

114TH CONGRESS  
2D SESSION

# H. R. 5303

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

MAY 23, 2016

Mr. SHUSTER (for himself, Mr. DEFAZIO, Mr. GIBBS, and Mrs. NAPOLITANO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, 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,*

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

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

1 (b) TABLE OF CONTENTS.—The table of contents for  
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.  
 Sec. 2. Secretary defined.

TITLE I—GENERAL PROVISIONS

- Sec. 101. Sense of Congress regarding Water Resources Development Acts.  
 Sec. 102. Training and employment for veterans and members of Armed Forces  
 in curation and historic preservation.  
 Sec. 103. Youth service and conservation corps organizations.  
 Sec. 104. Navigation safety.  
 Sec. 105. Emerging harbors.  
 Sec. 106. Federal breakwaters and jetties.  
 Sec. 107. Donor ports and energy transfer ports.  
 Sec. 108. Use of Harbor Maintenance Trust Fund to support navigation.  
 Sec. 109. Beneficial use of dredged material.  
 Sec. 110. Reservoir sediment.  
 Sec. 111. Contributed funds for reservoir operations.  
 Sec. 112. Water supply conservation.  
 Sec. 113. Interstate compacts.  
 Sec. 114. Nonstructural alternatives.  
 Sec. 115. Operation and maintenance of environmental protection and restora-  
 tion and aquatic ecosystem restoration projects.  
 Sec. 116. Estuary restoration.  
 Sec. 117. Great Lakes fishery and ecosystem restoration.  
 Sec. 118. Corps of Engineers operation of unmanned aircraft systems.  
 Sec. 119. Federal dredge fleet.  
 Sec. 120. Corps of Engineers assets.  
 Sec. 121. Funding to process permits.  
 Sec. 122. Credit in lieu of reimbursement.  
 Sec. 123. Clarification of contributions during emergency events.  
 Sec. 124. Study of water resources development projects by non-Federal inter-  
 ests.  
 Sec. 125. Non-Federal construction of authorized flood damage reduction  
 projects.  
 Sec. 126. Multistate activities.  
 Sec. 127. Regional participation assurance for levee safety activities.  
 Sec. 128. Participation of non-Federal interests.  
 Sec. 129. Indian tribes.  
 Sec. 130. Dissemination of information on the annual report process.  
 Sec. 131. Scope of projects.  
 Sec. 132. Preliminary feasibility study activities.  
 Sec. 133. Post-authorization change reports.  
 Sec. 134. Maintenance dredging data.  
 Sec. 135. Electronic submission and tracking of permit applications.  
 Sec. 136. Data transparency.  
 Sec. 137. Backlog prevention.  
 Sec. 138. Quality control.  
 Sec. 139. Budget development and prioritization.

TITLE II—STUDIES

- Sec. 201. Authorization of proposed feasibility studies.

Sec. 202. Expedited completion of reports for certain projects.

#### TITLE III—DEAUTHORIZATIONS AND RELATED PROVISIONS

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

#### TITLE IV—WATER RESOURCES INFRASTRUCTURE

Sec. 401. Project authorizations.

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

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

## 4 **TITLE I—GENERAL PROVISIONS**

### 5 **SEC. 101. SENSE OF CONGRESS REGARDING WATER RE-** 6 **SOURCES DEVELOPMENT ACTS.**

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

8 (1) The Corps of Engineers constructs projects  
 9 for the purposes of navigation, flood control, beach  
 10 erosion control and shoreline protection, hydro-  
 11 electric power, recreation, water supply, environ-  
 12 mental protection, restoration, and enhancement,  
 13 and fish and wildlife mitigation.

14 (2) The Corps of Engineers is the primary Fed-  
 15 eral provider of outdoor recreation in the United  
 16 States.

1           (3) The Corps of Engineers owns and operates  
2 more than 600 dams.

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

6           (5) The Corps of Engineers dredges more than  
7 200,000,000 cubic yards of construction and mainte-  
8 nance dredge material annually.

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

11          (7) The Corps of Engineers restores, creates,  
12 enhances, or preserves tens of thousands of acres of  
13 wetlands annually under the Corps' Regulatory Pro-  
14 gram.

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

18          (9) The Corps of Engineers owns and operates  
19 24 percent of United States hydropower capacity or  
20 3 percent of the total electric capacity of the United  
21 States.

