South Carolina.

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

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

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

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

1           (36) UPPER FOX RIVER AND WOLF RIVER, WIS-  
2           CONSIN.—Project for flood risk management and  
3           ecosystem restoration, Upper Fox River and Wolf  
4           River, Wisconsin.

5           (b) SPECIAL RULE.—The Secretary shall consider  
6 any study carried out by the Secretary to formulate the  
7 modifications to the project for hurricane and storm dam-  
8 age risk reduction, Port Arthur and Orange County,  
9 Texas, identified in subsection (a)(33) to be a continuation  
10 of the study carried out for Sabine Pass to Galveston Bay,  
11 Texas, authorized by a resolution of the Committee on En-  
12 vironment and Public Works of the Senate, approved June  
13 23, 2004, and funded by title IV of division B of the Bi-  
14 partisan Budget Act of 2018, under the heading “Corps  
15 of Engineers—Civil—Department of the Army—Con-  
16 struction” (Public Law 115–123; 132 Stat. 76).

17 **SEC. 202. EXPEDITED COMPLETIONS.**

18           (a) FEASIBILITY REPORTS.—The Secretary shall ex-  
19 pedite the completion of a feasibility study for each of the  
20 following projects, and if the Secretary determines that  
21 the project is justified in a completed report, may proceed  
22 directly to preconstruction planning, engineering, and de-  
23 sign of the project:

24           (1) Project for navigation, St. George Harbor,  
25           Alaska.

1           (2) Project for shoreline stabilization, Aunu'u  
2 Harbor, American Samoa.

3           (3) Project for shoreline stabilization, Tutuila  
4 Island, American Samoa.

5           (4) Project for flood risk management, Lower  
6 Santa Cruz River, Arizona.

7           (5) Project for flood control, water conserva-  
8 tion, and related purposes, Coyote Valley Dam, Cali-  
9 fornia.

10          (6) Project for flood damage reduction and eco-  
11 system restoration, Del Rosa Channel, city of San  
12 Bernardino, California.

13          (7) Project for flood risk management, Lower  
14 Cache Creek, California.

15          (8) Project for flood damage reduction and eco-  
16 system restoration, Mission-Zanja Channel, cities of  
17 San Bernardino and Redlands, California.

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

22          (10) Project for flood risk management, Prado  
23 Basin, California.

24          (11) Project to modify the project for naviga-  
25 tion, San Francisco Bay to Stockton, California.



1           (12) Project to modify the Seven Oaks Dam,  
2           California, portion of the project for flood control,  
3           Santa Ana River Mainstem, California, authorized  
4           by section 401(a) of the Water Resources Develop-  
5           ment Act of 1986 (100 Stat. 4113; 101 Stat. 1329–  
6           111; 104 Stat. 4611; 110 Stat. 3713; 121 Stat.  
7           1115), to include water conservation as an author-  
8           ized purpose.

9           (13) Project to modify the project for naviga-  
10          tion, Delaware River Mainstem and Channel Deep-  
11          ening, Delaware, New Jersey, and Pennsylvania, au-  
12          thorized by section 101(6) of the Water Resources  
13          Development Act of 1992 (106 Stat. 4802; 113  
14          Stat. 300; 114 Stat. 2602), to include the construc-  
15          tion of a turning basin located near the Packer Ave-  
16          nue Marine Terminal.

17          (14) Project for ecosystem restoration, Central  
18          and Southern Florida Project Canal 111 (C-111),  
19          South Dade County, Florida.

20          (15) Project for comprehensive hurricane and  
21          storm damage risk reduction and shoreline erosion  
22          protection, Chicago, Illinois, authorized by section  
23          101(a)(12) of the Water Resources Development Act  
24          of 1996 (110 Stat. 3664; 113 Stat. 302).

1           (16) Project for flood risk management, Whea-  
2           ton, DuPage County, Illinois.

3           (17) Project for flood damage reduction, eco-  
4           system restoration, and recreation, Blue River  
5           Basin, Kansas City, Kansas, carried out pursuant to  
6           the resolution of the Committee on Transportation  
7           and Infrastructure of the House of Representatives  
8           adopted on September 24, 2008 (docket number  
9           2803).

10          (18) Project for flood control, Amite River and  
11          Tributaries east of the Mississippi River, Louisiana.

12          (19) Project for coastal storm risk manage-  
13          ment, Upper Barataria Basin, Louisiana.

14          (20) Project to replace the Bourne and Saga-  
15          more Bridges, Cape Cod, Massachusetts.

16          (21) Project to deepen the project for naviga-  
17          tion, Gulfport Harbor, Mississippi, authorized by  
18          section 202(a) of the Water Resources Development  
19          Act of 1986 (100 Stat. 4094).

20          (22) Project for flood risk management, Rah-  
21          way River Basin, New Jersey.

22          (23) Project for hurricane and storm damage  
23          risk reduction, Raritan Bay and Sandy Hook Bay,  
24          Highlands, New Jersey.

1           (24) Project for navigation, Shark River, New  
2 Jersey.

3           (25) Project for flood risk management,  
4 Rondout Creek-Walkill River Watershed, New York,  
5 carried out pursuant to the resolution of the Com-  
6 mittee on Transportation and Infrastructure of the  
7 House of Representatives adopted on May 2, 2007  
8 (docket number 2776).

9           (26) Project for ecosystem restoration and hur-  
10 ricane and storm damage risk reduction, Spring  
11 Creek South (Howard Beach), Queens, New York.

12           (27) Project to resolve increased silting and  
13 shoaling adjacent to the Federal channel, Port of  
14 Bandon, Coquille River, Oregon.

15           (28) Project for flood control, 42nd Street  
16 Levee, Springfield, Oregon, being carried out under  
17 section 205 of the Flood Control Act of 1948 (33  
18 U.S.C. 701s).

19           (29) Project for ecosystem restoration, Hood  
20 River at the confluence with the Columbia River, Or-  
21 egon.

22           (30) Project for flood risk management, Rio  
23 Culebrinas, Puerto Rico.

24           (31) Project for flood risk management, Rio  
25 Grande de Manati, Puerto Rico.

1           (32) Project for flood risk management, Rio  
2 Guayanilla, Puerto Rico.

3           (33) Project for flood risk management, Dor-  
4 chester County, South Carolina.

5           (34) Project for navigation, Georgetown Har-  
6 bor, South Carolina.

7           (35) Project for hurricane and storm damage  
8 risk reduction, Myrtle Beach, South Carolina.

9           (36) Project to modify the projects for naviga-  
10 tion and other purposes, Old Hickory Lock and Dam  
11 and the Cordell Hull Dam and Reservoir, Cum-  
12 berland River, Tennessee, authorized by the Act of  
13 July 24, 1946 (chapter 595, 60 Stat. 636), to add  
14 flood risk management as an authorized purpose.

15           (37) Project for flood risk management, eco-  
16 system restoration, water supply, and related pur-  
17 poses, Lower Rio Grande River, Cameron County,  
18 Texas, carried out pursuant to the resolution of the  
19 Committee on Transportation and Infrastructure of  
20 the House of Representatives adopted on May 21,  
21 2003 (docket number 2710).

22           (38) Project for hurricane and storm damage  
23 risk reduction and shoreline erosion protection,  
24 Bolongo Bay, St. Thomas, United States Virgin Is-  
25 lands.

1           (39) Project for flood risk management, Savan  
2           Gut Phase II, St. Thomas, United States Virgin Is-  
3           lands.

4           (40) Project for flood risk management, Tur-  
5           pentine Run, St. Thomas, United States Virgin Is-  
6           lands.

7           (41) Project for navigation, North Landing  
8           Bridge, Atlantic Intracoastal Waterway, Virginia.

9           (b) POST-AUTHORIZATION CHANGE REPORTS.—The  
10          Secretary shall expedite completion of a post-authorization  
11          change report for the following projects:

12           (1) Project for ecosystem restoration, Tres  
13           Rios, Arizona.

14           (2) Project for flood control, San Luis Rey  
15           River, California.

16           (3) Project for ecosystem restoration, Central  
17           and Southern Florida Project Canal 111 (C-111),  
18           South Dade County, Florida.

19           (4) Project for ecosystem restoration, Com-  
20           prehensive Everglades Restoration Plan,  
21           Caloosahatchee River C-43, West Basin Storage  
22           Reservoir, Florida.

23           (5) Project for flood risk management, Des  
24           Moines Levee System, including Birdland Park

1 Levee, Des Moines and Raccoon Rivers, Des Moines,  
2 Iowa.

3 (c) WATERSHED AND RIVER BASIN ASSESSMENTS.—

4 The Secretary shall expedite the completion of an assess-  
5 ment under section 729 of the Water Resources Develop-  
6 ment Act of 1986 (33 U.S.C. 2267a), for the following:

7 (1) Kansas River Basin, Kansas.

8 (2) Merrimack River Basin, Massachusetts.

9 (d) DISPOSITION STUDIES.—The Secretary shall ex-  
10 pedite the completion of a disposition study, carried out  
11 under section 216 of the Flood Control Act of 1970 (33  
12 U.S.C. 549a), for the following:

13 (1) The disposition of the project for Salinas  
14 Reservoir (Santa Margarita Lake), California.

15 (2) The partial disposition of the Upper St. An-  
16 thony Falls Lock facility and surrounding real prop-  
17 erty, in accordance with the requirements of section  
18 2010 of the Water Resources Reform and Develop-  
19 ment Act of 2014 (128 Stat. 1270; 132 Stat. 3812).

20 **SEC. 203. FEASIBILITY STUDY MODIFICATIONS.**

21 (a) SAN FRANCISCO BAY, CALIFORNIA.—Section 142  
22 of the Water Resources Development Act of 1976 (90  
23 Stat. 2930) is amended—

1           (1) by inserting “, and along the ocean shore-  
2 line of San Mateo, San Francisco, and Marin Coun-  
3 ties,” after “Sacramento and San Joaquin Rivers”;

4           (2) by inserting “and, with respect to the bay  
5 and ocean shorelines of San Mateo, San Francisco,  
6 and Marin Counties, the feasibility of and the Fed-  
7 eral interest in providing measures to adapt to rising  
8 sea levels” after “tidal and fluvial flooding”;

9           (3) by striking “investigation” and inserting in  
10 its place “investigations”; and

11           (4) by inserting after “San Francisco Bay re-  
12 gion” the following: “and, with respect to the bay  
13 and ocean shorelines and streams running to the bay  
14 and ocean shorelines of San Mateo, San Francisco,  
15 and Marin Counties, the effects of proposed meas-  
16 ures or improvements on the local economy; habitat  
17 restoration, enhancement, or expansion efforts or op-  
18 portunities; public infrastructure protection and im-  
19 provement; stormwater runoff capacity and control  
20 measures, including those that may mitigate flood-  
21 ing; erosion of beaches and coasts; and any other  
22 measures or improvements relevant to adapting to  
23 rising sea levels”.

24           (b) SACRAMENTO RIVER, SOUTHERN SUTTER COUN-  
25 TY, CALIFORNIA.—The study for flood control and allied

1 purposes for the Sacramento River Basin, authorized by  
2 section 209 of the Flood Control Act of 1962 (76 Stat.  
3 1197), is modified to authorize the Secretary to conduct  
4 a study for flood risk management, southern Sutter Coun-  
5 ty between the Sacramento River and Sutter Bypass, Cali-  
6 fornia.

7 (c) SALTON SEA, CALIFORNIA.—In carrying out the  
8 program to implement projects to restore the Salton Sea,  
9 California, authorized by section 3032 of the Water Re-  
10 sources Development Act of 2007 (121 Stat. 1113; 130  
11 Stat. 1677), the Secretary is authorized to carry out a  
12 study for the construction of a perimeter lake, or a north-  
13 ern or southern subset thereof, for the Salton Sea, Cali-  
14 fornia.

15 (d) NEW YORK AND NEW JERSEY HARBOR AND  
16 TRIBUTARIES, NEW YORK AND NEW JERSEY.—The study  
17 for flood and storm damage reduction for the New York  
18 and New Jersey Harbor and Tributaries project, author-  
19 ized by the Act of June 15, 1955 (chapter 140, 69 Stat.  
20 132), and being carried out pursuant to the Disaster Re-  
21 lief Appropriations Act, 2013 (Public Law 113–2), is  
22 modified to require the Secretary to—

23 (1) evaluate and address the impacts of low-fre-  
24 quency precipitation and sea-level rise on the study  
25 area;



1 (2) consult with affected communities; and

2 (3) ensure the study is carried out in accord-  
3 ance with section 1001 of the Water Resources Re-  
4 form and Development Act of 2014 (33 U.S.C.  
5 2282e).

6 **SEC. 204. SELMA, ALABAMA.**

7 Not later than 180 days after the date of enactment  
8 of this Act, the Secretary shall submit to the Committee  
9 on Transportation and Infrastructure of the House of  
10 Representatives and the Committee on Environment and  
11 Public Works of the Senate a report that—

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

21 (2) identifies project alternatives necessary to—

22 (A) assure the preservation of cultural and  
23 historic values associated with national historic  
24 landmarks within the study area; and

1 (B) provide flood risk management for eco-  
2 nomically disadvantaged communities within the  
3 study area.

4 **SEC. 205. COMPREHENSIVE STUDY OF THE SACRAMENTO**  
5 **RIVER, YOLO BYPASS, CALIFORNIA.**

6 (a) **COMPREHENSIVE STUDY.**—The Secretary shall  
7 conduct a comprehensive study of the Sacramento River  
8 in the vicinity of the Yolo Bypass System, California, to  
9 identify actions to be undertaken by the Secretary for the  
10 comprehensive management of the Yolo Bypass System  
11 for the purposes of flood risk management, ecosystem res-  
12 toration, water supply, hydropower, and recreation.

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

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

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

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

1 (B) incorporate—

2 (i) relevant information from prior  
3 studies and projects carried out by the  
4 Secretary within the study area; and

5 (ii) the latest technical data and sci-  
6 entific approaches to changing hydrologic  
7 and climatic conditions.

8 (c) RECOMMENDATIONS.—

9 (1) IN GENERAL.—In conducting the com-  
10 prehensive study under subsection (a), the Secretary  
11 may develop a recommendation to Congress for—

12 (A) the construction of a water resources  
13 development project;

14 (B) the structural or operational modifica-  
15 tion of an existing water resources development  
16 project;

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

22 (D) geographic areas within the Yolo By-  
23 pass System for additional study by the Sec-  
24 retary.

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

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

12                 (1) the results of the comprehensive study con-  
13                 ducted under subsection (a), including any rec-  
14                 ommendations developed under subsection (c);

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

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

22          (e) DEFINITIONS.—In this section:

23                 (1) YOLO BYPASS SYSTEM.—The term “Yolo  
24                 Bypass System” means the system of weirs, levees,  
25                 bypass structures, and other water resources devel-

1 opment projects in California’s Sacramento River  
2 Valley, extending from the Fremont Weir near  
3 Woodland, California, to the Sacramento River near  
4 Rio Vista, California, authorized pursuant to section  
5 2 of the Act of March 1, 1917 (chapter 144; 39  
6 Stat. 949).

7 (2) YOLO BYPASS AND CACHE CLOUGH PART-  
8 NERSHIP.—The term “Yolo Bypass and Cache  
9 Slough Partnership” means the group of parties to  
10 the Yolo Bypass and Cache Slough Memorandum of  
11 Understanding, effective May 2016, regarding col-  
12 laboration and cooperation in the Yolo Bypass and  
13 Cache Slough region.

14 **SEC. 206. LAKE OKEECHOBEE REGULATION SCHEDULE,**  
15 **FLORIDA.**

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

20 (1) evaluate the implications of prohibiting re-  
21 leases from Lake Okeechobee through the S–308  
22 and S–80 lock and dam structures on the operation  
23 of the lake in accordance with authorized purposes  
24 and seek to minimize unnecessary releases to coastal  
25 estuaries; and

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

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

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

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

24          (a) IN GENERAL.—In carrying out the comprehensive  
25          assessment of water resources needs for the Great Lakes

1 System under section 729 of the Water Resources Devel-  
2 opment Act of 1986 (33 U.S.C. 2267a), as required by  
3 section 1219 of the Water Resources Development Act of  
4 2018 (132 Stat. 3811), the Secretary shall—

5 (1) taking into account recent high lake levels  
6 within the Great Lakes, assess and make rec-  
7 ommendations to Congress on—

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

14 (B) operation and maintenance of the  
15 Great Lakes Navigation System, as such term  
16 is defined in section 210 of the Water Re-  
17 sources Development Act of 1986 (33 U.S.C.  
18 2238);

19 (C) ecosystem protection and restoration;

20 (D) the prevention and control of invasive  
21 species and the effects of invasive species; and

22 (E) recreation associated with water re-  
23 sources development projects;

1           (2) prioritize actions necessary to protect crit-  
2           ical public infrastructure, communities, and critical  
3           natural or cultural resources; and

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

9           (b) RECOMMENDATIONS; ADDITIONAL STUDY.—

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

14                   (A) the construction of a water resources  
15                   development project;

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

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



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

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

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

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

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

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

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

3           (3) the affordability of future municipal water  
4           supply allocations from Rathbun Lake, for residen-  
5           tial users of such future allocations, at projected fu-  
6           ture costs.

