

Suspend the Rules and Pass the Bill, H.R. 7575, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

116TH CONGRESS
2^D SESSION

H. R. 7575

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

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2020

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

A BILL

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

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

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.

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. 2238c)
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 taged 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—

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 shall enter
5 into an agreement that specifies—

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

12 (B) the non-Federal interest shall certify
13 that the materials or services comply with all
14 applicable laws and regulations under sub-
15 section (b); and

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

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

22 (A) specifies the value, as determined by
23 the Secretary, of those materials or services
24 contributed and eligible for reimbursement; and

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

3 **SEC. 134. LEVEE SAFETY.**

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

7 “(d) IDENTIFICATION OF DEFICIENCIES.—

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

12 “(A) identify the specific engineering and
13 maintenance deficiencies, if any; and

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

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

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

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

4 (1) in paragraph (4)—

5 (A) in subparagraph (A)—

6 (i) by striking clause (iii) and insert-
7 ing the following:

8 “(iii) has an emergency action plan
9 that—

10 “(I) is approved by the relevant
11 State dam safety agency; or

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

16 (ii) by striking clause (iv) and insert-
17 ing the following:

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

21 “(v) poses an unacceptable risk to the
22 public, as determined by the Adminis-
23 trator, in consultation with the Board.”;
24 and

25 (B) in subparagraph (B)(i), by inserting
26 “under a hydropower project with an authorized

1 installed capacity of greater than 1.5
2 megawatts” after “dam”; and

3 (2) in paragraph (10)—

4 (A) in the heading, by striking “NON-FED-
5 ERAL SPONSOR” and inserting “ELIGIBLE SUB-
6 RECIPIENT”; and

7 (B) by striking “The term ‘non-Federal
8 sponsor’” and inserting “The term ‘eligible
9 subrecipient’”.

10 (b) REHABILITATION OF HIGH HAZARD POTENTIAL
11 DAMS.—

12 (1) ESTABLISHMENT OF PROGRAM.—Section
13 8A(a) of the National Dam Safety Program Act (33
14 U.S.C. 467f-2(a)) is amended by striking “to non-
15 Federal sponsors” and inserting “to States with
16 dam safety programs”.

17 (2) ELIGIBLE ACTIVITIES.—Section 8A(b) of
18 the National Dam Safety Program Act (33 U.S.C.
19 467f-2(b)) is amended, in the matter preceding
20 paragraph (1), by striking “for a project may be
21 used for” and inserting “to a State may be used by
22 the State to award grants to eligible subrecipients
23 for”.

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

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

6 (B) in paragraph (2)—

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

12 (ii) in subparagraph (B)—

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

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

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

23 (iii) by amending subparagraph (C) to
24 read as follows:

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

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

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

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

21 (B) in paragraph (2)—

22 (i) in the paragraph heading, by strik-
23 ing “NON-FEDERAL SPONSOR” and insert-
24 ing “ELIGIBLE SUBRECIPIENT”;

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

7 (iii) by amending subparagraph (A) to
8 read as follows:

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

17 (iv) in subparagraph (B), by striking
18 “have” and inserting “beginning not later
19 than 2 years after the date on which the
20 Administrator publishes criteria for hazard
21 mitigation plans under paragraph (3),
22 demonstrate that the Tribal or local gov-
23 ernment with jurisdiction over the area in
24 which the dam is located has”; and

1 (v) in subparagraph (C), by striking
2 “50-year period” and inserting “expected
3 life of the dam”; and

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

5 “(3) HAZARD MITIGATION PLAN CRITERIA.—
6 Not later than 1 year after the date of enactment
7 of this paragraph, the Administrator, in consultation
8 with the Board, shall publish criteria for hazard
9 mitigation plans required under paragraph (2)(B).”.

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

13 (A) in paragraph (1)—

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

18 (ii) in subparagraph (B), by striking
19 “1 year” and inserting “2 years” each
20 place it appears; and

21 (B) by striking paragraph (3) and insert-
22 ing the following:

23 “(3) PLAN CRITERIA AND TECHNICAL SUP-
24 PORT.—The Administrator, in consultation with the
25 Board, shall provide criteria, and may provide tech-

1 nical support, for the development and implementa-
2 tion of floodplain management plans prepared under
3 this subsection.”.