22          (10) The Corps of Engineers supports Army  
23 and Air Force installations.

1           (11) The Corps of Engineers provides technical  
2 and construction support to more than 100 coun-  
3 tries.

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

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

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

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

18           (16) In 2014, the Water Resources Reform and  
19 Development Act of 2014 was enacted, which accel-  
20 erated the infrastructure project delivery process,  
21 fostered fiscal responsibility, and strengthened water  
22 transportation networks to promote the competitive-  
23 ness, prosperity, and economic growth of the United  
24 States.

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

5           (18) Section 7001 of the Water Resources Re-  
6           form and Development Act of 2014 (33 U.S.C.  
7           2282d) requires the Corps of Engineers to submit  
8           annually a Report to Congress on Future Water Re-  
9           sources Development, which ensures projects and ac-  
10          tivities proposed at the local, regional, and State lev-  
11          els are considered for authorization.

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

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

20                (1) the missions of the Corps of Engineers are  
21                a unique function that benefits all Americans;

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

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

5           (4) Congress should consider a Water Re-  
6 sources Development Act at least once every Con-  
7 gress.

8 **SEC. 102. TRAINING AND EMPLOYMENT FOR VETERANS**  
9                                   **AND MEMBERS OF ARMED FORCES IN**  
10                                   **CURATION AND HISTORIC PRESERVATION.**

11       Using available funds, the Secretary, acting through  
12 the Chief of Engineers, shall carry out a Veterans'  
13 Curation Program to train and hire veterans and members  
14 of the Armed Forces to assist the Secretary in carrying  
15 out curation and historic preservation activities.

16 **SEC. 103. YOUTH SERVICE AND CONSERVATION CORPS OR-**  
17                                   **GANIZATIONS.**

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

20           (1) by redesignating subsection (c) as sub-  
21 section (d); and

22           (2) by inserting after subsection (b) the fol-  
23 lowing:

24       “(c) **YOUTH SERVICE AND CONSERVATION CORPS**  
25 **ORGANIZATIONS.**—The Secretary shall, to the maximum

1 extent practicable, enter into cooperative agreements with  
2 qualified youth service and conservation corps organiza-  
3 tions for services relating to projects under the jurisdiction  
4 of the Secretary and shall do so in a manner that ensures  
5 the maximum participation and opportunities for such or-  
6 ganizations.”.

7 **SEC. 104. NAVIGATION SAFETY.**

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

14 **SEC. 105. EMERGING HARBORS.**

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

17           (1) in subsection (e)(3) by striking “for each of  
18 fiscal years 2015 through 2022” and inserting “for  
19 each fiscal year”; and

20           (2) in subsection (d)(1)(A)—

21                   (A) in the matter preceding clause (i) by  
22 striking “For each of fiscal years 2015 through  
23 2024” and inserting “For each fiscal year”;

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



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

3 **SEC. 106. FEDERAL BREAKWATERS AND JETTIES.**

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

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

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

14 (2) determining the general structural condition  
15 of each breakwater and jetty;

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

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

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

5 **SEC. 107. DONOR PORTS AND ENERGY TRANSFER PORTS.**

6 Section 2106(a)(2)(B) of the Water Resources Re-  
7 form and Development Act of 2014 (33 U.S.C.  
8 2238c(a)(2)(B)) is amended by striking “\$15,000,000”  
9 and inserting “\$5,000,000”.

10 **SEC. 108. USE OF HARBOR MAINTENANCE TRUST FUND TO**  
11 **SUPPORT NAVIGATION.**

12 (a) AVAILABILITY OF AMOUNTS.—Section 210 of the  
13 Water Resources Development Act of 1986 (33 U.S.C.  
14 2238) is amended—

15 (1) in the section heading by striking “Author-  
16 ization of appropriations” and inserting “Funding  
17 for harbor navigation”;

18 (2) by redesignating subsections (c), (d), (e),  
19 and (f) as subsections (d), (e), (f), and (g), respec-  
20 tively; and

21 (3) by inserting after subsection (b) the fol-  
22 lowing:

23 “(c) USE OF COLLECTED FUNDS IN FISCAL YEAR  
24 2027 AND THEREAFTER.—

1           “(1) USE OF FUNDS.—In addition to the  
2           amounts appropriated under subsections (a) and (b),  
3           there shall be available to the Secretary, out of the  
4           Harbor Maintenance Trust Fund, without further  
5           appropriation, for fiscal year 2027 and each fiscal  
6           year thereafter, such sums as may be necessary to  
7           carry out the purposes of subsection (a)(2).