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

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

16                 (1) policies, strategies, plans, programs,  
17                 projects, and activities undertaken for addressing  
18                 conservation, protection, restoration, and mainte-  
19                 nance of the coastal Louisiana ecosystem; and

20                 (2) financial participation by each agency rep-  
21                 resented on the Task Force in conserving, pro-  
22                 tecting, restoring, and maintaining the coastal Lou-  
23                 isiana ecosystem.

1 **SEC. 210. LOWER MISSISSIPPI RIVER COMPREHENSIVE**  
2 **STUDY.**

3 (a) COMPREHENSIVE STUDY.—

4 (1) IN GENERAL.—The Secretary shall conduct  
5 a comprehensive study of the Lower Mississippi  
6 River basin, from Cape Girardeau, Missouri, to the  
7 Gulf of Mexico, to identify actions to be undertaken  
8 by the Secretary for the comprehensive management  
9 of the basin for the purposes of flood risk manage-  
10 ment, navigation, ecosystem restoration, water sup-  
11 ply, hydropower, and recreation.

12 (2) FOCUS AREAS.—In conducting the com-  
13 prehensive study under paragraph (1), the Secretary  
14 shall investigate projects, including—

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

23 (i) Atchafalaya sediment diversion;

24 (ii) Union freshwater diversion;

25 (iii) increase Atchafalaya flow to  
26 Terrebonne; and

1 (iv) Manchac Landbridge diversion;

2 and

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

6 (b) CONSULTATION AND USE OF EXISTING DATA.—

7 In conducting the comprehensive study under subsection  
8 (a), the Secretary shall consult with applicable Federal,  
9 State, and local agencies, Indian Tribes, non-Federal in-  
10 terests, and other stakeholders, and, to the maximum ex-  
11 tent practicable and where appropriate, make use of exist-  
12 ing data provided to the Secretary by such parties.

13 (c) RECOMMENDATIONS.—

14 (1) IN GENERAL.—In conducting the com-  
15 prehensive study under subsection (a), the Secretary  
16 may develop a recommendation to Congress for—

17 (A) the construction of a water resources  
18 development project;

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

22 (C) such additional monitoring of, or  
23 adaptive management measures to carry out  
24 with respect to, existing water resources devel-

1           opment projects, to respond to changing condi-  
2           tions; or

3           (D) geographic areas within the Lower  
4           Mississippi River basin for additional study by  
5           the Secretary.

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

11          (d) COMPLETION OF STUDY; REPORT TO CON-  
12          GRESS.—Not later than 3 years after the date of enact-  
13          ment of this section, the Secretary shall submit to the  
14          Committee on Transportation and Infrastructure of the  
15          House of Representatives and the Committee on Environ-  
16          ment and Public Works of the Senate a report detailing—

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

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

1 **SEC. 211. UPPER MISSISSIPPI RIVER COMPREHENSIVE**  
2 **PLAN.**

3 (a) **ASSESSMENT.**—The Secretary shall conduct an  
4 assessment of the water resources needs of the Upper Mis-  
5 sissippi River under section 729 of the Water Resources  
6 Development Act of 1986 (33 U.S.C. 2267a).

7 (b) **REQUIREMENTS.**—The Secretary shall carry out  
8 the assessment under subsection (a) in accordance with  
9 the requirements in section 1206(b) of Water Resources  
10 Development Act of 2016 (130 Stat. 1686).

11 **SEC. 212. LOWER MISSOURI BASIN FLOOD RISK AND RESIL-**  
12 **IENCY STUDY, IOWA, KANSAS, NEBRASKA,**  
13 **AND MISSOURI.**

14 (a) **ADDITIONAL STUDIES.**—

15 (1) **IN GENERAL.**—Except as provided in para-  
16 graph (2), upon the request of the non-Federal in-  
17 terest for the Lower Missouri Basin study, the Sec-  
18 retary shall expand the scope of such study to inves-  
19 tigate and provide recommendations relating to—

20 (A) modifications to projects in Iowa, Kan-  
21 sas, Nebraska, and Missouri authorized under  
22 the Pick-Sloan Missouri River Basin Program  
23 (authorized by section 9(b) of the Flood Control  
24 Act of December 22, 1944 (chapter 665, 58  
25 Stat. 891)) and the Missouri River Bank Sta-  
26 bilization and Navigation project (authorized by

1 section 2 of the Act of March 2, 1945 (chapter  
2 19, 59 Stat. 19)), including modifications to the  
3 authorized purposes of such projects to further  
4 flood risk management and resiliency; and

5 (B) modifications to non-Federal, publicly  
6 owned levees in the Lower Missouri River  
7 Basin.

8 (2) EXCEPTION.—If the Secretary determines  
9 that expanding the scope of the Lower Missouri  
10 Basin study as provided in paragraph (1) is not  
11 practicable, and the non-Federal interest for such  
12 study concurs in such determination, the Secretary  
13 shall carry out such additional studies as are nec-  
14 essary to investigate the modifications described in  
15 paragraph (1).

16 (3) CONTINUATION OF LOWER MISSOURI BASIN  
17 STUDY.—The following studies shall be considered a  
18 continuation of the Lower Missouri Basin study:

19 (A) Any additional study carried out under  
20 paragraph (2).

21 (B) Any study recommended to be carried  
22 out in a report that the Chief of Engineers pre-  
23 pares for the Lower Missouri Basin study.

24 (C) Any study recommended to be carried  
25 out in a report that the Chief of Engineers pre-

1           pares for an additional study carried out under  
2           paragraph (2).

3           (D) Any study spun off from the Lower  
4           Missouri Basin study before the completion of  
5           such study.

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

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

16          (5) CONSIDERATION; CONSULTATION.—In de-  
17          veloping recommendations under paragraph (1), the  
18          Secretary shall—

19                 (A) consider the use of—

20                         (i) structural and nonstructural meas-  
21                         ures, including the setting back of levees  
22                         and removing structures from areas of re-  
23                         curring flood vulnerability, where advan-  
24                         tageous, to reduce flood risk and damages  
25                         in the Lower Missouri River Basin; and



1 (ii) where such features are locally ac-  
2 ceptable, natural features or nature-based  
3 features (as such terms are defined in sec-  
4 tion 1184 of the Water Resources Develop-  
5 ment Act of 2016 (33 U.S.C. 2289a); and  
6 (B) consult with applicable Federal and  
7 State agencies, Indian Tribes, and other stake-  
8 holders within the Lower Missouri River Basin  
9 and solicit public comment on such rec-  
10 ommendations.

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

17 (7) PRECONSTRUCTION, ENGINEERING, AND  
18 DESIGN.—Upon completion of a study authorized by  
19 this section, if the Secretary determines that a rec-  
20 ommended project, or modification to a project de-  
21 scribed in paragraph (1), is justified, the Secretary  
22 may proceed directly to preconstruction planning,  
23 engineering, and design of the project or modifica-  
24 tion.

25 (8) TECHNICAL ASSISTANCE.—

1 (A) IN GENERAL.—For the provision of  
2 technical assistance to support small commu-  
3 nities and economically disadvantaged commu-  
4 nities in the planning and design of flood risk  
5 management and flood risk resiliency projects  
6 in the Lower Missouri River Basin, for each of  
7 fiscal years 2021 through 2026, there are au-  
8 thorized to be appropriated—

9 (i) \$2,000,000 to carry out section  
10 206 of the Flood Control Act of 1960 (33  
11 U.S.C. 709a), in addition to amounts oth-  
12 erwise authorized to carry out such sec-  
13 tion; and

14 (ii) \$2,000,000 to carry out section  
15 22(a)(2) of the Water Resources Develop-  
16 ment Act of 1974 (42 U.S.C. 1962d–16),  
17 in addition to amounts otherwise author-  
18 ized to carry out such section.

19 (B) CONDITIONS.—

20 (i) LIMITATIONS NOT APPLICABLE.—  
21 The limitations on the use of funds in sec-  
22 tion 206(d) of the Flood Control Act of  
23 1960 and section 22(e)(2) of the Water  
24 Resources Development Act of 1974 shall

1 not apply to the amounts authorized to be  
2 appropriated by subparagraph (A).

3 (ii) RULE OF CONSTRUCTION.—Noth-  
4 ing in this paragraph restricts the author-  
5 ity of the Secretary to use any funds other-  
6 wise appropriated to carry out section 206  
7 of the Flood Control Act of 1960 or sec-  
8 tion 22(a)(2) of the Water Resources De-  
9 velopment Act of 1974 to provide technical  
10 assistance described in subparagraph (A).

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

18 (A) the results of the study authorized by  
19 this section;

20 (B) any additional, site-specific areas with-  
21 in the Lower Missouri River Basin for which  
22 additional study for flood risk management  
23 projects is recommended by the Secretary; and

1 (C) any interim actions relating to existing  
2 water resources development projects under-  
3 taken by the Secretary during the study period.

4 (b) DEFINITIONS.—In this section:

5 (1) LOWER MISSOURI BASIN STUDY.—The term  
6 “Lower Missouri Basin study” means the Lower  
7 Missouri Basin Flood Risk and Resiliency Study,  
8 Iowa, Kansas, Nebraska, and Missouri, authorized  
9 pursuant to section 216 of the Flood Control Act of  
10 1970 (33 U.S.C. 549a).

11 (2) SMALL COMMUNITY.—The term “small  
12 community” means a local government that serves a  
13 population of less than 15,000.

14 **SEC. 213. PORTSMOUTH HARBOR AND PISCATAQUA RIVER**  
15 **AND RYE HARBOR, NEW HAMPSHIRE.**

16 Not later than 180 days after the date of enactment  
17 of this Act, the Secretary shall submit to Congress a writ-  
18 ten status update regarding—

19 (1) efforts to address the impacts of shoaling  
20 affecting the project for navigation, Rye Harbor,  
21 New Hampshire, authorized by section 101 of the  
22 River and Harbor Act of 1960 (74 Stat. 480); and

23 (2) the project for navigation, Portsmouth Har-  
24 bor and Piscataqua River, authorized by section 101  
25 of the River and Harbor Act of 1962 (76 Stat.

1 1173), as required to be expedited under section  
2 1317 of the Water Resources Development Act of  
3 2018 (Public Law 115–270).

4 **SEC. 214. COUGAR AND DETROIT DAMS, WILLAMETTE**  
5 **RIVER BASIN, OREGON.**

6 (a) REPORT.—Not later than 2 years after the date  
7 of enactment of this Act, the Secretary shall submit to  
8 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, and make pub-  
11 licly available, a report providing an initial analysis of  
12 deauthorizing hydropower as a project purpose at the Cou-  
13 gar and Detroit Dams project.

14 (b) CONTENTS.—The Secretary shall include in the  
15 report submitted under subsection (a)—

16 (1) a description of the potential effects of  
17 deauthorizing hydropower as a project purpose at  
18 the Cougar and Detroit Dams project on—

19 (A) the operation of the project, including  
20 with respect to the other authorized purposes of  
21 the project;

22 (B) compliance of the project with the En-  
23 dangered Species Act;

1 (C) costs that would be attributed to other  
2 authorized purposes of the project, including  
3 costs relating to compliance with such Act; and

4 (D) other ongoing studies in the Willam-  
5 ette River Basin; and

6 (2) identification of any further research need-  
7 ed.

8 (c) PROJECT DEFINED.—In this section, the terms  
9 “Cougar and Detroit Dams project” and “project” mean  
10 the Cougar Dam and Reservoir project and Detroit Dam  
11 and Reservoir project, Willamette River Basin, Oregon,  
12 authorized by section 204 of the Flood Control Act of  
13 1950 (64 Stat. 179).

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

15 Not later than 180 days after the date of enactment  
16 of this Act, the Secretary shall, at Federal expense, submit  
17 to the Committee on Transportation and Infrastructure  
18 of the House of Representatives and the Committee on  
19 Environment and Public Works of the Senate a summary  
20 report on the research completed and data gathered by  
21 the date of enactment of this Act with regards to the con-  
22 figuration of a breakwater for the project for navigation,  
23 Port Orford, Oregon, authorized by section 117 of the  
24 River and Harbor Act of 1970 (84 Stat. 1822; 106 Stat.

1 4809), for the purposes of addressing shoaling issues to  
2 minimize long-term maintenance costs.

3 **SEC. 216. WILSON CREEK AND SLOAN CREEK, FAIRVIEW,**  
4 **TEXAS.**

5 Not later than 180 days after the date of enactment  
6 of this section, the Secretary shall submit to Congress a  
7 written status update regarding efforts to address flooding  
8 along Wilson Creek and Sloan Creek in the City of Fair-  
9 view, Texas.

10 **SEC. 217. GAO STUDY ON MITIGATION FOR WATER RE-**  
11 **SOURCES DEVELOPMENT PROJECTS.**

12 Not later than 18 months after the date of enactment  
13 of this Act, the Comptroller General of the United States  
14 shall—

15 (1) conduct a study on the mitigation of the im-  
16 pact of water resources development projects, includ-  
17 ing the impact on fish and wildlife, consistent with  
18 the requirements of section 906 of the Water Re-  
19 sources Development Act of 1986 (33 U.S.C. 2283),  
20 section 307(a) of the Water Resources Development  
21 Act of 1990 (33 U.S.C. 2317(a)), and section  
22 2036(b) of the Water Resources Development Act of  
23 2007 (33 U.S.C. 2283a), including—

24 (A) an evaluation of guidance or instruc-  
25 tions issued, and other measures taken, by the

1 Secretary to ensure successful mitigation of  
2 such impacts;

3 (B) a review of the methods of mitigation,  
4 including the use of in-lieu fees, mitigation  
5 banking, and permittee-responsible mitigation,  
6 and their long-term effectiveness of restoring or  
7 mitigating ecosystem services impacted by such  
8 projects;

9 (C) a review of how the use of the different  
10 mitigation methods for such projects varies  
11 across Corps of Engineers districts;

12 (D) an assessment of the backlog of miti-  
13 gation projects, including the number of mitiga-  
14 tion projects pending completion to address  
15 such impacts resulting from constructed water  
16 resources development projects;

17 (E) an evaluation of how the Secretary  
18 tracks compliance with the mitigation require-  
19 ments across Corps of Engineers districts;

20 (F) a review of how the mitigation require-  
21 ments for water resources development projects  
22 contributes to the resilience of water resources  
23 in the United States;

24 (G) an assessment of whether mitigation is  
25 being done prior to or contemporaneously with



1 the construction of projects, as required by sec-  
2 tion 906 of the Water Resources Development  
3 Act of 1986 (33 U.S.C. 2283);

4 (H) an evaluation of compliance with sec-  
5 tion 906(d) of the Water Resources Develop-  
6 ment Act of 1986 (33 U.S.C. 2283(d)) for the  
7 development of specific mitigation plans for  
8 projects, whether such plans were successful in  
9 mitigating the designated impacts of the  
10 projects, and, in instances where such plans  
11 were not successful, what actions the Secretary  
12 is taking to modify the plans such that they will  
13 be successful; and

14 (I) an assessment of how the Secretary  
15 might take advantage of natural infrastructure  
16 in mitigation planning to reduce flood risks and  
17 flood recovery costs for some communities; and  
18 (2) submit to Congress a report that—

19 (A) describes the results of the study con-  
20 ducted under paragraph (1);

21 (B) includes recommendations to ensure  
22 compliance with and successful implementation  
23 of mitigation requirements for water resources  
24 development projects; and

1 (C) includes recommendations to ensure  
2 existing programs and authorities include the  
3 use, to the maximum extent practicable, of nat-  
4 ural infrastructure.

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

7 (a) STUDY.—Not later than 18 months after the date  
8 of enactment of this Act, the Comptroller General of the  
9 United States shall conduct a study of the operation and  
10 maintenance needs of federally authorized harbor and in-  
11 land harbor projects, including—

12 (1) an inventory of all federally authorized har-  
13 bor and inland harbor projects;

14 (2) an assessment of current uses of such  
15 projects (and, to the extent practicable, the national,  
16 regional, and local benefits of such uses), including  
17 the uses listed in section 210(d)(2)(B) of the Water  
18 Resources Development Act of 1986;

19 (3) an assessment of the annual operation and  
20 maintenance needs associated with harbors and in-  
21 land harbors referred to in subsection (a)(2) of sec-  
22 tion 210 of the Water Resources Development Act  
23 of 1986 (33 U.S.C. 2238), including a breakdown of  
24 such needs for each of the following types of  
25 projects—

1 (A) emerging harbor projects (as defined  
2 in such section);

3 (B) moderate-use harbor projects (as de-  
4 fined in such section on the day before the date  
5 of enactment of this Act);

6 (C) high-use harbor projects (as defined in  
7 such section on the day before the date of en-  
8 actment of this Act); and

9 (D) projects assigned to harbors and in-  
10 land harbors within the Great Lakes Navigation  
11 System (as defined in such section);

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

14 (5) an assessment of the annual funding level  
15 trends for moderate-use harbor projects (as defined  
16 in section 210 of the Water Resources Development  
17 Act of 1986 on the day before the date of enactment  
18 of this Act) after the date of enactment of the Water  
19 Resources Development Act of 2014 (Public Law  
20 113–121), excluding funds awarded to donor ports,  
21 medium-sized donor ports, and energy transfer ports  
22 (as such terms are defined in section 2106 of the  
23 Water Resources Reform and Development Act of  
24 2014 (33 U.S.C. 2201));



1 lish an environmental bank (as defined in such section),  
2 such that the Secretary—

3           (1) achieves the objectives of the report of the  
4 Chief of Engineers for ecosystem restoration in the  
5 Louisiana Coastal Area or the objectives of the com-  
6 prehensive coastal protection master plan entitled  
7 “Louisiana Comprehensive Master Plan for a Sus-  
8 tainable Coast” prepared by the State of Louisiana  
9 and accepted by the Louisiana Coastal Protection  
10 and Restoration Authority (including any subsequent  
11 amendments or revisions);

12           (2) promotes ridge restoration, barrier island  
13 restoration, marsh creation, nonstructural risk man-  
14 agement, or any other projects authorized, funded,  
15 or undertaken, or proposed to be authorized, funded,  
16 or undertaken, pursuant to such comprehensive  
17 coastal protection master plan;

18           (3) allows for proactive investment in projects  
19 by a public or private entity seeking to generate  
20 credits to satisfy responsibilities associated with en-  
21 vironmental compliance;

22           (4) allows for leveraging additional State, Par-  
23 ish, or Federal funds; and

1           (5) recommends methods for awarding addi-  
2           tional credit for high-priority projects listed in the  
3           report and plan described in paragraph (1).