4 (6) CONTRACTUAL REQUIREMENTS.—Section
5 8A(i)(1) of the National Dam Safety Program Act
6 (33 U.S.C. 467f–2(i)(1)) is amended by striking “a
7 non-Federal sponsor” and inserting “an eligible sub-
8 recipient”.

9 **SEC. 136. REHABILITATION OF CORPS OF ENGINEERS CON-**
10 **STRUCTED PUMP STATIONS.**

11 (a) DEFINITIONS.—In this section:

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

14 (A) constructed, in whole or in part, by the
15 Corps of Engineers for flood risk management
16 purposes;

17 (B) that the Secretary has identified as
18 having a major deficiency; and

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

23 (2) REHABILITATION.—

24 (A) IN GENERAL.—The term “rehabilita-
25 tion”, with respect to an eligible pump station,

1 means to address a major deficiency of the eli-
2 gible pump station caused by long-term deg-
3 radation of the foundation, construction mate-
4 rials, or engineering systems or components of
5 the eligible pump station.

6 (B) INCLUSIONS.—The term “rehabilita-
7 tion”, with respect to an eligible pump station,
8 includes—

9 (i) the incorporation into the eligible
10 pump station of—

- 11 (I) current design standards;
- 12 (II) efficiency improvements; and
- 13 (III) associated drainage; and

14 (ii) increasing the capacity of the eli-
15 gible pump station, subject to the condition
16 that the increase shall—

- 17 (I) significantly decrease the risk
18 of loss of life and property damage; or
- 19 (II) decrease total lifecycle reha-
20 bilitation costs for the eligible pump
21 station.

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

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

3 (1) provide 35 percent of the cost of rehabilita-
4 tion of an eligible pump station carried out under
5 this section; and

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

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

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

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

20 (e) TREATMENT.—The rehabilitation of an eligible
21 pump station pursuant to this section shall not be consid-
22 ered to be a separable element of the associated flood risk
23 management project constructed by the Corps of Engi-
24 neers.

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

4 **SEC. 137. NON-FEDERAL PROJECT IMPLEMENTATION**
5 **PILOT PROGRAM.**

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

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

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

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

15 “(9) IMPLEMENTATION GUIDANCE.—

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

21 “(i) the metrics for measuring the
22 success of the pilot program;

23 “(ii) a process for identifying future
24 projects to participate in the pilot pro-
25 gram;

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

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

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

16 “(B) NEW PROJECT PARTNERSHIP AGREE-
17 MENTS.—The Secretary may not enter into a
18 project partnership agreement under this sub-
19 section during the period beginning on the date
20 of enactment of this paragraph and ending on
21 the date on which the Secretary issues the guid-
22 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 “inflation” and all that follows through the period at the
24 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 or add turning basins for the project for navi-
19 gation, Columbia River Channel, Oregon and Wash-
20 ington, 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 (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 (2) the second phase of the feasibility study for
2 the Lower San Joaquin River project for flood risk
3 management, authorized for expedited completion by
4 section 1203(a)(7) of the Water Resources Develop-
5 ment Act 2018 (132 Stat. 3803).

6 **SEC. 314. SAN DIEGO RIVER AND MISSION BAY, SAN DIEGO**
7 **COUNTY, CALIFORNIA.**

8 The portion of the project for flood control and navi-
9 gation, San Diego River and Mission Bay, San Diego
10 County, California, authorized by the Act of July 24, 1946
11 (chapter 595, 60 Stat. 636), identified in the National
12 Levee Database established under section 9004 of the
13 Water Resources Development Act of 2007 (33 U.S.C.
14 3303) as the San Diego River 3 segment and consisting
15 of a 785-foot-long segment of the right bank levee from
16 Station 209+41.75 to its end at Station 217+26.75, as
17 described in construction plans dated August 30, 1951,
18 is no longer authorized beginning on the date of enactment
19 of this Act.