8           “(2) AVAILABILITY OF AMOUNTS.—Amounts  
9           made available under this subsection shall remain  
10          available until expended.”.

11          (b) CONFORMING AMENDMENTS.—Section 210 of the  
12          Water Resources Development Act of 1986 (33 U.S.C.  
13          2238) is further amended—

14                 (1) in subsection (d)(2)(A)(i) (as redesignated  
15                 by subsection (a)(2) of this section) by striking  
16                 “subsection (e)” and inserting “subsection (f)”;

17                 (2) in subsection (e)(3)(B)(i) (as redesignated  
18                 by subsection (a)(2) of this section) by striking  
19                 “subsection (c)(2)(A)” and inserting “subsection  
20                 (d)(2)(A)”; and

21                 (3) in subsection (f)(2)(A)(ii) (as redesignated  
22                 by subsection (a)(2) of this section) by striking  
23                 “subsection (d)(2)” and inserting “subsection  
24                 (e)(2)”.

1 **SEC. 109. BENEFICIAL USE OF DREDGED MATERIAL.**

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

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

9 (2) promoting public safety;

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

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

14 (5) promoting recreation; and

15 (6) supporting risk management adaptation  
16 strategies.

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

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

22 (2) consult with relevant State agencies in se-  
23 lecting projects; and

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

1 (A) the environmental, economic, and so-  
2 cial benefits of the projects, including monetary  
3 and nonmonetary benefits; and

4 (B) the need for a diversity of project  
5 types and geographical project locations.

6 (c) REGIONAL BENEFICIAL USE TEAMS.—

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

11 (2) COMPOSITION.—

12 (A) LEADERSHIP.—For each regional ben-  
13 efiticial use team established under paragraph  
14 (1), the Secretary shall appoint the Commander  
15 of the relevant division of the Corps of Engi-  
16 neers to serve as the head of the team.

17 (B) MEMBERSHIP.—The membership of  
18 each regional beneficial use team shall in-  
19 clude—

20 (i) representatives of relevant Corps  
21 of Engineers districts and divisions;

22 (ii) representatives of relevant State  
23 and local agencies; and

24 (iii) representatives of Federal agen-  
25 cies and such other entities as the Sec-

1                   retary determines appropriate, consistent  
2                   with the purposes of this section.

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

5           (1) maximizes the beneficial placement of  
6 dredged material from Federal and non-Federal  
7 navigation channels;

8           (2) incorporates, to the maximum extent prac-  
9 ticable, 2 or more Federal navigation, flood control,  
10 storm damage reduction, or environmental restora-  
11 tion projects;

12           (3) coordinates the mobilization of dredges and  
13 related equipment, including through the use of such  
14 efficiencies in contracting and environmental permit-  
15 ting as can be implemented under existing laws and  
16 regulations;

17           (4) fosters Federal, State, and local collabora-  
18 tion;

19           (5) implements best practices to maximize the  
20 beneficial use of dredged sand and other sediments;  
21 and

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

24           (e) COST SHARING.—Projects carried out under this  
25 section shall be subject to the cost sharing requirements

1 applicable to projects carried out under section 204 of the  
2 Water Resources Development Act of 1992 (33 U.S.C.  
3 2326).

4 (f) REPORT.—Not later than 2 years after the date  
5 of enactment of this Act, and annually thereafter, the Sec-  
6 retary shall submit to the Committee on Environment and  
7 Public Works of the Senate and the Committee on Trans-  
8 portation and Infrastructure of the House of Representa-  
9 tives a report that includes—

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

12 (2) documentation supporting each of the  
13 projects selected;

14 (3) the findings of regional beneficial use teams  
15 regarding project selection; and

16 (4) any recommendations of the Secretary or  
17 regional beneficial use teams with respect to the  
18 pilot program.

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

22 (h) EXEMPTION FROM OTHER STANDARDS.—The  
23 projects carried out under this section shall be carried out  
24 notwithstanding the definition of the term “Federal stand-

1 ard” in section 335.7 of title 33, Code of Federal Regula-  
2 tions.