4           (b) CONSULTATION WITH STAKEHOLDERS.—In car-  
5           rying out subsection (a), the Comptroller General of the  
6           United States shall consult with the Secretary, the Lou-  
7           isiana Coastal Wetlands Conservation and Restoration  
8           Task Force, the Governor of Louisiana (or an appointee),  
9           and other stakeholders, to the extent practicable.

10 **SEC. 220. STUDY ON CORPS OF ENGINEERS CONCES-**  
11 **SIONAIRE AGREEMENTS.**

12           (a) STUDY.—Not later than 1 year after the date of  
13           enactment of this Act, the Comptroller General of the  
14           United States shall conduct, and submit to the Committee  
15           on Transportation and Infrastructure of the House of  
16           Representatives and the Committee on Environment and  
17           Public Works of the Senate a report on the results of,  
18           a study on commercial concessionaires at Corps of Engi-  
19           neers recreational facilities.

20           (b) REQUIREMENTS.—The study under subsection  
21           (a) shall include—

22           (1) an analysis of Corps of Engineers policies  
23           as they relate to the pricing of items sold by com-  
24           mercial concessionaires at Corps of Engineers rec-

1 recreational facilities, including commoditized goods  
2 such as fuel and food items;

3 (2) an assessment of the impact of gross revenue fees on—  
4

5 (A) the sales of items described in paragraph (1);  
6

7 (B) the total revenues collected by commercial concessionaires at Corps of Engineers  
8 recreational facilities; and  
9

10 (C) the amounts of the moneys paid by such concessionaires to the United States—  
11

12 (i) amounts equivalent to which are appropriated to the Corps of Engineers for  
13 operation and maintenance of recreational facilities; or  
14  
15

16 (ii) that are distributed to States and counties under section 7 of the Act of August  
17 18, 1941 (33 U.S.C. 701c-3);  
18

19 (3) an assessment of the potential impact of using a fixed revenue fee on the sales, revenues, and  
20 amounts described in paragraph (2);  
21

22 (4) an analysis of Corps of Engineers policies related to the length of commercial concessionaire  
23 contracts;  
24

1           (5) an assessment of the impacts of changing  
2           the length of commercial concessionaire contracts to  
3           a minimum of 25 years, including assessment of—

4                   (A) the potential effects on monetary in-  
5                   vestment in Corps of Engineers properties by  
6                   commercial concessionaires, including whether  
7                   establishing such a minimum contract length  
8                   would lead to increased investment; and

9                   (B) whether establishing such a minimum  
10                  contract length would reduce competition, or re-  
11                  sult in commercial concessionaires providing  
12                  less value to the public or to water resources  
13                  development projects; and

14          (6) an assessment of whether changes in the  
15          concessionaire fee structure or the minimum length  
16          of a commercial concessionaire contract is in the  
17          public interest.

18 **SEC. 221. STUDY ON WATER SUPPLY AND WATER CON-**  
19 **SERVATION AT WATER RESOURCES DEVEL-**  
20 **OPMENT PROJECTS.**

21          (a) IN GENERAL.—Not later than 18 months after  
22          the date of enactment of this Act, the Secretary shall sub-  
23          mit to the Committee on Transportation and Infrastruc-  
24          ture of the House of the Representatives and the Com-  
25          mittee on Environment and Public Works of the Senate



1 a report that analyzes the benefits and consequences of  
2 including municipal water supply and water conservation  
3 as a primary mission of the Corps of Engineers in carrying  
4 out water resources development projects.

5 (b) INCLUSION.—The Secretary shall include in the  
6 report submitted under subsection (a)—

7 (1) a description of existing water resources de-  
8 velopment projects with municipal water supply or  
9 water conservation as authorized purposes, and the  
10 extent to which such projects are utilized for such  
11 purposes;

12 (2) a description of existing water resources de-  
13 velopment projects with respect to which—

14 (A) municipal water supply or water con-  
15 servation could be added as a project purpose,  
16 including those with respect to which a non-  
17 Federal interest has expressed an interest in  
18 adding municipal water supply or water con-  
19 servation as a project purpose; and

20 (B) such a purpose could be accommodated  
21 while maintaining existing authorized purposes;

22 (3) a description of ongoing water resources de-  
23 velopment project studies the authorizations for  
24 which include authorization for the Secretary to  
25 study the feasibility of carrying out the project with

1 a purpose of municipal water supply or water con-  
2 servation;

3 (4) an analysis of how adding municipal water  
4 supply and water conservation as a primary mission  
5 of the Corps of Engineers would affect the ability of  
6 the Secretary to carry out future water resources de-  
7 velopment projects; and

8 (5) any recommendations of the Secretary relat-  
9 ing to including municipal water supply and water  
10 conservation as a primary mission of the Corps of  
11 Engineers.

12 **SEC. 222. PFAS REVIEW AND INVENTORY AT CORPS FACILI-**  
13 **TIES.**

14 (a) INVENTORY OF PFAS AT CORPS FACILITIES.—

15 (1) IN GENERAL.—Not later than 18 months  
16 after the date of enactment of this section, and an-  
17 nually thereafter the Secretary shall complete an in-  
18 ventory of Corps of Engineers civil works facilities  
19 that are or may be contaminated, or could become  
20 contaminated, by PFAS.

21 (2) CONTENTS OF INVENTORY.—In carrying  
22 out this subsection, the Secretary shall review and  
23 identify—

24 (A) all facilities owned or operated by the  
25 Corps of Engineers, for which there is a civil

1 works function, that are or may be contami-  
2 nated, or could become contaminated, by  
3 PFAS;

4 (B) the nature and extent of any such con-  
5 tamination or potential for contamination, in-  
6 cluding any potential pathways for human expo-  
7 sure to PFAS;

8 (C) response measures taken to monitor,  
9 control, remove, or remediate PFAS, or other-  
10 wise reduce the risk of human exposure to  
11 PFAS;

12 (D) for facilities identified under subpara-  
13 graph (A), the extent to which such facilities  
14 (or any such contamination or potential for con-  
15 tamination at such facilities) are related to the  
16 civil works functions of the Corps of Engineers;

17 (E) the extent to which the Secretary, or  
18 other entities, may have responsibility for such  
19 contamination or potential for contamination;  
20 and

21 (F) for facilities identified under subpara-  
22 graph (A), the costs to remediate and reduce  
23 the risk of human exposure to PFAS.

24 (3) COORDINATION WITH OTHER FEDERAL  
25 AGENCIES.—To the maximum extent practicable, the

1 actions taken under this subsection shall supplement  
2 and support work undertaken by other Federal  
3 agencies, including actions taken pursuant to the  
4 plan published by the Administrator of the Environ-  
5 mental Protection Agency, titled “EPA’s Per- and  
6 Polyfluoroalkyl Substances (PFAS) Action Plan”  
7 and dated February 2019.

8 (4) REPORT TO CONGRESS.—Upon completion  
9 of the inventory under paragraph (1), and annually  
10 thereafter concurrent with the President’s annual  
11 budget request to Congress, the Secretary shall sub-  
12 mit the inventory to the Committee on Transpor-  
13 tation and Infrastructure of the House of Represent-  
14 atives and the Committee on Environment and Pub-  
15 lic Works of the Senate.

16 (b) PFAS TECHNOLOGY RESEARCH.—

17 (1) RESEARCH SUPPORT.—The Secretary, act-  
18 ing through the Hazardous Waste Research Center  
19 located at the Engineer Research and Development  
20 Center, shall, to the maximum extent practicable,  
21 support the efforts of other Federal agencies in the  
22 development of innovative technologies and meth-  
23 odologies for the detection, treatment, and cleanup  
24 of PFAS associated with Federal facilities, including  
25 groundwater associated with such facilities.

1           (2) DUPLICATION OF EFFORTS.—Nothing in  
2           this subsection is intended to duplicate the activities  
3           undertaken by other Federal agencies as identified  
4           in subsection (a)(3).

5           (c) DEFINITION.—In this section, the term “PFAS”  
6           means a perfluoroalkyl substance or polyfluoroalkyl sub-  
7           stance with at least one fully fluorinated carbon atom.

8           **SEC. 223. REPORT ON RECREATIONAL FACILITIES.**

9           No later than 18 months after the date of enactment  
10          of this Act, the Secretary shall submit to the Committee  
11          on Transportation and Infrastructure of the House of  
12          Representatives and the Committee on Environment and  
13          Public Works of the Senate a report that contains—

14                (1) an inventory of all recreational infrastruc-  
15                ture and facilities associated with water resources  
16                development projects;

17                (2) an assessment of the annual operation and  
18                maintenance needs associated with such infrastruc-  
19                ture and facilities;

20                (3) an assessment of deferred operation and  
21                maintenance needs for such infrastructure and facili-  
22                ties to operate safely at full capacity; and

23                (4) an assessment of the economic benefits of  
24                recreation to local and regional economies and bene-

1 fits of sustaining and improving public access at rec-  
2 reational infrastructure and facilities.

3 **TITLE III—DEAUTHORIZATIONS**  
4 **AND MODIFICATIONS**

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

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

7 (1) to identify water resources development  
8 projects authorized by Congress that are no longer  
9 viable for construction due to—

10 (A) a lack of local support;

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

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

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

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

22 (b) PROPOSED DEAUTHORIZATION LIST.—

23 (1) PRELIMINARY LIST OF PROJECTS.—

24 (A) IN GENERAL.—The Secretary shall de-  
25 velop a preliminary list of each water resources

1 development project, or separable element of a  
2 project, authorized for construction before No-  
3 vember 8, 2007, for which—

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

7 (ii) planning, design, or construction  
8 was initiated before the date of enactment  
9 of this Act, but for which no funds, Fed-  
10 eral or non-Federal, were obligated for  
11 planning, design, or construction of the  
12 project or separable element of the project  
13 during the current fiscal year or any of the  
14 10 preceding fiscal years.

15 (B) USE OF COMPREHENSIVE CONSTRUC-  
16 TION BACKLOG AND OPERATION AND MAINTEN-  
17 NANCE REPORT.—The Secretary may develop  
18 the preliminary list from the comprehensive  
19 construction backlog and operation and mainte-  
20 nance reports developed pursuant to section  
21 1001(b)(2) of the Water Resources Develop-  
22 ment Act of 1986 (33 U.S.C. 579a).

23 (2) PREPARATION OF PROPOSED DEAUTHORIZA-  
24 TION LIST.—

1 (A) DEAUTHORIZATION AMOUNT.—The  
2 Secretary shall prepare a proposed list of  
3 projects for deauthorization comprised of a sub-  
4 set of projects and separable elements identified  
5 on the preliminary list developed under para-  
6 graph (1) that have, in the aggregate, an esti-  
7 mated Federal cost to complete that is at least  
8 \$10,000,000,000.

9 (B) DETERMINATION OF FEDERAL COST  
10 TO COMPLETE.—For purposes of subparagraph  
11 (A), the Federal cost to complete shall take into  
12 account any allowances authorized by section  
13 902 of the Water Resources Development Act  
14 of 1986 (33 U.S.C. 2280), as applied to the  
15 most recent project schedule and cost estimate.

16 (C) INCLUSION OF DEAUTHORIZATION OF  
17 ANTIQUATED PROJECTS.—The Secretary shall  
18 reduce the amount identified for deauthoriza-  
19 tion under paragraph (2)(A) by an amount  
20 equivalent to the estimated current value of  
21 each project, or separable element of a project,  
22 that is deauthorized by subsection (f).

23 (3) SEQUENCING OF PROJECTS.—

24 (A) IN GENERAL.—The Secretary shall  
25 identify projects and separable elements for in-



1           clusion on the proposed list of projects for de-  
2           authorization under paragraph (2) according to  
3           the order in which the projects and separable  
4           elements were authorized, beginning with the  
5           earliest authorized projects and separable ele-  
6           ments and ending with the latest project or sep-  
7           arable element necessary to meet the aggregate  
8           amount under paragraph (2)(A).

9           (B) FACTORS TO CONSIDER.—The Sec-  
10          retary may identify projects and separable ele-  
11          ments in an order other than that established  
12          by subparagraph (A) if the Secretary deter-  
13          mines, on a case-by-case basis, that a project or  
14          separable element is critical for interests of the  
15          United States, based on the possible impact of  
16          the project or separable element on public  
17          health and safety, the national economy, or the  
18          environment.

19          (4) PUBLIC COMMENT AND CONSULTATION.—

20          (A) IN GENERAL.—The Secretary shall so-  
21          licit comments from the public and the Gov-  
22          ernors of each applicable State on the proposed  
23          deauthorization list prepared under paragraph  
24          (2)(A).

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

3 (5) PREPARATION OF FINAL DEAUTHORIZATION  
4 LIST.—

5 (A) IN GENERAL.—The Secretary shall  
6 prepare a final deauthorization list by—

7 (i) considering any comments received  
8 under paragraph (4); and

9 (ii) revising the proposed deauthoriza-  
10 tion list prepared under paragraph (2)(A)  
11 as the Secretary determines necessary to  
12 respond to such comments.

13 (B) APPENDIX.—The Secretary shall in-  
14 clude as part of the final deauthorization list an  
15 appendix that—

16 (i) identifies each project or separable  
17 element on the proposed deauthorization  
18 list that is not included on the final de-  
19 authorization list; and

20 (ii) describes the reasons why the  
21 project or separable element is not in-  
22 cluded on the final deauthorization list.

23 (c) SUBMISSION OF FINAL DEAUTHORIZATION LIST  
24 TO CONGRESS FOR CONGRESSIONAL REVIEW; PUBLICA-  
25 TION.—

1           (1) IN GENERAL.—Not later than 90 days after  
2 the date of the close of the comment period under  
3 subsection (b)(4), the Secretary shall—

4           (A) submit the final deauthorization list  
5 and appendix prepared under subsection (b)(5)  
6 to the Committee on Transportation and Infra-  
7 structure of the House of Representatives and  
8 the Committee on Environment and Public  
9 Works of the Senate; and

10           (B) publish the final deauthorization list  
11 and appendix in the Federal Register.

12           (2) EXCLUSIONS.—The Secretary shall not in-  
13 clude in the final deauthorization list submitted  
14 under paragraph (1) any project or separable ele-  
15 ment with respect to which Federal funds for plan-  
16 ning, design, or construction are obligated after the  
17 development of the preliminary list under subsection  
18 (b)(1)(A) but prior to the submission of the final de-  
19 authorization list under paragraph (1)(A) of this  
20 subsection.

21           (d) DEAUTHORIZATION; CONGRESSIONAL REVIEW.—

22           (1) IN GENERAL.—After the expiration of the  
23 2-year period beginning on the date of publication of  
24 the final deauthorization list and appendix under  
25 subsection (c)(1)(B), a project or separable element

1 of a project identified in the final deauthorization  
2 list is hereby deauthorized, unless Congress passes a  
3 joint resolution disapproving the final deauthoriza-  
4 tion list prior to the end of such period.

5 (2) NON-FEDERAL CONTRIBUTIONS.—

6 (A) IN GENERAL.—A project or separable  
7 element of a project identified in the final de-  
8 authorization list under subsection (c) shall not  
9 be deauthorized under this subsection if, before  
10 the expiration of the 2-year period referred to  
11 in paragraph (1), the non-Federal interest for  
12 the project or separable element of the project  
13 provides sufficient funds to complete the project  
14 or separable element of the project.

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

22 (3) PROJECTS IDENTIFIED IN APPENDIX.—A  
23 project or separable element of a project identified  
24 in the appendix to the final deauthorization list shall

1 remain subject to future deauthorization by Con-  
2 gress.

3 (e) SPECIAL RULES.—

4 (1) POST-AUTHORIZATION STUDIES.—A project  
5 or separable element of a project may not be identi-  
6 fied on the proposed deauthorization list developed  
7 under subsection (b), or the final deauthorization list  
8 developed under subsection (c), if the project or sep-  
9 arable element received funding for a post-authoriza-  
10 tion study during the current fiscal year or any of  
11 the 10 preceding fiscal years.