20 **SEC. 315. SAN FRANCISCO, CALIFORNIA, WATERFRONT**
21 **AREA.**

22 (a) IN GENERAL.—Section 114 of the River and Har-
23 bor Act of 1968 (33 U.S.C. 59h) is amended to read as
24 follows:

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 subsections (b) and (c), by inserting
20 “Arizona,” before “Idaho” each place it ap-
21 pears; and

22 (C) in subsection (i), by striking “for the
23 period beginning with fiscal year 2001,
24 \$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 (c)
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.—

| A. State | B. Name | C. Date of Report of Chief of Engineers | D. Estimated Costs |
|---------------------|---|--|---|
| 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.—

| A. State | B. Name | C. Date of Report of Chief of Engineers | D. Estimated Costs |
|---------------------|--|--|--|
| 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.—

| A. State | B. Name | C. Date of Report of Chief of Engineers | D. Estimated Costs |
|---------------------|---|--|---|
| 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 |

| A. State | B. Name | C. Date of Report of Chief of Engineers | D. Estimated Costs |
|---------------------|---|--|--|
| 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.—

| A. State | B. Name | C. Date of Report of Chief of Engineers | D. Estimated Costs |
|---------------------|---|--|--|
| 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.—

| A. State | B. Name | C. Date of Report of Chief of Engineers | D. Estimated Costs |
|---------------------|--|--|--|
| 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 |

| A. State | B. Name | C. Date of Report of Chief of Engineers | D. Estimated Costs |
|---------------------|--|--|--|
| 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.—

| A. State | B. Name | C. Date of Report of Chief of Engineers | D. Estimated Costs |
|---------------------|---|--|--|
| 1. OR | Willamette River Basin Review Reallocation, | December 18, 2019 | Federal: \$0 Non-Federal: \$0 Total: \$0 |

2 (7) MODIFICATIONS AND OTHER PROJECTS.—

| A. State | B. Name | C. Date of Decision Document | D. Estimated Costs |
|---------------------|--------------------|---|---|
| 1. 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) |

| A. State | B. Name | C. Date of Decision Document | D. Estimated Costs |
|---------------------|---|---|---|
| 2. NC | Carolina Beach Integrated Beach Re- nourishment | June 16, 2020 | Federal: \$24,205,000 Non-Federal: \$24,205,000 Total: \$48,410,000 |
| 3. 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 |
| 4. 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:

11 (1) The Federal share of the cost of construc-
12 tion shall be 80 percent.

1 (2) The Secretary may include the addition or
2 substitution of technologies or measures not de-
3 scribed in the report, as the Secretary determines to
4 be advisable.

5 (b) WILLAMETTE RIVER BASIN REVIEW REALLOCA-
6 TION STUDY.—The Secretary shall carry out the project
7 for water supply, Willamette River Basin Review Realloca-
8 tion, Oregon, authorized by section 401 of this Act, sub-
9 stantially in accordance with the terms and conditions de-
10 scribed in the Report of the Chief of Engineers, dated De-
11 cember 18, 2019, with the following modifications:

12 (1) The Secretary shall meet the obligations of
13 the Corps of Engineers under the Endangered Spe-
14 cies Act of 1973 by complying with the June 2019
15 NMFS Willamette Basin Review Study Biological
16 Opinion Reasonable and Prudent Alternative until
17 such time, if any, as it is modified or replaced, in
18 whole or in part, through the consultation process
19 under section 7(a) of the Endangered Species Act of
20 1973.

21 (2) The Secretary may reallocate not more than
22 10 percent of overall storage in the joint conserva-
23 tion pool, as authorized by this Act and without fur-
24 ther congressional action, if such reallocation is con-
25 sistent with the ongoing consultation under section

1 7(a) of the Endangered Species Act of 1973 related
2 to Willamette Valley System operations.

3 (3) The Secretary shall ensure that the revised
4 reallocation is not reallocated from a single storage
5 use, does not seriously affect authorized project pur-
6 poses, and does not otherwise involve major oper-
7 ational changes to the project.

8 (c) CANO MARTIN PENA, SAN JUAN, PUERTO
9 RICO.—Section 5127 of the Water Resources Develop-
10 ment Act of 2007 (121 Stat. 1242) is amended by striking
11 “\$150,000,000” and inserting “\$232,430,000”.