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

6 **SEC. 110. RESERVOIR SEDIMENT.**

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

10 **“SEC. 215. RESERVOIR SEDIMENT.**

11 “(a) IN GENERAL.—Not later than 180 days after  
12 the date of enactment of the Water Resources Develop-  
13 ment Act of 2016 and after providing public notice, the  
14 Secretary shall establish, using available funds, a pilot  
15 program to accept services provided by a non-Federal in-  
16 terest or commercial entity for removal of sediment cap-  
17 tured behind a dam owned or operated by the United  
18 States and under the jurisdiction of the Secretary for the  
19 purpose of restoring the authorized storage capacity of the  
20 project concerned.

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

23 “(1) review the services of the non-Federal in-  
24 terest or commercial entity to ensure that the serv-



1       ices are consistent with the authorized purposes of  
2       the project concerned;

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

8           “(3) require the non-Federal interest or com-  
9       mercial entity, prior to initiating the services and  
10      upon completion of the services, to conduct sediment  
11      surveys to determine the pre- and post-services sedi-  
12      ment profile and sediment quality; and

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

15      “(c) LIMITATION.—

16          “(1) IN GENERAL.—The Secretary may not ac-  
17      cept services under subsection (a) if the Secretary,  
18      after consultation with the Chief of Engineers, de-  
19      termines that accepting the services is not advan-  
20      tageous to the United States.

21          “(2) REPORT TO CONGRESS.—If the Secretary  
22      makes a determination under paragraph (1), the  
23      Secretary shall provide to the Committee on Trans-  
24      portation and Infrastructure of the House of Rep-  
25      resentatives and the Committee on Environment and

1 Public Works of the Senate written notice describing  
2 the reasoning for the determination.

3 “(d) DISPOSITION OF REMOVED SEDIMENT.—In ex-  
4 change for providing services under subsection (a), a non-  
5 Federal interest or commercial entity is authorized to re-  
6 tain, use, recycle, sell, or otherwise dispose of any sedi-  
7 ment removed in connection with the services and the  
8 Corps of Engineers may not seek any compensation for  
9 the value of the sediment.

10 “(e) CONGRESSIONAL NOTIFICATION.—Prior to ac-  
11 cepting services provided by a non-Federal interest or  
12 commercial entity under this section, the Secretary shall  
13 provide to the Committee on Transportation and Infra-  
14 structure of the House of Representatives and the Com-  
15 mittee on Environment and Public Works of the Senate  
16 written notice of the acceptance of the services.

17 “(f) REPORT TO CONGRESS.—Upon completion of  
18 services at the 10 dams allowed under subsection (b)(4),  
19 the Secretary shall make publicly available and submit to  
20 the Committee on Transportation and Infrastructure of  
21 the House of Representatives and the Committee on Envi-  
22 ronment and Public Works of the Senate a report docu-  
23 menting the results of the services.”.

24 (b) CLERICAL AMENDMENT.—The table of contents  
25 in section 1(b) of the Water Resources Development Act

1 of 2000 is amended by striking the item relating to section  
2 215 and inserting the following:

“215. Reservoir sediment.”.

3 **SEC. 111. CONTRIBUTED FUNDS FOR RESERVOIR OPER-**  
4 **ATIONS.**

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

17 **SEC. 112. WATER SUPPLY CONSERVATION.**

18 (a) IN GENERAL.—In a State in which a drought  
19 emergency has been declared or was in effect during the  
20 1-year period ending on the date of enactment of this Act,  
21 the Secretary is authorized—

22 (1) to conduct an evaluation for purposes of ap-  
23 proving water supply conservation measures that are  
24 consistent with the authorized purposes of water re-

1 sources development projects under the jurisdiction  
2 of the Secretary; and

3 (2) to enter into agreements with non-Federal  
4 interests to carry out the conservation measures ap-  
5 proved by such evaluations.

6 (b) ELIGIBILITY.—Water supply conservation meas-  
7 ures evaluated under subsection (a) may include the fol-  
8 lowing:

9 (1) Storm water capture.

10 (2) Releases for ground water replenishment or  
11 aquifer storage and recovery.