12 (2) TREATMENT OF PROJECT MODIFICA-  
13 TIONS.—For purposes of this section, if an author-  
14 ized water resources development project or sepa-  
15 rable element of the project has been modified by an  
16 Act of Congress, the date of the authorization of the  
17 project or separable element shall be deemed to be  
18 the date of the most recent such modification.

19 (f) DEAUTHORIZATION OF ANTIQUATED  
20 PROJECTS.—

21 (1) IN GENERAL.—Any water resources devel-  
22 opment project, or separable element of a project,  
23 authorized for construction prior to November 17,  
24 1986, for which construction has not been initiated  
25 prior to the date of enactment of this Act, or for

1 which funds have not been obligated for construction  
2 in the 10-year period prior to the date of enactment  
3 of this Act, is hereby deauthorized.

4 (2) IDENTIFICATION.—Not later than 60 days  
5 after the date of enactment of this Act, the Sec-  
6 retary shall issue to the Committee on Transpor-  
7 tation and Infrastructure of the House of Represent-  
8 atives and the Committee on Environment and Pub-  
9 lic Works of the Senate a report that identifies—

10 (A) the name of each project, or separable  
11 element of a project, deauthorized by paragraph  
12 (1); and

13 (B) the estimated current value of each  
14 such project or separable element of a project.

15 (g) ECONOMIC AND ENVIRONMENTAL REVIEW OF IN-  
16 ACTIVE WATER RESOURCES DEVELOPMENT PROJECTS.—  
17 The Secretary or the non-Federal interest may not carry  
18 out any authorized water resources development project,  
19 or separable element of such project, for which construc-  
20 tion has not been initiated in the 20-year period following  
21 the date of the authorization of such project or separable  
22 element, until—

23 (1) the Secretary provides to the Committee on  
24 Transportation and Infrastructure of the House of  
25 Representatives and the Committee on Environment

1 and Public Works of the Senate a post-authorization  
2 change report that updates the economic and envi-  
3 ronmental analysis of the project or separable ele-  
4 ment; and

5 (2) the Committee on Transportation and In-  
6 frastructure of the House of Representatives and the  
7 Committee on Environment and Public Works of the  
8 Senate take appropriate action to address any modi-  
9 fications to the economic and environmental analysis  
10 for the project or separable element of the project  
11 contained in the post-authorization change report.

12 (h) DEFINITIONS.—In this section:

13 (1) POST-AUTHORIZATION CHANGE REPORT.—  
14 The term “post-authorization change report” has  
15 the meaning given such term in section 1132(d) of  
16 the Water Resources Development Act of 2016 (33  
17 U.S.C. 2282e).

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

20 (A) a feasibility report developed under  
21 section 905 of the Water Resources Develop-  
22 ment Act of 1986 (33 U.S.C. 2282);

23 (B) a feasibility study, as defined in sec-  
24 tion 105(d) of the Water Resources Develop-  
25 ment Act of 1986 (33 U.S.C. 2215(d)); or

1 (C) a review conducted under section 216  
2 of the Flood Control Act of 1970 (33 U.S.C.  
3 549a), including an initial appraisal that—

4 (i) demonstrates a Federal interest;

5 and

6 (ii) requires additional analysis for the  
7 project or separable element.

8 (3) WATER RESOURCES DEVELOPMENT  
9 PROJECT.—The term “water resources development  
10 project” includes an environmental infrastructure  
11 assistance project or program of the Corps of Engi-  
12 neers.

13 **SEC. 302. ABANDONED AND INACTIVE NONCOAL MINE RES-**  
14 **TORATION.**

15 Section 560(f) of the Water Resources Development  
16 Act of 1999 (33 U.S.C. 2336(f)) is amended by striking  
17 “\$20,000,000” and inserting “\$30,000,000”.

18 **SEC. 303. TRIBAL PARTNERSHIP PROGRAM.**

19 Section 203(b)(4) of the Water Resources Develop-  
20 ment Act of 2000 (33 U.S.C. 2269) is amended by strik-  
21 ing “\$12,500,000” each place it appears and inserting  
22 “\$15,000,000”.



1 **SEC. 304. LAKES PROGRAM.**

2 Section 602(a) of the Water Resources Development  
3 Act of 1986 (Public Law 99–662, 100 Stat. 4148; 110  
4 Stat. 3758; 113 Stat. 295; 121 Stat. 1076) is amended—

5 (1) in paragraph (27), by striking “and” at the  
6 end;

7 (2) in paragraph (28), by striking the period at  
8 the end and inserting a semicolon; and

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

10 “(29) Ellis Pond and Guild Pond, Norwood,  
11 Massachusetts; and

12 “(30) Memorial Pond, Walpole, Massachu-  
13 setts.”.

14 **SEC. 305. WATERCRAFT INSPECTION STATIONS.**

15 Section 104(d)(1)(A) of the River and Harbor Act  
16 of 1958 (33 U.S.C. 610(d)(1)(A)) is amended—

17 (1) in clause (ii), by striking “; and” and in-  
18 serting a semicolon;

19 (2) in clause (iii), by striking “Arizona River  
20 Basins.” and inserting “Arkansas River Basins;  
21 and”; and

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

23 “(iv) to protect the Russian River  
24 Basin, California.”.

1 **SEC. 306. REHABILITATION OF CORPS OF ENGINEERS CON-**  
2 **STRUCTED DAMS.**

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

5 (1) in subsection (e), by striking “\$40,000,000”  
6 and inserting “\$60,000,000”; and

7 (2) in subsection (f), by striking “\$40,000,000”  
8 and inserting “\$60,000,000”.

9 **SEC. 307. CHESAPEAKE BAY ENVIRONMENTAL RESTORA-**  
10 **TION AND PROTECTION PROGRAM.**

11 (a) **IN GENERAL.**—Section 510 of the Water Re-  
12 sources Development Act of 1996 (Public Law 104–303,  
13 110 Stat. 3759; 121 Stat. 1202; 128 Stat. 1317) is  
14 amended—

15 (1) by redesignating subsection (h) as sub-  
16 section (i) and inserting after subsection (g) the fol-  
17 lowing:

18 “(h) **PROJECT CAP.**—The total cost of a project car-  
19 ried out under this section may not exceed \$15,000,000.”;  
20 and

21 (2) in subsection (i) (as so redesignated), by  
22 striking “\$40,000,000” and inserting  
23 “\$60,000,000”.

24 (b) **OUTREACH AND TRAINING.**—The Secretary shall  
25 conduct public outreach and workshops for non-Federal  
26 interests to provide information on the Chesapeake Bay

1 environmental restoration and protection program estab-  
2 lished under section 510 of the Water Resources Develop-  
3 ment Act of 1996, including how to participate in the pro-  
4 gram.

5 **SEC. 308. UPPER MISSISSIPPI RIVER SYSTEM ENVIRON-**  
6 **MENTAL MANAGEMENT PROGRAM.**

7 Section 1103(e) of the Water Resources Development  
8 Act of 1986 (33 U.S.C. 652(e)) is amended—

9 (1) in paragraph (3), by striking  
10 “\$22,750,000” and inserting “\$40,000,000”; and

11 (2) in paragraph (4), by striking  
12 “\$10,420,000” and inserting “\$15,000,000”.

13 **SEC. 309. MCCLELLAN-KERR ARKANSAS RIVER NAVIGA-**  
14 **TION SYSTEM.**

15 Any Federal funds, regardless of the account from  
16 which the funds were provided, used to carry out construc-  
17 tion of the modification to the McClellan-Kerr Arkansas  
18 River Navigation System, authorized in section 136 of the  
19 Energy and Water Development Appropriations Act, 2004  
20 (117 Stat. 1842), shall be considered by the Secretary as  
21 initiating construction of the project such that future  
22 funds will not require a new investment decision.

1 **SEC. 310. OUACHITA-BLACK RIVER NAVIGATION PROJECT,**  
2 **ARKANSAS.**

3 The project for navigation, Ouachita-Black River, Ar-  
4 kansas, authorized by section 101 of the River and Harbor  
5 Act of 1960 (Public Law 86–645), is modified to include  
6 water supply as a project purpose, subject to completion  
7 by the Secretary of a feasibility study and any other review  
8 necessary for such modification.

9 **SEC. 311. SACRAMENTO RIVER, GLENN-COLUSA, CALI-**  
10 **FORNIA.**

11 The portion of project for flood control, Sacramento  
12 River, California, authorized by section 2 of the Act of  
13 March 1, 1917 (chapter 144, 39 Stat. 949; 103 Stat. 649;  
14 110 Stat. 3709; 112 Stat. 1841; 113 Stat. 299), con-  
15 sisting of a riverbed gradient restoration facility at the  
16 Glenn-Colusa Irrigation District Intake, is no longer au-  
17 thorized beginning on the date of enactment of this Act.

18 **SEC. 312. LAKE ISABELLA, CALIFORNIA.**

19 (a) SENSE OF CONGRESS.—It is the sense of Con-  
20 gress that the Secretary, when evaluating alternative loca-  
21 tions for construction of a permanent Isabella Lake Vis-  
22 itor Center by the Corps of Engineers to replace the facil-  
23 ity impacted by the Isabella Dam safety modification  
24 project, should afford substantial weight to the site pref-  
25 erence of the local community.

1 (b) AUTHORITY.—The Secretary may acquire such  
2 interests in real property as the Secretary determines nec-  
3 essary or advisable to support construction of the Isabella  
4 Dam safety modification project.

5 (c) TRANSFER.—The Secretary may transfer any real  
6 property interests acquired under subsection (b) to any  
7 other Federal agency or department without reimburse-  
8 ment.

9 (d) ISABELLA DAM SAFETY MODIFICATION PROJECT  
10 DEFINED.—In this section, the term “Isabella Dam safety  
11 modification project” means the dam safety modification  
12 project at the Isabella Reservoir in the San Joaquin Val-  
13 ley, California (authorized by Act of December 22, 1944  
14 (chapter 665, 58 Stat. 901)), including the component of  
15 the project relating to construction a visitor center facility.

16 **SEC. 313. LOWER SAN JOAQUIN RIVER FLOOD CONTROL**  
17 **PROJECT.**

18 The Secretary shall align the schedules of, and maxi-  
19 mize complimentary efforts, minimize duplicative prac-  
20 tices, and ensure coordination and information sharing  
21 with respect to—

22 (1) the project for flood risk management,  
23 Lower San Joaquin River, authorized by section  
24 1401(2) of the Water Resources Development Act of  
25 2018 (132 Stat. 3836); and



1 **“SEC. 114. SAN FRANCISCO, CALIFORNIA, WATERFRONT**  
2 **AREA.**

3 “(a) AREA TO BE DECLARED NONNAVIGABLE.—The  
4 following area is declared to be nonnavigable waters of the  
5 United States: All of that portion of the City and County  
6 of San Francisco, California, lying shoreward of a line be-  
7 ginning at the intersection of the southerly right of way  
8 line of Earl Street prolongation with the Pierhead United  
9 States Government Pierhead line, the Pierhead line as de-  
10 fined in the State of California Harbor and Navigation  
11 Code Section 1770, as amended in 1961; thence northerly  
12 along said Pierhead line to its intersection with a line par-  
13 allel with and distant 10 feet easterly from, the existing  
14 easterly boundary line of Pier 30–32; thence northerly  
15 along said parallel line and its northerly prolongation, to  
16 a point of intersection with a line parallel with, and distant  
17 10 feet northerly from, the existing northerly boundary of  
18 Pier 30–32; thence westerly along last said parallel line  
19 to its intersection with said Pierhead line; thence northerly  
20 along said Pierhead line, to the intersection of the easterly  
21 right of way line of Van Ness Avenue, formerly Marlette  
22 Street, prolongation to the Pierhead line.

23 “(b) REQUIREMENT THAT AREA BE IMPROVED.—  
24 The declaration of nonnavigability under subsection (a)  
25 applies only to those parts of the area described in sub-  
26 section (a) that are or will be bulkheaded, filled, or other-

1 wise occupied or covered by permanent structures and  
2 does not affect the applicability of any Federal statute or  
3 regulation that relates to filling of navigable waters or to  
4 other regulated activities within the area described in sub-  
5 section (a), including sections 9 and 10 of the Act of  
6 March 3, 1899 (33 U.S.C. 401, 403), section 404 of the  
7 Federal Water Pollution Control Act, and the National  
8 Environmental Policy Act of 1969.

9       “(c) INCLUSION OF EMBARCADERO HISTORIC DIS-  
10 TRICT.—Congress finds and declares that the area de-  
11 scribed in subsection (a) contains the seawall, piers, and  
12 wharves that comprise the Embarcadero Historic District  
13 listed on the National Register of Historic Places on May  
14 12, 2006.”.

15       (b) CONFORMING AMENDMENT.—Section 5052 of the  
16 Water Resources Development Act of 2007 (33 U.S.C.  
17 59h–1) is repealed.

18 **SEC. 316. WESTERN PACIFIC INTERCEPTOR CANAL, SAC-**  
19 **RAMENTO RIVER, CALIFORNIA.**

20       The portion of the project for flood protection on the  
21 Sacramento River, authorized by section 2 of the of March  
22 1, 1917 (chapter 144, 39 Stat. 949; 45 Stat. 539; 50 Stat.  
23 877; 55 Stat. 647; 80 Stat. 1422), consisting of the por-  
24 tion of the levee from GPS coordinate N2147673.584  
25 E6690904.187 to N2147908.413 E6689057.060 associ-



1 ated with the Western Pacific Interceptor Canal, is no  
2 longer authorized beginning on the date of the enactment  
3 of this Act.

4 **SEC. 317. RIO GRANDE ENVIRONMENTAL MANAGEMENT**  
5 **PROGRAM, COLORADO, NEW MEXICO, AND**  
6 **TEXAS.**

7 Section 5056(f) of the Water Resources Development  
8 Act of 2007 (Public Law 110–114, 121 Stat. 1213; 128  
9 Stat. 1314) is amended by striking “2019” and inserting  
10 “2029”.

11 **SEC. 318. NEW LONDON HARBOR WATERFRONT CHANNEL,**  
12 **CONNECTICUT.**

13 (a) IN GENERAL.—The portion of the project for  
14 navigation, New London Harbor, Connecticut, authorized  
15 by the first section of the Act of June 13, 1902 (chapter  
16 1079, 32 Stat. 333), described in subsection (b) is no  
17 longer authorized beginning on the date of enactment of  
18 this Act.

19 (b) AREA DESCRIBED.—The area referred to in sub-  
20 section (a) is generally the portion between and around  
21 the 2 piers at the State Pier in New London, specifically  
22 the area—

23 (1) beginning at a point N691263.78,  
24 E1181259.26;

1           (2) running N 35°01'50.75" W about 955.59  
2 feet to a point N692046.26, E1180710.74;

3           (3) running N 54°58'06.78" E about 100.00  
4 feet to a point N692103.66, E1180792.62;

5           (4) running S 35°01'50.75" E about 989.8 feet  
6 to a point N691293.17, E1181360.78; and

7           (5) running S 73°51'15.45" W about 105.69  
8 feet to the point described in paragraph (1).

9 **SEC. 319. WASHINGTON HARBOR, DISTRICT OF COLUMBIA.**

10         Beginning on the date of enactment of this Act, the  
11 project for navigation, Washington Harbor, District of Co-  
12 lumbia, authorized by the Act of August 30, 1935 (chapter  
13 831, 49 Stat. 1031), is modified to reduce, in part, the  
14 authorized dimensions of the project, such that the re-  
15 maining authorized dimensions are as follows:

16           (1) A 200 foot wide, 15 foot deep channel with  
17 a center line beginning at a point East 1,317,064.30  
18 and North 440,373.32, thence to a point East  
19 1,316,474.30 and North 440,028.31, thence to a  
20 point East 1,315,584.30 and North 439,388.30,  
21 thence to a point East 1,315,259.31 and North  
22 438,908.30.

23           (2) A transition area 200 foot wide to 300 foot  
24 wide, 15 foot deep, with a center line beginning at

1 a point East 1,315,259.31 and North 438,908.30 to  
2 a point East 1,315,044.31 and North 438,748.30.

3 (3) A 300 foot wide, 15 foot deep channel with  
4 a centerline beginning a point East 1,315,044.31  
5 and North 438,748.30, thence to a point East  
6 1,314,105.31 and North 438,124.79, thence to a  
7 point East 1,311,973.30 and North 438,807.78,  
8 thence to a point East 1,311,369.73 and North  
9 438,577.42, thence to a point East 1,311,015.73  
10 and North 438,197.57, thence to a point East  
11 1,309,713.47 and North 435,678.91.

12 (4) A transition area 300 foot wide to 400 foot  
13 wide, 15 foot deep to 24 foot deep, with a center line  
14 beginning at a point East 1,309,713.47 and North  
15 435,678.91 to a point East 1,307,709.33 and North  
16 434,488.25.

17 (5) A 400 foot wide, 24 foot deep channel with  
18 a centerline beginning at a point East 1,307,709.33  
19 and North 434,488.25, thence to a point East  
20 1,307,459.33 and North 434,173.25, thence to a  
21 point East 1,306,476.82 and North 1,306,476.82,  
22 thence to a point East 1,306,209.79 and North  
23 431,460.21, thence to a point at the end of the  
24 channel near Hains Point East 1,305,997.63 and  
25 North 429,978.31.