12 **SEC. 403. AUTHORIZATION OF PROJECTS BASED ON FEASI-**
13 **BILITY STUDIES PREPARED BY NON-FED-**
14 **ERAL INTERESTS.**

15 (a) IN GENERAL.—The Secretary is authorized to
16 carry out the following projects for water resources devel-
17 opment and conservation and other purposes, subject to
18 subsection (b):

19 (1) FORT PIERCE, ST. LUCIE COUNTY, FLOR-
20 IDA.—The project for hurricane and storm damage
21 reduction, Fort Pierce, St. Lucie County, Florida, as
22 described in the review assessment of the Secretary,
23 titled “Review Assessment of St. Lucie County,
24 Florida Fort Pierce Shore Protection Project Section
25 203 Integrated Feasibility Study and Environmental

1 Assessment (June 2018)” and dated July 2018, at
2 a total cost of \$33,107,639, and at an estimated
3 total cost of \$97,958,972 for periodic nourishment
4 over the 50-year life of the project.

5 (2) BAPTISTE COLLETTE BAYOU, LOUISIANA.—
6 The project for navigation, Baptiste Collette Bayou,
7 Louisiana, as described in the review assessment of
8 the Secretary, titled “Review Assessment of
9 Plaquemines Parish Government’s Section 203
10 Study Baptiste Collette Bayou Navigation Channel
11 Deepening Project Integrated Feasibility Study and
12 Environmental Assessment (January 2017, Amend-
13 ed April 2018)” and dated June 2018, at a total
14 cost of \$44,920,000.

15 (3) HOUMA NAVIGATION CANAL, LOUISIANA.—
16 The project for navigation, Houma Navigation
17 Canal, Louisiana, as described in the review assess-
18 ment of the Secretary, titled “Review Assessment of
19 Houma Navigation Canal Deepening Project Section
20 203 Integrated Feasibility Report and DRAFT En-
21 vironmental Impact Statement (June 2018)” and
22 dated July 2018, at a total cost of \$253,458,000.

23 (4) PORT FOURCHON BELLE PASS CHANNEL,
24 LOUISIANA.—The project for navigation, Port
25 Fourchon Belle Pass Channel, Louisiana, as de-

1 scribed in the review assessment of the Secretary, ti-
2 tled “Review Assessment of Port Fourchon Belle
3 Pass Channel Deepening Project Section 203 Feasi-
4 bility Study (January 2019, revised January 2020)”
5 and dated April 2020, at a total cost of
6 \$95,483,000.

7 (5) WILMINGTON HARBOR, NORTH CAROLINA.—
8 The project for navigation, Wilmington Harbor,
9 North Carolina, as described in the review assess-
10 ment of the Secretary, titled “Review Assessment of
11 Wilmington Harbor, North Carolina Navigation Im-
12 provement Project Integrated Section 203 Study &
13 Environmental Report (February 2020)” and dated
14 May 2020, at a total cost of \$834,093,000.

15 (6) CHACON CREEK, TEXAS.—The project for
16 flood risk management, ecosystem restoration, and
17 other purposes, Chacon Creek, Texas, as described
18 in the review assessment of the Secretary, titled
19 “Review Assessment of Chacon Creek, Texas Section
20 203 Integrated Feasibility Report and DRAFT En-
21 vironmental Assessment (August 2018)” and dated
22 September 2018, at a total cost of \$51,973,000.

23 (b) REQUIREMENTS.—The Secretary may only carry
24 out a project authorized under subsection (a)—

1 (1) substantially in accordance with the applica-
2 ble review assessment for the project submitted by
3 the Secretary under section 203(c) of the Water Re-
4 sources Development Act of 1986, as identified in
5 subsection (a) of this section, and subject to such
6 modifications or conditions as the Secretary con-
7 siders appropriate and identifies in a final assess-
8 ment that addresses the concerns, recommendations,
9 and conditions identified by the Secretary in the ap-
10 plicable review assessment; and

11 (2) after the Secretary transmits to the Com-
12 mittee on Transportation and Infrastructure of the
13 House of Representatives and the Committee on En-
14 vironment and Public Works of the Senate such
15 final assessment.

16 (c) TECHNICAL CORRECTION.—Section 203(c)(1) of
17 the Water Resources Development Act of 1986 (33 U.S.C.
18 2231(c)(1)) is amended, in the matter preceding subpara-
19 graph (A), by striking “a report” and inserting “an as-
20 sessment”.