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

14 (4) Other conservation measures that enhance  
15 usage of a Corps of Engineers project for water sup-  
16 ply.

17 (c) COSTS.—A non-Federal interest shall pay only the  
18 separable costs associated with the evaluation, implemen-  
19 tation, operation, and maintenance of an approved water  
20 supply conservation measure, which payments may be ac-  
21 cepted and expended by the Corps of Engineers to cover  
22 such costs.

23 (d) STATUTORY CONSTRUCTION.—Nothing in this  
24 section may be construed to modify or alter the obligations

1 of a non-Federal interest under existing or future agree-  
2 ments for—

3 (1) water supply storage pursuant to section  
4 301 of the Water Supply Act of 1958 (43 U.S.C.  
5 390b); or

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

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

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

12 (2) affects existing Corps of Engineers authori-  
13 ties, including its authorities with respect to naviga-  
14 tion, flood damage reduction, and environmental  
15 protection and restoration;

16 (3) affects the Corps of Engineers ability to  
17 provide for temporary deviations;

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

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



1 of 1986 (33 U.S.C. 2213(j)), a non-Federal interest is re-  
2 leased from any obligation to operate and maintain the  
3 nonstructural and nonmechanical components of a water  
4 resources development project carried out for the purposes  
5 of environmental protection and restoration or aquatic  
6 ecosystem restoration, including a project carried out  
7 under section 206 of the Water Resources Development  
8 Act of 1996 (33 U.S.C. 2330) or section 1135 of the  
9 Water Resources Development Act of 1986 (33 U.S.C.  
10 2309a), if the Secretary determines that—

11           (1) the 50-year period that began on the date  
12           on which project construction was completed has  
13           concluded; or

14           (2) the criteria identified in the guidance issued  
15           under subsection (c) have been met with respect to  
16           the project.

17           (b) FEDERAL OBLIGATIONS.—The Secretary is not  
18 responsible for the operation or maintenance of any  
19 project with respect to which a non-Federal interest is re-  
20 leased from obligations under subsection (a).

21           (c) GUIDANCE.—In consultation with non-Federal in-  
22 terests, and not later than 1 year after the date of enact-  
23 ment of this Act, the Secretary shall issue guidance that  
24 identifies criteria for determining, using the best available  
25 science, when the purpose of a project for environmental

1 protection and restoration or aquatic ecosystem restora-  
2 tion has been achieved, including criteria for determining  
3 when a project has resulted in the return of the project  
4 location to a condition where natural hydrologic and eco-  
5 logical functions are the predominant factors in the condi-  
6 tion, functionality, and durability of the location.

7 **SEC. 116. ESTUARY RESTORATION.**

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

12 “(3) PROJECT AGREEMENTS.—For a project  
13 carried out under this title, the requirements of sec-  
14 tion 103(j)(1) of the Water Resources Development  
15 Act of 1986 (33 U.S.C. 2213(j)(1)) may be fulfilled  
16 by a nongovernmental organization serving as the  
17 non-Federal interest for the project pursuant to  
18 paragraph (2).”.

19 (b) EXTENSION.—Section 109(a) of the Estuary Res-  
20 toration Act of 2000 (33 U.S.C. 2908(a)) is amended by  
21 striking “2012” each place it appears and inserting  
22 “2021”.



1 **SEC. 117. GREAT LAKES FISHERY AND ECOSYSTEM RES-**  
2 **TORATION.**

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

5 **SEC. 118. CORPS OF ENGINEERS OPERATION OF UN-**  
6 **MANNED AIRCRAFT SYSTEMS.**

7 (a) **IN GENERAL.**—The Secretary shall designate an  
8 individual, within the headquarters office of the Corps of  
9 Engineers, who shall serve as the coordinator and prin-  
10 cipal approving official for developing the process and pro-  
11 cedures by which the Corps of Engineers—

12 (1) operates and maintains small unmanned  
13 aircraft (as defined in section 331 of the FAA Mod-  
14 ernization and Reform Act of 2012 (49 U.S.C.  
15 40101 note)) systems in support of civil works and  
16 emergency response missions of the Corps of Engi-  
17 neers; and

18 (2) acquires, applies for, and receives any nec-  
19 essary Federal Aviation Administration authoriza-  
20 tions for such operations and systems.