1 **SEC. 320. BIG CYPRESS SEMINOLE INDIAN RESERVATION**  
2 **WATER CONSERVATION PLAN, FLORIDA.**

3 The project for ecosystem restoration, Big Cypress  
4 Seminole Indian Reservation Water Conservation Plan,  
5 Florida, authorized pursuant to section 528 of the Water  
6 Resources Development Act of 1996 (110 Stat. 3767), is  
7 no longer authorized beginning on the date of enactment  
8 of this Act.

9 **SEC. 321. CENTRAL EVERGLADES, FLORIDA.**

10 The project for ecosystem restoration, Central Ever-  
11 glades, authorized by section 1401(4) of the Water Re-  
12 sources Development Act of 2016 (130 Stat. 1713), is  
13 modified to include the project for ecosystem restoration,  
14 Central and Southern Florida, Everglades Agricultural  
15 Area, authorized by section 1308 of the Water Resources  
16 Development Act of 2018 (132 Stat. 3819), and to author-  
17 ize the Secretary to carry out the project as so combined.

18 **SEC. 322. MIAMI RIVER, FLORIDA.**

19 The portion of the project for navigation, Miami  
20 River, Florida, authorized by the Act of July 3, 1930 (46  
21 Stat. 925; 59 Stat. 16; 74 Stat. 481; 100 Stat. 4257),  
22 beginning at the existing railroad bascule bridge and ex-  
23 tending approximately 1,000 linear feet upstream to an  
24 existing salinity barrier and flood control structure, is no  
25 longer authorized beginning on the date of enactment of  
26 this Act.

1 **SEC. 323. JULIAN KEEN, JR. LOCK AND DAM, MOORE**  
2 **HAVEN, FLORIDA.**

3 (a) DESIGNATION.—The Moore Haven Lock and  
4 Dam, Moore Haven, Florida, authorized pursuant to the  
5 Act of August 30, 1935 (chapter 831, 49 Stat. 1032),  
6 shall hereafter be known and designated as the “Julian  
7 Keen, Jr. Lock and Dam”.

8 (b) REFERENCES.—Any reference in a law, map, reg-  
9 ulation, document, paper, or other record of the United  
10 States to the Lock and Dam referred to in subsection (a)  
11 shall be deemed to be a reference to the “Julian Keen,  
12 Jr. Lock and Dam”.

13 **SEC. 324. TAYLOR CREEK RESERVOIR AND LEVEE L-73**  
14 **(SECTION 1), UPPER ST. JOHNS RIVER BASIN,**  
15 **FLORIDA.**

16 The portions of the project for flood control and other  
17 purposes, Central and Southern Florida, authorized by  
18 section 203 of the Flood Control Act of 1948 (62 Stat.  
19 1176), consisting of the Taylor Creek Reservoir and Levee  
20 L-73, Section 1, within the Upper St. Johns River Basin,  
21 Florida, are no longer authorized beginning on the date  
22 of enactment of this Act.

23 **SEC. 325. CALCASIEU RIVER AND PASS, LOUISIANA.**

24 Not later than 120 days after the date of enactment  
25 of this Act, the Secretary shall provide to the Committee  
26 on Transportation and Infrastructure of the House of

1 Representatives and the Committee on Environment and  
2 Public Works of the Senate a report on plans to modify  
3 the Calcasieu River and Pass Dredged Material Manage-  
4 ment Plan and Supplemental Environmental Impact  
5 Statement (December 16, 2010 DMMP/SEIS) to allow for  
6 the expansion of Dredged Material Placement Facilities  
7 (DMPFs) 17, 19, 22, D, and E to the lakeside foreshore  
8 rock boundaries during planned rehabilitation of these fa-  
9 cilities.

10 **SEC. 326. SAN JUAN-CHAMA PROJECT; ABIQUIU DAM, NEW**  
11 **MEXICO.**

12 (a) ABIQUIU RESERVOIR.—Section 5(b) of Public  
13 Law 97–140 (43 U.S.C. 620a note) is amended by strik-  
14 ing “a total of two hundred thousand acre-feet of”.

15 (b) WATER STORAGE AT ABIQUIU DAM, NEW MEX-  
16 ICO.—Section 1 of Public Law 100–522 (43 U.S.C. 620a  
17 note) is amended—

18 (1) by striking “200,000 acre-feet of”;

19 (2) by inserting “and San Juan-Chama  
20 project” after “Rio Grande system”; and

21 (3) by striking “, in lieu of the water storage  
22 authorized by section 5 of Public Law 97–140, to  
23 the extent that contracting entities under section 5  
24 of Public Law 97–140 no longer require such stor-  
25 age”.

1 (c) WATER STORAGE.—The Secretary shall—

2 (1) store up to elevation 6230.00 NGVD29 at  
3 Abiquiu Dam, New Mexico, to the extent that the  
4 necessary real property interests have been acquired  
5 by any entity requesting such storage; and

6 (2) amend the March 20, 1986, contract be-  
7 tween the United States of America and the Albu-  
8 querque Bernalillo County Water Utility Authority  
9 (assigned by the City of Albuquerque, New Mexico  
10 to the Albuquerque Bernalillo County Water Utility  
11 Authority) for water storage space in Abiquiu Res-  
12 ervoir to allow for storage by the Albuquerque  
13 Bernalillo County Water Utility Authority of San  
14 Juan-Chama project water or native Rio Grande sys-  
15 tem water up to elevation 6230.00 NGVD29.

16 (d) STORAGE AGREEMENTS WITH USERS OTHER  
17 THAN THE ALBUQUERQUE BERNALILLO COUNTY WATER  
18 UTILITY AUTHORITY.—The Secretary shall—

19 (1) retain or enter into new agreements with  
20 entities for a proportionate allocation of 29,100  
21 acre-feet of storage space pursuant to section 5 of  
22 Public Law 97–140; and

23 (2) amend or enter into new storage agree-  
24 ments for storage of San Juan-Chama project water  
25 or native Rio Grande system water up to the space

1 allocated for each entity's proportionate share of  
2 San Juan-Chama water.

3 (e) OPERATIONS DOCUMENTS.—The Secretary shall  
4 amend or revise any existing operations documents, in-  
5 cluding the Water Control Manual or operations plan for  
6 Abiquiu Reservoir, as necessary to meet the requirements  
7 of this section.

8 (f) LIMITATIONS.—In carrying out this section, the  
9 following limitations shall apply:

10 (1) The storage of native Rio Grande system  
11 water shall be subject to the provisions of the Rio  
12 Grande Compact and the resolutions of the Rio  
13 Grande Compact Commission.

14 (2) The storage of native Rio Grande system  
15 water shall only be authorized to the extent that the  
16 necessary water ownership and storage rights have  
17 been acquired by the entity requesting such storage.

18 (3) The storage of native Rio Grande system  
19 water or San-Juan Chama project water shall not  
20 interfere with the authorized purposes of the  
21 Abiquiu Dam and Reservoir project.

22 (4) Each user of storage space, regardless of  
23 source of water, shall pay for any increase in costs  
24 attributable to storage of that user's water.



1 **SEC. 327. PAWCATUCK RIVER, LITTLE NARRAGANSETT BAY**  
2 **AND WATCH HILL COVE, RHODE ISLAND AND**  
3 **CONNECTICUT.**

4 Beginning on the date of enactment of this Act, that  
5 portion of the project for navigation, Pawcatuck River,  
6 Little Narragansett Bay and Watch Hill Cove, Rhode Is-  
7 land and Connecticut, authorized by section 2 of the Act  
8 of March 2, 1945 (chapter 19, 59 Stat. 13), consisting  
9 of a 10-foot deep, 16-acre anchorage area in Watch Hill  
10 Cove is no longer authorized.

11 **SEC. 328. HARRIS COUNTY, TEXAS.**

12 Section 575 of the Water Resources Development Act  
13 of 1996 (110 Stat. 3789) is repealed.

14 **SEC. 329. CAP SANTE WATERWAY, WASHINGTON.**

15 Beginning on the date of enactment of this Act, the  
16 project for navigation, Cap Sante Waterway and Naviga-  
17 tion Channel, Skagit County, Washington, authorized by  
18 the Act of March 2, 1919 (chapter 95, 40 Stat. 1285),  
19 is modified to deauthorize the portion of the project con-  
20 sisting of an approximately 334,434 foot area of the Fed-  
21 eral channel within Anacortes Harbor inside and directly  
22 adjacent to the Federal breakwater and training wall  
23 structure, starting at a point with coordinates  
24 N557015.552, E1210819.619, thence running S88  
25 13'2.06"E approximately 200 feet to a point with coordi-  
26 nates N557009.330, E1211019.522, thence running S01

1 46°58.08'W approximately 578 feet to a point with co-  
2 ordinates N556431.405, E1211001.534, thence running  
3 S49 49°50.23'W approximately 69 feet to a point with  
4 coordinates N556387.076, E1210949.002, thence running  
5 S51 53°0.25'E approximately 35 feet to a point with co-  
6 ordinates N556365.662, E1210976.316, thence running  
7 S49 38°58.48'W approximately 112 feet to a point with  
8 coordinates N556292.989, E1210890.775, thence running  
9 N88 13°1.87'W approximately 109 feet to a point with  
10 coordinates N556296.367, E1210782.226, thence running  
11 S46 46°58.97'W approximately 141 feet to a point with  
12 coordinates N556199.527, E1210679.164, thence running  
13 N88 13°1.77'W approximately 700 feet to a point with  
14 coordinates N556221.305, E1209979.502, thence running  
15 N01 46°58.08'E approximately 250 feet to a point with  
16 coordinates N556471.184, E1209987.280, thence running  
17 S88 13°1.77'E approximately 815 feet to a point with co-  
18 ordinates N556445.828, E1210801.886, thence running  
19 N01 46°58.08'E approximately 570 feet to the point of  
20 origin.

21 **SEC. 330. REGIONAL SEDIMENT MANAGEMENT.**

22       The Secretary shall expedite the activities required to  
23 be carried out under section 204 of the Water Resources  
24 Development Act of 1992 (33 U.S.C. 2326) regarding the  
25 use of improvement dredging of the Portsmouth Federal

1 navigation project in Portsmouth, New Hampshire, as a  
2 source of clean beach fill material to reinforce the stone  
3 revetment at Nantasket Beach, Hull, Massachusetts.

4 **SEC. 331. ADDITIONAL ASSISTANCE FOR CRITICAL**  
5 **PROJECTS.**

6 (a) CONSISTENCY WITH REPORTS.—Congress finds  
7 that the project modifications described in this section are  
8 in accordance with the reports submitted to Congress by  
9 the Secretary under section 7001 of the Water Resources  
10 Reform and Development Act of 2014 (33 U.S.C. 2282d),  
11 titled “Report to Congress on Future Water Resources  
12 Development”, or have otherwise been reviewed by Con-  
13 gress.

14 (b) MODIFICATIONS.—

15 (1) SACRAMENTO AREA, CALIFORNIA.—Section  
16 219(f)(23) of the Water Resources Development Act  
17 of 1992 (106 Stat. 4835; 113 Stat. 336; 117 Stat.  
18 1840) is amended to read as follows:

19 “(23) SACRAMENTO AREA, CALIFORNIA.—  
20 \$45,000,000 for regional water conservation, recy-  
21 cling, reliability, and resiliency projects in Placer, El  
22 Dorado, and Sacramento Counties and the San  
23 Juan Suburban Water District, California.”.

24 (2) SOUTH PERRIS, CALIFORNIA.—Section  
25 219(f)(52) of the Water Resources Development Act

1 of 1992 (106 Stat. 4835; 113 Stat. 336; 114 Stat.  
2 2763A–220) is amended by striking “\$25,000,000”  
3 and inserting “\$50,000,000”.

4 (3) MADISON AND ST. CLAIR COUNTIES, ILLI-  
5 NOIS.—Section 219(f)(55) of the Water Resources  
6 Development Act of 1992 (106 Stat. 4835; 113  
7 Stat. 335; 114 Stat. 2763A–221) is amended by  
8 striking “\$10,000,000” and inserting  
9 “\$45,000,000”.

10 (4) SOUTHERN AND EASTERN KENTUCKY.—  
11 Section 531 of the Water Resources Development  
12 Act of 1996 (110 Stat. 3773; 113 Stat. 348; 117  
13 Stat. 142; 121 Stat. 1226) is amended—

14 (A) in subsection (g), by inserting “Boyd,  
15 Carter, Elliott, Lincoln,” after “Lee,”; and

16 (B) in subsection (h), by striking  
17 “\$40,000,000” and inserting “\$80,000,000”.

18 (5) DESOTO COUNTY, MISSISSIPPI.—Section  
19 219(f)(30) of the Water Resources Development Act  
20 of 1992 (106 Stat. 4835; 113 Stat. 336; 114 Stat.  
21 2763A–220; 119 Stat. 282; 119 Stat. 2257; 122  
22 Stat. 1623) is amended by striking “\$75,000,000”  
23 and inserting “\$130,000,000”.

24 (6) JACKSON COUNTY, MISSISSIPPI.—Section  
25 219(e)(1) of the Water Resources Development Act

1 of 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat.  
2 1494; 121 Stat. 1258) is amended by striking  
3 “\$32,500,000” and inserting “\$57,500,000”.

4 (7) ST. LOUIS, MISSOURI.—Section 219(f)(32)  
5 of the Water Resources Development Act of 1992  
6 (106 Stat. 4835; 113 Stat. 337; 121 Stat. 1233) is  
7 amended by striking “\$35,000,000” and inserting  
8 “\$70,000,000”.

9 (8) MIDWEST CITY, OKLAHOMA.—Section  
10 219(f)(231) of the Water Resources Development  
11 Act of 1992 (106 Stat. 4835; 113 Stat. 336; 121  
12 Stat. 1266) is amended by striking “\$2,000,000”  
13 and inserting “\$5,000,000”.

14 (9) SOUTH CENTRAL PENNSYLVANIA.—Section  
15 313 of the Water Resources Development Act of  
16 1992 (106 Stat. 4845; 109 Stat. 407; 110 Stat.  
17 3723; 113 Stat. 310; 117 Stat. 142; 121 Stat.  
18 1146) is amended—

19 (A) in subsection (g)(1), by striking  
20 “\$200,000,000” and inserting “\$400,000,000”;  
21 and

22 (B) in subsection (h)(2), by inserting  
23 “Beaver, Jefferson,” after “Washington,”.

24 (10) LAKES MARION AND MOULTRIE, SOUTH  
25 CAROLINA.—Section 219(f)(25) of the Water Re-

1 sources Development Act of 1992 (106 Stat. 4835;  
2 113 Stat. 336; 114 Stat. 2763A–220; 117 Stat.  
3 1838; 130 Stat. 1677; 132 Stat. 3818) is amended  
4 by striking “\$89,550,000” and inserting  
5 “\$110,000,000”.

6 (11) EL PASO COUNTY, TEXAS.—Section  
7 219(f)(269) of the Water Resources Development  
8 Act of 1992 (106 Stat. 4835; 113 Stat. 336; 121  
9 Stat. 1268) is amended by striking “\$25,000,000”  
10 and inserting “\$75,000,000”.

11 (12) WESTERN RURAL WATER.—Section 595 of  
12 the Water Resources Development Act of 1999 (113  
13 Stat. 383; 117 Stat. 139; 117 Stat. 142; 117 Stat.  
14 1836; 118 Stat. 440; 121 Stat. 1219; 123 Stat.  
15 2851; 128 Stat. 1316; 130 Stat. 1681) is amend-  
16 ed—

17 (A) by striking the section heading and in-  
18 serting “**WESTERN RURAL WATER.**”;

19 (B) in subsection (b), by inserting “Ari-  
20 zona,” before “rural Idaho”;

21 (C) in subsection (c), by inserting “Ari-  
22 zona,” before “Idaho”; and

23 (D) in subsection (i), by striking “for the  
24 period beginning with fiscal year 2001,  
25 \$435,000,000, to remain available until ex-

1           pended.” and inserting the following: “, to re-  
2           main available until expended—

3           “(1) for the period beginning with fiscal year  
4           2001, \$435,000,000 for Idaho, Montana, rural Ne-  
5           vada, New Mexico, rural Utah, and Wyoming; and  
6           “(2) \$150,000,000 for Arizona.”.

7           (13) CENTRAL WEST VIRGINIA.—Section 571(h)  
8           of the Water Resources Development Act of 1999  
9           (113 Stat. 371; 121 Stat. 1257) is amended by  
10          striking “\$20,000,000” and inserting  
11          “\$40,000,000”.

12          (14) SOUTHERN WEST VIRGINIA.—Section  
13          340(g) of the Water Resources Development Act of  
14          1992 (106 Stat. 4856; 110 Stat. 3727; 113 Stat.  
15          320) is amended by striking “\$40,000,000” and in-  
16          serting “\$120,000,000”.

17          (c) LOWELL CREEK TUNNEL, SEWARD, ALASKA.—  
18          Section 5032(a)(2) of the Water Resources Development  
19          Act of 2007 (Public Law 110–114, 121 Stat. 1205) is  
20          amended by striking “15” and inserting “20”.