21 (b) **REQUIREMENTS.**—A small unmanned aircraft  
22 system acquired, operated, or maintained for carrying out  
23 the missions specified in subsection (a) shall be operated  
24 in accordance with regulations of the Federal Aviation Ad-  
25 ministration as a civil aircraft or public aircraft, at the  
26 discretion of the Secretary, and shall be exempt from regu-

1 lations of the Department of Defense, including the De-  
2 partment of the Army, governing such system.

3 (c) LIMITATION.—A small unmanned aircraft system  
4 acquired, operated, or maintained by the Corps of Engi-  
5 neers is excluded from use by the Department of Defense,  
6 including the Department of the Army, for any mission  
7 of the Department of Defense other than a mission speci-  
8 fied in subsection (a).

9 **SEC. 119. FEDERAL DREDGE FLEET.**

10 (a) STUDY.—The Comptroller General of the United  
11 States shall conduct a study on the costs and benefits of  
12 expanding, reducing, or maintaining the current configu-  
13 ration with respect to the size and makeup of the federally  
14 owned hopper dredge fleet.

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

17 (1) the current and anticipated configuration  
18 and capacity of the Federal and private hopper  
19 dredge fleet;

20 (2) the current and anticipated trends for the  
21 volume and type of dredge work required over the  
22 next 10 years, and the alignment of the size of the  
23 existing Federal and private hopper dredge fleet  
24 with future dredging needs;

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

5           (4) whether the requirements of section 3 of the  
6           Act of August 11, 1888 (25 Stat. 423, chapter 860;  
7           33 U.S.C. 622), have any demonstrable impacts on  
8           the factors identified in paragraphs (1) through (3),  
9           and whether such requirements are most economical  
10          and advantageous to the United States; and

11          (5) other factors that the Comptroller General  
12          determines are necessary to evaluate whether it is  
13          economical and advantageous to the United States  
14          to expand, reduce, or maintain the current configu-  
15          ration of the federally owned hopper dredge fleet.

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

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

20          Section 6002 of the Water Resources Reform and De-  
21          velopment Act of 2014 (Public Law 113–121; 128 Stat.  
22          1349) is amended—

23                  (1) in subsection (a) by striking “the date of  
24          enactment of this Act” and inserting “the date of

1 enactment of the Water Resources Development Act  
2 of 2016”; and

3 (2) in subsection (b) by adding at the end the  
4 following:

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

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

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

11 (1) in paragraph (1) by adding at the end the  
12 following:

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

16 (2) in paragraph (2)—

17 (A) by striking “or natural gas company”  
18 and inserting “, natural gas company, or rail-  
19 road carrier”; and

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

22 (3) by striking paragraph (3);

23 (4) by redesignating paragraphs (4) and (5) as  
24 paragraphs (3) and (4), respectively; and

1           (5) in paragraph (4) (as so redesignated) by  
2           striking “and natural gas companies” and inserting  
3           “, natural gas companies, and railroad carriers”.

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

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

7           (1) in subsection (a) by striking “that has been  
8           constructed by a non-Federal interest under section  
9           211 of the Water Resources Development Act of  
10          1996 (33 U.S.C. 701b-13) before the date of enact-  
11          ment of this Act” and inserting “for which a written  
12          agreement with the Corps of Engineers for construc-  
13          tion was finalized on or before December 31, 2014,  
14          under section 211 of the Water Resources Develop-  
15          ment Act of 1996 (33 U.S.C. 701b-13)”; and

16          (2) in subsection (b) by striking “share of the  
17          cost of the non-Federal interest of carrying out  
18          other flood damage reduction projects or studies”  
19          and inserting “non-Federal share of the cost of car-  
20          rying out other water resources development projects  
21          or studies of the non-Federal interest”.

22 **SEC. 123. CLARIFICATION OF CONTRIBUTIONS DURING**  
23 **EMERGENCY EVENTS.**

24          Section 1024(a) of the Water Resources Reform and  
25          Development Act of 2014 (33 U.S.C. 2325a) is amended

1 by inserting after “emergency” the following: “, or that  
2 has had or may have an equipment failure (including a  
3 failure caused by a lack of or deferred maintenance),”.