21          **SEC. 332. PROJECT MODIFICATION AUTHORIZATIONS.**

22          (a) WATER SUPPLY.—The following project modifica-  
23          tions for water supply, as identified in the report entitled  
24          “Report to Congress on Future Water Resources Develop-  
25          ment” dated February 2019, and submitted to Congress

1 on June 3, 2019, pursuant to section 7001 of the Water  
2 Resources Reform and Development Act of 2014 (33  
3 U.S.C. 2282d) or otherwise reviewed by Congress, are au-  
4 thorized to be carried out by the Secretary substantially  
5 in accordance with the recommendations, included in such  
6 report pursuant to section 301(c) of the Water Supply Act  
7 of 1958 (43 U.S.C. 390b(c)):

8           (1) The project modification for the State of  
9           Missouri, Clarence Cannon Dam and Mark Twain  
10          Lake Project Salt River, Missouri.

11          (2) The project modification for the City of  
12          Plattsburg, Smithville Lake, Missouri.

13          (3) The project modification for the City of  
14          Smithville, Smithville Lake, Missouri.

15          (b) FLOOD RISK MANAGEMENT.—The following  
16 project modifications for flood risk management, as identi-  
17 fied in a report entitled “Report to Congress on Future  
18 Water Resources Development”, and submitted to Con-  
19 gress pursuant to section 7001 of the Water Resources  
20 Reform and Development Act of 2014 (33 U.S.C. 2282d)  
21 or otherwise reviewed by Congress, are authorized to be  
22 carried out by the Secretary:

23           (1) Modification of the project for flood risk  
24          management, lower Mississippi River, authorized by  
25          the Act of May 15, 1928 (chapter 569, 45 Stat.



1 534), to incorporate the Wolf River Backwater and  
2 Nonconnah Creek levee systems into the project, au-  
3 thorized by section 5 of the Act of June 22, 1936  
4 (chapter 688, 49 Stat. 1575; 50 Stat. 881), subject  
5 to the determination of the Secretary that such sys-  
6 tems meet all requirements applicable to such  
7 project.

8 (2) Modification of the project for flood risk  
9 management, Red River below Denison Dam, Arkan-  
10 sas, Louisiana, and Texas, authorized by the Act of  
11 June 28, 1938 (chapter 795, 52 Stat. 1219), to in-  
12 corporate the Cherokee Park Levee into the project,  
13 subject to the determination of the Secretary that  
14 such levee meets all requirements applicable to such  
15 project.

16 **SEC. 333. APPLICATION OF CREDIT.**

17 Section 7007(d) of the Water Resources Development  
18 Act of 2007 (121 Stat. 1277; 128 Stat. 1226) is amended  
19 by inserting “, or may be applied to reduce the amounts  
20 required to be paid by the non-Federal interest under the  
21 terms of the deferred payment agreements entered into  
22 between the Secretary and the non-Federal interest for the  
23 projects authorized by section 7012(a)(1)” before the pe-  
24 riod at the end.

1 **SEC. 334. PROJECT REAUTHORIZATIONS.**

2 (a) IN GENERAL.—

3 (1) MUDDY RIVER, MASSACHUSETTS.—The sep-  
4 arable elements for ecosystem restoration of the  
5 project for flood damage reduction and environ-  
6 mental restoration, Muddy River, Brookline and  
7 Boston, Massachusetts, authorized by section 522 of  
8 the Water Resources Development Act of 2000 (114  
9 Stat. 2656), and deauthorized pursuant to section  
10 6001 of the Water Resources Reform and Develop-  
11 ment Act of 2014 (128 Stat. 1345), are authorized  
12 to be carried out by the Secretary, subject to sub-  
13 section (b).

14 (2) EAST CHESTER CREEK, NEW YORK.—Not-  
15 withstanding section 1001 of the Water Resources  
16 Development Act of 1986 (33 U.S.C. 579a), the  
17 project for navigation, East Chester Creek, New  
18 York, authorized by section 101 of the River and  
19 Harbor Act of 1950 (64 Stat. 164; 100 Stat. 4181),  
20 and deauthorized pursuant to section 1001 of the  
21 Water Resources Development Act of 1986 (33  
22 U.S.C. 579(a)), is authorized to be carried out by  
23 the Secretary, subject to subsection (b).

24 (3) CHRISTIANSTED HARBOR, UNITED STATES  
25 VIRGIN ISLANDS.—Notwithstanding section 1002 of  
26 the Water Resources Development Act of 1986 (100

1 Stat. 4221), the portion of the project for naviga-  
2 tion, Christiansted Harbor, St. Croix, United States  
3 Virgin Islands, authorized by section 101 of the  
4 River and Harbor Act of 1950 (64 Stat. 167), and  
5 deauthorized under section 1002 of the Water Re-  
6 sources Development Act of 1986 (100 Stat. 4221),  
7 is authorized to be carried out by the Secretary, sub-  
8 ject to subsection (b).

9 (4) CHARLOTTE HARBOR, UNITED STATES VIR-  
10 GIN ISLANDS.—Notwithstanding section 1002 of the  
11 Water Resources Development Act of 1986 (100  
12 Stat. 4221), the portion of the project for naviga-  
13 tion, Charlotte Amalie (St. Thomas) Harbor, St.  
14 Thomas, United States Virgin Islands, authorized by  
15 the Act of August 26, 1937 (chapter 832, 50 Stat.  
16 850), and deauthorized under section 1002 of the  
17 Water Resources Development Act of 1986 (100  
18 Stat. 4221), is authorized to be carried out by the  
19 Secretary, subject to subsection (b).

20 (b) REPORT TO CONGRESS.—The Secretary shall  
21 complete and submit to the Committee on Transportation  
22 and Infrastructure of the House of Representatives and  
23 the Committee on Environment and Public Works of the  
24 Senate a post-authorization change report (as such term  
25 is defined in section 1132(d) of the Water Resources De-

1 velopment Act of 2016 (33 U.S.C. 2282e(d)) prior to car-  
2 rying out a project identified in subsection (a).

3 **SEC. 335. CONVEYANCES.**

4 (a) **GENERALLY APPLICABLE PROVISIONS.—**

5 (1) **SURVEY TO OBTAIN LEGAL DESCRIPTION.—**

6 The exact acreage and the legal description of any  
7 real property to be conveyed under this section shall  
8 be determined by a survey that is satisfactory to the  
9 Secretary.

10 (2) **APPLICABILITY OF PROPERTY SCREENING**  
11 **PROVISIONS.—**Section 2696 of title 10, United  
12 States Code, shall not apply to any conveyance  
13 under this section.

14 (3) **COSTS OF CONVEYANCE.—**An entity to  
15 which a conveyance is made under this section shall  
16 be responsible for all reasonable and necessary costs,  
17 including real estate transaction and environmental  
18 documentation costs, associated with the conveyance.

19 (4) **LIABILITY.—**An entity to which a convey-  
20 ance is made under this section shall hold the  
21 United States harmless from any liability with re-  
22 spect to activities carried out, on or after the date  
23 of the conveyance, on the real property conveyed.  
24 The United States shall remain responsible for any

1 liability with respect to activities carried out, before  
2 such date, on the real property conveyed.

3 (5) ADDITIONAL TERMS AND CONDITIONS.—

4 The Secretary may require that any conveyance  
5 under this section be subject to such additional  
6 terms and conditions as the Secretary considers nec-  
7 essary and appropriate to protect the interests of the  
8 United States.

9 (b) EUFAULA, ALABAMA.—

10 (1) CONVEYANCE AUTHORIZED.—The Secretary  
11 shall convey to the City of Eufaula, Alabama, all  
12 right, title, and interest of the United States in and  
13 to the real property described in the Department of  
14 the Army Lease No. DACW01-2-17-0747, con-  
15 taining 56.76 acres, more or less, and being a part  
16 of Tracts L-1268 (26.12 acres), L-1273 (13.71  
17 acres), L-1278 (6.75 acres), and L1279 (10.36  
18 acres) of the Walter F. George Lock and Dam and  
19 Lake project.

20 (2) DEED.—The Secretary shall convey the  
21 property under this subsection by quitclaim deed  
22 under such terms and conditions as the Secretary  
23 determines appropriate to protect the interests of  
24 the United States.

1           (3) CONSIDERATION.—The City of Eufaula,  
2           Alabama, shall pay to the Secretary an amount that  
3           is not less than the fair market value of the property  
4           conveyed under this subsection, as determined by the  
5           Secretary.

6           (c) MONTGOMERY, ALABAMA.—

7           (1) CONVEYANCE AUTHORIZED.—The Secretary  
8           shall convey to the City of Montgomery, Alabama,  
9           all right, title, and interest of the United States in  
10          and to the real property described in paragraph (2).

11          (2) PROPERTY.—The property to be conveyed is  
12          the 62.38 acres of land and water under the primary  
13          jurisdiction of the Secretary in the R.E. “Bob”  
14          Woodruff Project Area that is covered by lease num-  
15          ber DACW01–1–05–0037, including the parcels and  
16          structure known as “Powder Magazine”.

17          (3) DEED.—The Secretary shall convey the  
18          property under this subsection by quitclaim deed  
19          under such terms and conditions as the Secretary  
20          determines appropriate to protect the interests of  
21          the United States, to include retaining the right to  
22          inundate with water any land transferred under this  
23          subsection.

24          (4) CONSIDERATION.—The City of Mont-  
25          gomery, Alabama, shall pay to the Secretary an

1 amount that is not less than the fair market value  
2 of the property conveyed under this subsection, as  
3 determined by the Secretary.

4 (d) OHIO RIVER LOCK AND DAM NUMBER 52,  
5 MASSAC COUNTY, ILLINOIS.—

6 (1) CONVEYANCE AUTHORIZED.—The Secretary  
7 shall convey to the Massac-Metropolis Port District,  
8 Illinois, all right, title, and interest of the United  
9 States in and to any real property located north of  
10 the south bank of the Ohio River in Massac County,  
11 Illinois, that is associated with the Ohio River Lock  
12 and Dam 52.

13 (2) DEED.—The Secretary shall convey the  
14 property under this subsection by quitclaim deed  
15 under such terms and conditions as the Secretary  
16 determines appropriate to protect the interests of  
17 the United States.

18 (3) CONSIDERATION.—The Massac-Metropolis  
19 Port District, Illinois, shall pay to the Secretary an  
20 amount that is not less than fair market value of the  
21 property conveyed under this subsection, as deter-  
22 mined by the Secretary.

23 (e) CLINTON, MISSOURI.—

24 (1) CONVEYANCE AUTHORIZED.—The Secretary  
25 shall convey to the City of Clinton, Missouri, without

1 consideration, all right, title, and interest of the  
2 United States in and to the real property described  
3 in paragraph (2).

4 (4) PROPERTY.—The property to be conveyed is  
5 a tract of land situated in the S  $\frac{1}{2}$  of Section 12  
6 and the N  $\frac{1}{2}$  of Section 13, Township 41 North,  
7 Range 26 West of the Fifth Principal Meridian,  
8 Henry County, Missouri, more particularly described  
9 as follows: Beginning at the point of intersection of  
10 the north line of said S  $\frac{1}{2}$  of Section 12 and the  
11 easterly right-of-way of State Highway No. 13;  
12 thence easterly along the north line of said S  $\frac{1}{2}$  to  
13 the northeast corner of the W  $\frac{1}{2}$  NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  SW  
14  $\frac{1}{4}$  of said Section 12; thence southerly along the  
15 east line of said W  $\frac{1}{2}$  NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  to the  
16 southeast corner thereof; thence easterly along the  
17 north line of the S  $\frac{1}{2}$  NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of said Section  
18 12 to the southwest corner of the W  $\frac{1}{2}$  NW  $\frac{1}{4}$  NW  
19  $\frac{1}{4}$  SE  $\frac{1}{4}$  of said Section 12; thence in a northeast-  
20 erly direction to the northeast corner of said W  $\frac{1}{2}$   
21 NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  ; thence easterly along the  
22 north line of said S  $\frac{1}{2}$  to the westerly right-of-way  
23 of the County Road; thence in a southeasterly and  
24 southerly direction along the westerly right-of-way of  
25 said County Road approximately 2500 feet to the



1 center of Deer Creek; thence in a southwesterly di-  
2 rection along the center of said Deer Creek, approxi-  
3 mately 3900 feet to the south line of said N ½ of  
4 Section 13; thence westerly along the south line of  
5 said N ½ to the easterly right-of-way line of the St.  
6 Louis-San Francisco Railroad; thence in a north-  
7 westerly direction along the easterly right-of-way of  
8 said railroad to the easterly right-of-way of said  
9 State Highway No. 13; thence in a northeasterly di-  
10 rection along the easterly right-of-way of said State  
11 Highway No. 13 to the point of the beginning; and  
12 including a roadway easement for ingress and  
13 egress, described as a strip of land 80 feet in width,  
14 lying 40 feet on each side of the following described  
15 line, the initial extremities of the following described  
16 strip being extended or reduced as required to ex-  
17 actly adjoin the boundary lines which they meet, sit-  
18 uated in the S ½ of Section 12, Township 41 North  
19 Range 26 West of the Fifth Principal Meridian,  
20 Henry County, Missouri, more particularly described  
21 as follows: Commencing at the center of said Section  
22 12, thence S1°24'56"W, 1265.52 feet to a point,  
23 thence N88°29'02"W, 483.97 feet to the point of  
24 beginning of the strip of land herein described;  
25 thence in a northeasterly direction along a curve to

1 the right, said curve having an initial tangent bear-  
2 ing of  $N3^{\circ}44'41''E$ , a radius of 238.73 feet and an  
3 interior angle of  $61^{\circ}29'26''$ , an arc distance of  
4 256.21 feet to a point; thence  $N65^{\circ}14'07''E$  218.58  
5 feet to a point; thence in a northeasterly direction  
6 along a curve to the left, having a radius of 674.07  
7 feet and an interior angle of  $36^{\circ}00'01''$ , an arc dis-  
8 tance of 423.53 feet to a point; thence  
9  $N29^{\circ}14'07''E$ , 417.87 feet to a point; thence north-  
10 easterly along a curve to the right, having a radius  
11 of 818.51 feet and an interior angle of  $14^{\circ}30'01''$ ,  
12 an arc distance of 207.15 feet to a point; thence  
13  $N43^{\circ}44'07''E$ , 57.00 feet to the southerly right-of-  
14 way line of a county road, containing 2,948 acres,  
15 more or less; Excluding therefrom a tract of land  
16 situated in the S  $\frac{1}{2}$  of said Section 12, said Town-  
17 ship and Range, described as commencing at the  
18 center of said Section 12; thence  $S1^{\circ}24'56''W$ ,  
19 1265.52 feet to the point of beginning of the tract  
20 of land herein described; thence  $N88^{\circ}29'02''W$ ,  
21 1122.50 feet; thence  $S1^{\circ}43'26''W$ , 872.62 feet;  
22 thence  $S88^{\circ}29'02''E$ , 1337.36 feet; thence  
23  $N1^{\circ}43'26''E$ , 872.62 feet; thence  $N88^{\circ}29'02''W$ ,  
24 214.86 feet to the point of beginning, containing  
25 26.79 acres, more or less. The above described tract

1 contains, in the aggregate, 177.69 acres, more or  
2 less.

3 (2) DEED.—The Secretary shall convey the  
4 property under this subsection by quitclaim deed  
5 under such terms and conditions as the Secretary  
6 determines appropriate to protect the interests of  
7 the United States.

8 (3) REVERSION.—If the Secretary determines  
9 that the property conveyed under this subsection is  
10 not being used for a public purpose, all right, title,  
11 and interest in and to the property shall revert, at  
12 the discretion of the Secretary, to the United States.

13 (f) CITY OF CLINTON, OLD ORCHARD ADDITION,  
14 MISSOURI.—

15 (1) CONVEYANCE AUTHORIZED.—The Secretary  
16 shall convey to the City of Clinton, Missouri, all  
17 right, title, and interest of the United States in and  
18 to the real property described in paragraph (2).

19 (2) PROPERTY.—The property to be conveyed is  
20 Lot 28 in Old Orchard Addition, a subdivision of the  
21 City of Clinton, Henry County, Missouri, containing  
22 0.36 acres, more or less, including any improve-  
23 ments thereon.

24 (3) DEED.—The Secretary shall convey the  
25 property under this subsection by quitclaim deed

1 under such terms and conditions as the Secretary  
2 determines appropriate to protect the interests of  
3 the United States, including such reservations,  
4 terms, and conditions as the Secretary determines  
5 necessary to allow the United States to operate and  
6 maintain the Harry S. Truman Reservoir Project.

7 (4) CONSIDERATION.—The City of Clinton,  
8 Missouri, shall pay to the Secretary an amount that  
9 is not less than the fair market value of the property  
10 conveyed under this subsection, as determined by the  
11 Secretary.

12 (g) TRI-COUNTY LEVEE DISTRICT, MISSOURI.—

13 (1) CONVEYANCE AUTHORIZED.—The Secretary  
14 shall convey to the Tri-County Levee District, Mis-  
15 souri, all right, title, and interest of the United  
16 States in and to the real property described in para-  
17 graph (2).

18 (2) PROPERTY.—The property to be conveyed is  
19 the part of Sections 1 and 12 Township 45 North  
20 Range 6 West of the 5th P.M. in Montgomery Coun-  
21 ty, Missouri, described as follows: A tract of land  
22 being 60' wide and lying South and East of and ad-  
23 joining the centerline of the existing levee and being  
24 described as follows: Commencing at the NW corner  
25 of Section 12, thence S 87° 52' 35" E 587.4',

1       thence S 01° 29' 25'' W 453.68' to the point of the  
2       beginning; said point being in the center of the levee,  
3       thence with the centerline of the levee N 77° 01' 30''  
4       E 164.92', thence N 74° 26' 55'' E 250.0', thence  
5       N 72° 27' 55'' E 270.0', thence N 69° 06' 10'' E  
6       300.0', thence N 66° 42' 15'' E 500.0', thence N  
7       64° 14' 30'' E 270.0', thence N 61° 09' 10'' E  
8       800.0', thence N 60° 58' 15'' E 1724.45', thence  
9       leaving the centerline S 01° 10' 35'' W 69.43',  
10      thence parallel with the above described centerline S  
11      60° 58' 15'' W 1689.62', thence S 61° 09' 10'' W  
12      801.71', thence S 64° 14' 30'' W 272.91', thence S  
13      66° 42' 15'' W 502.55', thence S 69° 06' 10'' W  
14      303.02', thence S 72° 27' 55'' W 272.8', thence S  
15      74° 26' 55'' W 252.39', thence S 77° 01' 30'' W  
16      181.75', thence leaving the South side of the levee  
17      N 01° 26' 25'' E 61.96' to the point of beginning  
18      and containing 5.89 acres more or less.

19           (3) DEED.—The Secretary shall convey the  
20      property under this subsection by quitclaim deed  
21      under such terms and conditions as the Secretary  
22      determines appropriate to protect the interests of  
23      the United States.

24           (4) CONSIDERATION.—The Tri-County Levee  
25      District, Missouri, shall pay to the Secretary an

1 amount that is not less than the fair market value  
2 of the property conveyed under this subsection, as  
3 determined by the Secretary.

4 (h) JUDGE JOSEPH BARKER, JR., HOUSE, OHIO.—

5 (1) NON-FEDERAL ENTITY.—In this subsection,  
6 the term “non-Federal entity” means the Friends of  
7 Joseph Barker, Jr., House, a nonprofit organization  
8 in the State of Ohio.

9 (2) CONVEYANCE AUTHORIZED.—

10 (A) IN GENERAL.—Subject to paragraph  
11 (6), the Secretary shall convey to the non-Fed-  
12 eral entity, without consideration, all right,  
13 title, and interest of the United States in and  
14 to the property described in paragraph (3)(A).

15 (B) EASEMENT.—Upon conveyance of the  
16 property under subparagraph (A), the Secretary  
17 shall provide to the non-Federal entity, without  
18 consideration, an easement over the property  
19 described in paragraph (3)(B) for access to the  
20 conveyed property for as long as the non-Fed-  
21 eral entity is in legal possession of the conveyed  
22 property.

23 (3) DESCRIPTIONS OF PROPERTY.—

1 (A) IN GENERAL.—The property referred  
2 to in paragraph (2)(A) is the following (as in  
3 existence on the date of enactment of this Act):

4 (i) JUDGE JOSEPH BARKER, JR.,  
5 HOUSE.—The tract of land situated in the  
6 State of Ohio, Washington County, on the  
7 Ohio River, and being particularly bounded  
8 and described as follows: Beginning at a  
9 point located on the southern right-of-way  
10 line of Ohio Route 7, a new corner to the  
11 land now or formerly owned by the United  
12 States of America; thence, leaving the  
13 right-of-way of said Route 7 and severing  
14 the land of said United States of America  
15 parallel to and approximately 10 feet eas-  
16 terly of the toe of the existing dredge dis-  
17 posal berm, southeasterly approximately  
18 326 feet to a point prior to the current  
19 Corps of Engineers access to the dredging  
20 spoil area; thence, northeasterly approxi-  
21 mately 480 feet paralleling the top of the  
22 slope to the riverbank side of the house  
23 and approximately 25 feet northerly there-  
24 from; thence, northwest approximately 302  
25 feet to a point in the southern right-of-way

1 of Ohio Route 7; thence with the right-of-  
2 way of said Route 7, southwesterly ap-  
3 proximately 485 feet to the point of begin-  
4 ning, containing approximately 3.51 acres.

5 (ii) ROAD TRACT.—The tract of land  
6 situated in the State of Ohio, Washington  
7 County, on the Ohio River, and being par-  
8 ticularly bounded and described as follows:  
9 Beginning at a point located on the south-  
10 ern right-of-way line of Ohio Route 7, a  
11 new corner to the land now or formerly  
12 owned by the United States of America;  
13 thence, leaving the right-of-way of said  
14 Route 7 and severing the land of said  
15 United States of America and with the  
16 House Parcel southeasterly 25 feet; thence,  
17 northeast, running parallel to said Route 7  
18 right-of-way, approximately 994 feet to a  
19 point of deflection; thence northeasterly  
20 368 feet to a point beyond the existing  
21 fence corner; thence, east 140 feet to the  
22 edge of the existing Willow Island access  
23 road; thence with said access road, north-  
24 westerly approximately 62 feet to a point  
25 in the southern right-of-way of Ohio Route



1           7; thence with the right-of-way of said  
2           Route 7, southwesterly approximately  
3           1,491 feet to the point of beginning, con-  
4           taining approximately 1 acre.

5           (B) EASEMENT.—The property referred to  
6           in paragraph (2)(B) is the following: The tract  
7           of land situated in the State of Ohio, Wash-  
8           ington County, on the Ohio River, and being  
9           particularly bounded and described as follows:  
10          Beginning at a point at the intersection of the  
11          southern right-of-way of Ohio Route 7 and the  
12          northeast side of the existing Willow Island ac-  
13          cess road, a new corner to the land now or for-  
14          merly owned by the United States of America;  
15          thence, southwest, running with said Route 7  
16          right-of-way, approximately 30 feet to a point  
17          on the southwest side of the existing access  
18          road, and corner to the road tract; thence with  
19          said access road and the line of the road parcel,  
20          southeasterly approximately 62 feet to a point;  
21          thence leaving the road parcel and crossing the  
22          existing access road northeasterly approxi-  
23          mately 30 feet to a point located on the north-  
24          east side of the existing access road; thence,  
25          northwesterly approximately 62 feet, to the

1 point of beginning, containing approximately  
2 0.04 acre.

3 (4) DEED.—The Secretary shall convey the  
4 property under this subsection by quitclaim deed  
5 under such terms and conditions as the Secretary  
6 determines appropriate to protect the interests of  
7 the United States.

8 (5) REVERSION.—If the Secretary determines  
9 that the property conveyed under this subsection is  
10 not being used by the non-Federal entity for a public  
11 purpose, all right, title, and interest in and to the  
12 property shall revert, at the discretion of the Sec-  
13 retary, to the United States.

14 (6) REQUIREMENTS.—

15 (A) IMPROVEMENTS.—The Secretary shall  
16 make such improvements and alterations to the  
17 property described in paragraph (3)(A)(i) as  
18 the Secretary, in consultation with the non-Fed-  
19 eral entity and relevant stakeholders, deter-  
20 mines to be appropriate to facilitate conveyance  
21 of the property and provision of the easement  
22 under this subsection, subject to the condition  
23 that the total cost of those improvements and  
24 alterations undertaken by the Secretary shall be  
25 not more than \$120,000.

1 (B) ENVIRONMENTAL ASSESSMENT.—Be-  
2 fore making a conveyance under paragraph (2),  
3 the Secretary shall—

4 (i) conduct, with respect to the prop-  
5 erty to be conveyed, an assessment of the  
6 environmental condition of the property,  
7 including an investigation of any potential  
8 hazardous, toxic, or radioactive waste  
9 present on such property; and

10 (ii) submit to the non-Federal entity a  
11 report describing the results of such as-  
12 sessment.

13 (C) REFUSAL BY NON-FEDERAL ENTITY.—

14 (i) IN GENERAL.—Upon review by the  
15 non-Federal entity of the report under sub-  
16 paragraph (B), the non-Federal entity may  
17 elect to refuse the conveyance under this  
18 subsection.

19 (ii) ELECTION.—An election under  
20 clause (i)—

21 (I) shall be at the sole discretion  
22 of the non-Federal entity; and

23 (II) shall be made by the non-  
24 Federal entity by not later than the  
25 date that is 30 days after the date of

1 submission of the report under sub-  
2 paragraph (B)(ii).

3 (D) DREDGED MATERIAL PLACEMENT AC-  
4 TIVITIES.—The Secretary shall—

5 (i) notify and coordinate with the non-  
6 Federal entity and relevant stakeholders  
7 before carrying out any dredged material  
8 placement activities associated with the  
9 property described in paragraph (3)(A)  
10 after the date on which such property is  
11 conveyed under this subsection; and

12 (ii) in carrying out a dredged material  
13 placement activity under clause (i), act in  
14 accordance with Engineer Manual EM  
15 1110–2–5025 (or a subsequent version of  
16 that manual).

17 (7) RESERVATION OF RIGHTS.—The Secretary  
18 may reserve and retain from any conveyance under  
19 this subsection a right-of-way or any other right that  
20 the Secretary determines to be necessary for the op-  
21 eration and maintenance of the authorized Federal  
22 channel along the Ohio River.

23 (8) TREATMENT.—Conveyance to the non-Fed-  
24 eral entity under this subsection of property de-  
25 scribed in paragraph (3)(A)(i) shall satisfy all obli-

1 gations of the Secretary with respect to such prop-  
2 erty under—

3 (A) section 306101 of title 54, United  
4 States Code; and

5 (B) section 306108 of title 54, United  
6 States Code, with respect to the effects on the  
7 property of dredged material placement activi-  
8 ties carried out by the Secretary after the date  
9 of the conveyances.

10 (9) INAPPLICABILITY.—Subtitle I of title 40,  
11 and chapter 4 of title 41, United States Code shall  
12 not apply to any conveyance or easement provided  
13 under this subsection.

14 (i) LEABURG FISH HATCHERY, LANE COUNTY, OR-  
15 EGON.—

16 (1) CONVEYANCE AUTHORIZED.—Subject to the  
17 provisions of this subsection, the Secretary shall con-  
18 vey, without consideration, to the State of Oregon,  
19 acting through the Oregon Department of Fish and  
20 Wildlife, all right, title, and interest of the United  
21 States in and to the real property comprising the  
22 Leaburg Fish Hatchery, consisting of approximately  
23 21.55 acres, identified as tracts Q-1500, Q-1501E,  
24 and 300E-1 and described in Department of the

1 Army Lease No. DACW57-1-18-0009, together  
2 with any improvements on the property.

3 (2) WATER RIGHTS.—The Secretary may trans-  
4 fer to the State of Oregon, acting through the Or-  
5 egon Department of Fish and Wildlife, any water  
6 rights held by the United States that are appur-  
7 tenant to the property conveyed under this sub-  
8 section.

9 (3) DEED.—The Secretary shall convey the  
10 property under this subsection by quitclaim deed  
11 under such terms and conditions as the Secretary  
12 determines appropriate to protect the interests of  
13 the United States, including a condition that all of  
14 the property conveyed under this subsection be used  
15 and maintained by the State of Oregon for the pur-  
16 pose of operating a fish hatchery in perpetuity.

17 (4) REVERSION.—If the Secretary determines  
18 that the property conveyed under this subsection is  
19 not being used or maintained by the State of Oregon  
20 for the purpose of operating a fish hatchery in per-  
21 petuity, all or any portion of the property, including  
22 any water rights transferred under this subsection,  
23 shall, at the option of the Secretary, revert to the  
24 United States.

1           (5) SAVINGS CLAUSE.—If the State of Oregon  
2 does not accept the conveyance under this sub-  
3 section, the Secretary may dispose of the property,  
4 including appurtenant water rights, under sub-  
5 chapter III of chapter 5 of title 40, United States  
6 Code.

7           (j) WILLAMETTE FALLS LOCKS, WILLAMETTE  
8 RIVER, OREGON.—

9           (1) DEFINITIONS.—In this section:

10           (A) REAL ESTATE APPENDIX.—The term  
11 “real estate appendix” means Appendix A of  
12 the document published by the District Com-  
13 mander of the Portland District of the Corps of  
14 Engineers, titled “Willamette Falls Locks Wil-  
15 lamette River Oregon Section 216 Disposition  
16 Study with Integrated Environmental Assess-  
17 ment”.

18           (B) RECEIVING ENTITY.—The term “re-  
19 ceiving entity” means an entity identified by the  
20 State of Oregon, in consultation with the Wil-  
21 lamette Falls Locks Commission, to receive the  
22 conveyance under paragraph (2).

23           (C) WILLAMETTE FALLS LOCKS  
24 PROJECT.—The term “Willamette Falls Locks  
25 project” means the project for navigation, Wil-

1 lamette Falls Locks, Willamette River, Oregon,  
2 authorized by the Act of June 25, 1910 (36  
3 Stat. 664, chapter 382).

4 (D) WILLAMETTE FALLS LOCKS RE-  
5 PORT.—The term “Willamette Falls Locks re-  
6 port” means the memorandum of the Director  
7 of Civil Works with the subject “Willamette  
8 Falls Locks (WFL), Willamette River Oregon  
9 Section 216 Disposition Study with Integrated  
10 Environmental Assessment (Study)”, dated  
11 July 11, 2019.

12 (2) CONVEYANCE AUTHORIZED.—The Secretary  
13 is authorized to convey to the receiving entity, with-  
14 out consideration, all right, title, and interest of the  
15 United States in and to any land in which the Fed-  
16 eral Government has a property interest for the Wil-  
17 lamette Falls Locks project, together with any im-  
18 provements on the land, subject to the requirements  
19 of this subsection and in accordance with the Wil-  
20 lamette Falls Locks report.

21 (3) DEED.—The Secretary shall convey the  
22 property under this subsection by quitclaim deed  
23 under such terms and conditions as the Secretary  
24 determines appropriate to protect the interests of  
25 the United States.



1           (4) SUBJECT TO EXISTING EASEMENTS AND  
2 OTHER INTERESTS.—The conveyance of property  
3 under paragraph (2) shall be subject to all existing  
4 deed reservations, easements, rights-of-way, and  
5 leases that are in effect as of the date of the convey-  
6 ance.

7           (5) REVERSION.—If the Secretary determines  
8 that the property conveyed under this subsection  
9 cease to be held in public ownership, all right, title,  
10 and interest in and to the property shall revert, at  
11 the discretion of the Secretary, to the United States.

12           (6) REQUIREMENTS BEFORE CONVEYANCE.—

13           (A) PERPETUAL ROAD EASEMENT.—Be-  
14 fore making the conveyance under paragraph  
15 (2), the Secretary shall acquire a perpetual  
16 road easement from an adjacent property owner  
17 for use of an access road, which easement shall  
18 convey with the property conveyed under such  
19 paragraph.

20           (B) ENVIRONMENTAL COMPLIANCE.—Be-  
21 fore making the conveyance under paragraph  
22 (2), in accordance with the real estate appendix,  
23 the Secretary shall complete a Phase 1 Envi-  
24 ronmental Site Assessment pursuant to the  
25 Comprehensive Environmental Response, Com-

1           pensation, and Liability Act of 1980 (42 U.S.C.  
2           9601 et seq.).

3           (C) HISTORIC PRESERVATION.—The Sec-  
4           retary may enter into a memorandum of agree-  
5           ment with the Oregon State Historic Preserva-  
6           tion Office and the Advisory Council on His-  
7           toric Preservation that identifies actions the  
8           Secretary shall take before making the convey-  
9           ance under paragraph (2).

10          (D) REPAIRS.—Before making the convey-  
11          ance under paragraph (2), the Secretary shall  
12          carry out repairs to address primary seismic  
13          and safety risks in accordance with the rec-  
14          ommendations approved in the Willamette Falls  
15          Locks report.

16          (7) DEAUTHORIZATION.—Beginning on the  
17          date on which the Secretary makes the conveyance  
18          under paragraph (2), the Willamette Falls Locks  
19          project is no longer authorized.

20 **SEC. 336. REPEALS.**

21          (a) Section 710 of the Water Resources Development  
22          Act of 1986 (33 U.S.C. 2264) is repealed.

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

1           (1) in subsection (b), by striking paragraph (2)  
2           and redesignating paragraph (3) as paragraph (2);  
3           and

4           (2) by striking subsection (c).

5           (c) Section 1001 of the Water Resources Reform and  
6 Development Act of 2014 (33 U.S.C. 2282c) is amend-  
7 ed—

8           (1) in subsection (d)—

9                   (A) in paragraph (1), by striking “Not-  
10                   withstanding the requirements of subsection (c),  
11                   the Secretary” and inserting “The Secretary”;

12                   (B) by striking “subsections (a) and (c)”  
13                   each place it appears and inserting “subsection  
14                   (a)”;

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

16           (2) by striking subsection (c) and redesignating  
17           subsections (d) through (g) as subsections (e)  
18           through (f), respectively.

19           (d) Section 6003 of the Water Resources Reform and  
20 Development Act of 2014 (33 U.S.C. 579c), and the item  
21 relating to such section in the table of contents, are re-  
22 pealed.

23           (e) Section 1301 of the Water Resources Develop-  
24 ment Act of 2016 (33 U.S.C. 579d), and the item relating  
25 to such section in the table of contents, are repealed.

1 (f) Section 1302 of the Water Resources Develop-  
2 ment Act of 2016 (33 U.S.C. 579e–1), and the item relat-  
3 ing to such section in the table of contents, are repealed.

4 (g) Section 1301 of the Water Resources Develop-  
5 ment Act of 2018 (33 U.S.C. 579d–1), and the item relat-  
6 ing to such section in the table of contents, are repealed.

7 (h) Section 1302 of the Water Resources Develop-  
8 ment Act of 2018 (33 U.S.C. 579e–2), and the item relat-  
9 ing to such section in the table of contents, are repealed.

## 10 **TITLE IV—WATER RESOURCES** 11 **INFRASTRUCTURE**

### 12 **SEC. 401. PROJECT AUTHORIZATIONS.**

13 The following projects for water resources develop-  
14 ment and conservation and other purposes, as identified  
15 in the reports titled “Report to Congress on Future Water  
16 Resources Development” submitted to Congress pursuant  
17 to section 7001 of the Water Resources Reform and Devel-  
18 opment Act of 2014 (33 U.S.C. 2282d) or otherwise re-  
19 viewed by Congress, are authorized to be carried out by  
20 the Secretary substantially in accordance with the plans,  
21 and subject to the conditions, described in the respective  
22 reports or decision documents designated in this section:

23 (1) NAVIGATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. AK	Port of Nome Modifications	May 29, 2020	Federal: \$368,173,000 Non-Federal: \$122,746,000 Total: \$490,919,000
2. AK	Unalaska (Dutch Harbor) Chan- nels	February 7, 2020	Federal: \$26,202,750 Non-Federal: \$8,734,250 Total: \$34,937,000
3. CT	New Haven Har- bor Navigation Improvement Project	May 7, 2020	Federal: \$53,489,000 Non-Federal: \$18,822,000 Total: \$72,311,000
4. NY, NJ	New York and New Jersey Harbor Anchor- ages	April 23, 2020	Federal: \$18,940,000 Non-Federal: \$6,310,000 Total: \$25,250,000
5. TX	Gulf Intracoastal Waterway, Brazos River Floodgates and Colorado River Locks	October 23, 2019	Total: \$409,777,000, to be derived ½ from the gen- eral fund of the Treasury and ½ from the Inland Waterways Trust Fund.
6. TX	Houston Ship Channel Expan- sion Channel Improvement Project, Harris, Chambers, and Galveston Counties	April 23, 2020	Federal: \$462,803,000 Non-Federal: \$414,045,000 Total: \$876,848,000
7. TX	Matagorda Ship Channel Im- provement Project, Port Lavaca	November 15, 2019	Federal: \$138,660,000 Non-Federal: \$79,664,000 Total: \$218,324,000

1

(2) FLOOD RISK MANAGEMENT.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. AZ	Little Colorado River at Winslow, Navajo County	December 14, 2018	Federal: \$52,462,000 Non-Federal: \$28,249,000 Total: \$80,711,000
2. CA	Westminster, East Garden Grove, California Flood Risk Management	July 9, 2020	Federal: \$314,506,000 Non-Federal: \$910,092,000 Total: \$1,224,598,000
3. CT, NY	Westchester County Streams, Byram River Basin, Fairfield County, Connecticut, and Westchester County, New York	May 7, 2020	Federal: \$14,702,500 Non-Federal: \$14,702,500 Total: \$29,405,000
4. ND	Souris River Basin Flood Risk Management	April 16, 2019	Federal: \$58,041,750 Non-Federal: \$31,253,250 Total: \$89,295,000
5. NJ	Peckman River Basin	April 29, 2020	Federal: \$95,022,000 Non-Federal: \$51,166,000 Total: \$146,188,000
6. NM	Middle Rio Grande Flood Protection, Bernalillo to Belen	March 13, 2020	Federal: \$190,538,000 Non-Federal: \$102,598,000 Total: \$293,136,000
7. OK	Tulsa and West-Tulsa Levee System, Tulsa County	April 23, 2020	Federal: \$86,780,000 Non-Federal: \$46,728,000 Total: \$133,508,000

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

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. DE	Delaware Beneficial Use of Dredged Material for the Delaware River	March 6, 2020	Initial Federal: \$53,220,000 Initial Non-Federal: \$28,660,000 Total: \$81,880,000 Renourishment Federal: \$116,380,000 Renourishment Non-Federal: \$116,380,000 Renourishment Total: \$232,760,000
2. NJ	New Jersey Beneficial Use of Dredged Material for the Delaware River	April 8, 2020	Initial Federal: \$80,780,000 Initial Non-Federal: \$43,500,000 Total: \$124,280,000 Renourishment Federal: \$82,140,000 Renourishment Non-Federal: \$82,140,000 Renourishment Total: \$164,280,000
3. NJ	Rahway River Basin, New Jersey Coastal Storm Risk Management	June 9, 2020	Federal: \$46,754,000 Non-Federal: \$25,175,000 Total: \$71,929,000
4. NY	East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, Atlantic Coast of New York	August 22, 2019	Initial Federal: \$604,203,000 Initial Non-Federal: \$0 Total: \$604,203,000 Renourishment Federal: \$189,763,000 Renourishment Non-Federal: \$189,763,000 Renourishment Total: \$379,526,000
5. NY	Hashamomuck Cove Coastal Storm Risk Management	December 9, 2019	Initial Federal: \$11,549,000 Initial Non-Federal: \$6,218,000 Total: \$17,767,000 Renourishment Federal: \$23,481,500 Renourishment Non-Federal: \$23,481,500 Renourishment Total: \$46,963,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
6. RI	Pawcatuck River Coastal Storm Risk Management Project	December 19, 2018	Federal: \$37,848,000 Non-Federal: \$20,379,000 Total: \$58,227,000
7. VA	Norfolk Coastal Storm Risk Management	February 5, 2019	Federal: \$909,040,000 Non-Federal: \$489,480,000 Total: \$1,398,520,000

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

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. CO	South Platte River and Tributaries, Adams and Denver Counties	July 29, 2019	Federal: \$334,412,000 Non-Federal: \$200,406,000 Total: \$534,818,000
2. NY	Fire Island Inlet to Montauk Point, New York Reformulation	July 9, 2020	Initial Federal: \$1,541,981,000 Initial Non-Federal: \$0 Total: \$1,541,981,000 Renourishment Federal: \$742,926,500 Renourishment Non-Federal: \$742,926,500 Renourishment Total: \$1,485,853,000

3                   (5) ECOSYSTEM RESTORATION.—



<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. CA	Delta Islands and Levees	December 18, 2018	Federal: \$16,746,395 Non-Federal: \$9,016,736 Total: \$25,763,131
2. CA	Yuba River Ecosystem Restoration	June 20, 2019	Federal: \$65,014,326 Non-Federal: \$35,008,268 Total: \$100,022,594
3. FL	Comprehensive Everglades Restoration Plan, Loxahatchee River Watershed Restoration Project, Martin and Palm Beach Counties	April 8, 2020	Federal: \$372,232,000 Non-Federal: \$368,528,000 Total: \$740,760,000
4. IL	The Great Lakes and Mississippi River Interbasin Study - Brandon Road, Will County	May 23, 2019	Federal: \$690,643,200 Non-Federal: \$172,660,800 Total: \$863,304,000
5. IL	South Fork of the South Branch of the Chicago River, Bubbly Creek, Ecosystem Restoration	July 9, 2020	Federal: \$11,657,000 Non-Federal: \$6,277,000 Total: \$17,934,000
6. MD	Anacostia Watershed Restoration, Prince George's County	December 19, 2018	Federal: \$23,171,000 Non-Federal: \$12,476,000 Total: \$35,647,000
7. MO	St. Louis Riverfront-Meramec River Basin Ecosystem Restoration	November 1, 2019	Federal: \$60,124,000 Non-Federal: \$32,375,000 Total: \$92,499,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
8. NM	Rio Grande, Environmental Management Program, Sandia Pueblo to Isleta Pueblo, New Mexico Ecosystem Restoration	August 5, 2019	Federal: \$16,163,000 Non-Federal: \$8,703,000 Total: \$24,866,000
9. NY, NJ	Hudson-Raritan Estuary Ecosystem Restoration	May 26, 2020	Federal: \$265,320,000 Non-Federal: \$142,864,000 Total: \$408,184,000
10. TX	Jefferson County Ecosystem Restoration	September 12, 2019	Federal: \$37,615,000 Non-Federal: \$20,254,000 Total: \$57,869,000

## 1 (6) WATER SUPPLY.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. OR	Willamette River Basin Review Reallocation,	December 18, 2019	Federal: \$0 Non-Federal: \$0 Total: \$0

## 2 (7) MODIFICATIONS AND OTHER PROJECTS.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Decision Document</b>	<b>D. Estimated Costs</b>
1. FL	Caloosahatchee River West Basin Storage Reservoir (C-43 WBSR)	July 24, 2020	Federal: \$503,466,500 Non-Federal: \$503,466,500 Total: \$1,006,933,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Decision Document</b>	<b>D. Estimated Costs</b>
2. KY	Kentucky Lock	June 9, 2020	Total: \$1,152,769,000 (to be derived ½ from the general fund of the Treasury and ½ from the Inland Waterways Trust Fund)
3. NC	Carolina Beach Integrated Beach Renourishment	June 16, 2020	Federal: \$24,205,000 Non-Federal: \$24,205,000 Total: \$48,410,000
4. NC	Wrightsville Beach	July 2, 2020	Federal: \$53,788,000 Non-Federal: \$22,329,000 Total: \$76,117,000 Renourishment Federal: \$14,553,000 Renourishment Non-Federal: \$14,553,000 Renourishment Total: \$29,106,000
5. TX	Corpus Christi Ship Channel, Deepening and Widening and Barge Shelves	May 4, 2020	Federal: \$403,000,000 Non-Federal: \$273,010,000 Total: \$676,010,000

**1 SEC. 402. SPECIAL RULES.**

2 (a) GREAT LAKES AND MISSISSIPPI RIVER  
3 INTERBASIN PROJECT, BRANDON ROAD, WILL COUNTY,  
4 ILLINOIS.—The Secretary shall carry out the project for  
5 ecosystem restoration, Great Lakes and Mississippi River  
6 Interbasin project, Brandon Road, Will County, Illinois,  
7 authorized by section 401 of this Act, substantially in ac-  
8 cordance with the terms and conditions described in the  
9 Report of the Chief of Engineers, dated May 23, 2019,  
10 with the following modifications:

1           (1) The Federal share of the cost of construc-  
2           tion shall be 80 percent.

3           (2) The Secretary may include the addition or  
4           substitution of technologies or measures not de-  
5           scribed in the report, as the Secretary determines to  
6           be advisable.

7           (b) WILLAMETTE RIVER BASIN REVIEW REALLOCA-  
8           TION STUDY.—The Secretary shall carry out the project  
9           for water supply, Willamette River Basin Review Realloca-  
10          tion, Oregon, authorized by section 401 of this Act, sub-  
11          stantially in accordance with the terms and conditions de-  
12          scribed in the Report of the Chief of Engineers, dated De-  
13          cember 18, 2019, with the following modifications:

14           (1) The Secretary shall meet the obligations of  
15           the Corps of Engineers under the Endangered Spe-  
16           cies Act of 1973 by complying with the June 2019  
17           NMFS Willamette Basin Review Study Biological  
18           Opinion Reasonable and Prudent Alternative until  
19           such time, if any, as it is modified or replaced, in  
20           whole or in part, through the consultation process  
21           under section 7(a) of the Endangered Species Act of  
22           1973.

23           (2) The Secretary may reallocate not more than  
24           10 percent of overall storage in the joint conserva-  
25           tion pool, as authorized by this Act and without fur-

1       ther congressional action, if such reallocation is con-  
2       sistent with the ongoing consultation under section  
3       7(a) of the Endangered Species Act of 1973 related  
4       to Willamette Valley System operations.

5           (3) The Secretary shall ensure that the revised  
6       reallocation is not reallocated from a single storage  
7       use, does not seriously affect authorized project pur-  
8       poses, and does not otherwise involve major oper-  
9       ational changes to the project.

10       (c) CANO MARTIN PENA, SAN JUAN, PUERTO  
11 RICO.—Section 5127 of the Water Resources Develop-  
12 ment Act of 2007 (121 Stat. 1242) is amended by striking  
13 “\$150,000,000” and inserting “\$232,430,000”.

14 **SEC. 403. AUTHORIZATION OF PROJECTS BASED ON FEASI-**  
15 **BILITY STUDIES PREPARED BY NON-FED-**  
16 **ERAL INTERESTS.**

17       (a) IN GENERAL.—The Secretary is authorized to  
18 carry out the following projects for water resources devel-  
19 opment and conservation and other purposes, subject to  
20 subsection (b):

21           (1) FORT PIERCE, ST. LUCIE COUNTY, FLOR-  
22 IDA.—The project for hurricane and storm damage  
23 reduction, Fort Pierce, St. Lucie County, Florida, as  
24 described in the review assessment of the Secretary,  
25 titled “Review Assessment of St. Lucie County,

1 Florida Fort Pierce Shore Protection Project Section  
2 203 Integrated Feasibility Study and Environmental  
3 Assessment (June 2018)” and dated July 2018, at  
4 a total cost of \$33,107,639, and at an estimated  
5 total cost of \$97,958,972 for periodic nourishment  
6 over the 50-year life of the project.

7 (2) BAPTISTE COLLETTE BAYOU, LOUISIANA.—  
8 The project for navigation, Baptiste Collette Bayou,  
9 Louisiana, as described in the review assessment of  
10 the Secretary, titled “Review Assessment of  
11 Plaquemines Parish Government’s Section 203  
12 Study Baptiste Collette Bayou Navigation Channel  
13 Deepening Project Integrated Feasibility Study and  
14 Environmental Assessment (January 2017, Amend-  
15 ed April 2018)” and dated June 2018, at a total  
16 cost of \$44,920,000.

17 (3) HOUMA NAVIGATION CANAL, LOUISIANA.—  
18 The project for navigation, Houma Navigation  
19 Canal, Louisiana, as described in the review assess-  
20 ment of the Secretary, titled “Review Assessment of  
21 Houma Navigation Canal Deepening Project Section  
22 203 Integrated Feasibility Report and DRAFT En-  
23 vironmental Impact Statement (June 2018)” and  
24 dated July 2018, at a total cost of \$253,458,000.

1           (4) PORT FOURCHON BELLE PASS CHANNEL,  
2           LOUISIANA.—The project for navigation, Port  
3           Fourchon Belle Pass Channel, Louisiana, as de-  
4           scribed in the review assessment of the Secretary, ti-  
5           tled “Review Assessment of Port Fourchon Belle  
6           Pass Channel Deepening Project Section 203 Feasi-  
7           bility Study (January 2019, revised January 2020)”  
8           and dated April 2020, at a total cost of  
9           \$95,483,000.

10           (5) WILMINGTON HARBOR, NORTH CAROLINA.—  
11           The project for navigation, Wilmington Harbor,  
12           North Carolina, as described in the review assess-  
13           ment of the Secretary, titled “Review Assessment of  
14           Wilmington Harbor, North Carolina Navigation Im-  
15           provement Project Integrated Section 203 Study &  
16           Environmental Report (February 2020)” and dated  
17           May 2020, at a total cost of \$834,093,000.

18           (6) CHACON CREEK, TEXAS.—The project for  
19           flood risk management, ecosystem restoration, and  
20           other purposes, Chacon Creek, Texas, as described  
21           in the review assessment of the Secretary, titled  
22           “Review Assessment of Chacon Creek, Texas Section  
23           203 Integrated Feasibility Report and DRAFT En-  
24           vironmental Assessment (August 2018)” and dated  
25           September 2018, at a total cost of \$51,973,000.

1           (b) REQUIREMENTS.—The Secretary may only carry  
2 out a project authorized under subsection (a)—

3           (1) substantially in accordance with the applica-  
4 ble review assessment for the project submitted by  
5 the Secretary under section 203(c) of the Water Re-  
6 sources Development Act of 1986, as identified in  
7 subsection (a) of this section, and subject to such  
8 modifications or conditions as the Secretary con-  
9 siders appropriate and identifies in a final assess-  
10 ment that addresses the concerns, recommendations,  
11 and conditions identified by the Secretary in the ap-  
12 plicable review assessment; and

13           (2) after the Secretary transmits to the Com-  
14 mittee on Transportation and Infrastructure of the  
15 House of Representatives and the Committee on En-  
16 vironment and Public Works of the Senate such  
17 final assessment.

18           (c) TECHNICAL CORRECTION.—Section 203(c)(1) of  
19 the Water Resources Development Act of 1986 (33 U.S.C.  
20 2231(c)(1)) is amended, in the matter preceding subpara-  
21 graph (A), by striking “a report” and inserting “an as-  
22 sessment”.



**1 TITLE V—BUDGETARY EFFECTS****2 SEC. 501. DETERMINATION OF BUDGETARY EFFECTS.**

3 The budgetary effects of this Act, for the purpose of  
4 complying with the Statutory Pay-As-You-Go Act of 2010,  
5 shall be determined by reference to the latest statement  
6 titled “Budgetary Effects of PAYGO Legislation” for this  
7 Act, submitted for printing in the Congressional Record  
8 by the Chairman of the House Budget Committee, pro-  
9 vided that such statement has been submitted prior to the  
10 vote on passage.

Passed the House of Representatives July 29, 2020.

Attest: CHERYL L. JOHNSON,  
*Clerk.*

By GLORIA J. LETT,  
*Deputy Clerk.*