4 **SEC. 124. STUDY OF WATER RESOURCES DEVELOPMENT**  
5 **PROJECTS BY NON-FEDERAL INTERESTS.**

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

9 “(e) TECHNICAL ASSISTANCE.—At the request of a  
10 non-Federal interest, the Secretary may provide to the  
11 non-Federal interest technical assistance relating to any  
12 aspect of a feasibility study if the non-Federal interest  
13 contracts with the Secretary to pay all costs of providing  
14 such technical assistance.”.

15 **SEC. 125. NON-FEDERAL CONSTRUCTION OF AUTHORIZED**  
16 **FLOOD DAMAGE REDUCTION PROJECTS.**

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

20 “(5) DISCRETE SEGMENTS.—

21 “(A) IN GENERAL.—The Secretary may  
22 authorize credit or reimbursement under this  
23 subsection for a discrete segment of a flood  
24 damage reduction project, or separable element

1           thereof, before final completion of the project or  
2           separable element if—

3                   “(i) except as provided in clause (ii),  
4                   the Secretary determines that the discrete  
5                   segment satisfies the requirements of para-  
6                   graphs (1) through (4) in the same man-  
7                   ner as the project or separable element;  
8                   and

9                   “(ii) notwithstanding paragraph  
10                   (1)(A)(ii), the Secretary determines, before  
11                   the approval of the plans under paragraph  
12                   (1)(A)(i), that the discrete segment is tech-  
13                   nically feasible and environmentally accept-  
14                   able.

15                   “(B) DETERMINATION.—Credit or reim-  
16                   bursement may not be made available to a non-  
17                   Federal interest pursuant to this paragraph  
18                   until the Secretary determines that—

19                           “(i) the construction of the discrete  
20                           segment for which credit or reimbursement  
21                           is requested is complete; and

22                           “(ii) the construction is consistent  
23                           with the authorization of the applicable  
24                           flood damage reduction project, or sepa-

1 rable element thereof, and the plans ap-  
2 proved under paragraph (1)(A)(i).

3 “(C) WRITTEN AGREEMENT.—

4 “(i) IN GENERAL.—As part of the  
5 written agreement required under para-  
6 graph (1)(A)(iii), a non-Federal interest to  
7 be eligible for credit or reimbursement  
8 under this paragraph shall—

9 “(I) identify any discrete seg-  
10 ment that the non-Federal interest  
11 may carry out; and

12 “(II) agree to the completion of  
13 the flood damage reduction project, or  
14 separable element thereof, with re-  
15 spect to which the discrete segment is  
16 a part and establish a timeframe for  
17 such completion.

18 “(ii) REMITTANCE.—If a non-Federal  
19 interest fails to complete a flood damage  
20 reduction project, or separable element  
21 thereof, that it agreed to complete under  
22 clause (i)(II), the non-Federal interest  
23 shall remit any credits or reimbursements  
24 received under this paragraph for a dis-



1           crete segment of such project or separable  
2           element.

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

7                   “(i) described by a non-Federal inter-  
8                   est in a written agreement required under  
9                   paragraph (1)(A)(iii); and

10                   “(ii) that the non-Federal interest can  
11                   operate and maintain, independently and  
12                   without creating a hazard, in advance of  
13                   final completion of the flood damage reduc-  
14                   tion project, or separable element there-  
15                   of.”.

16 **SEC. 126. MULTISTATE ACTIVITIES.**

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

19           (1) in subsection (a)(1)—

20                   (A) by striking “or other non-Federal in-  
21                   terest” and inserting “, group of States, or  
22                   non-Federal interest”;

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

1 (C) by inserting “or group of States” after  
2 “boundaries of such State”; and  
3 (2) in subsection (c)(1) by adding at the end  
4 the following: “The Secretary may allow 2 or more  
5 States to combine all or a portion of the funds that  
6 the Secretary makes available to the States in car-  
7 rying out subsection (a)(1).”.

8 **SEC. 127. REGIONAL PARTICIPATION ASSURANCE FOR**  
9 **LEVEE SAFETY ACTIVITIES.**

10 (a) NATIONAL LEVEE SAFETY PROGRAM.—Section  
11 9002 of the Water Resources Development Act of 2007  
12 (33 U.S.C. 3301) is amended—

13 (1) in paragraph (11) by striking “State or In-  
14 dian tribe” and inserting “State, regional district, or  
15 Indian tribe”;

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

19 (3) by inserting after paragraph (11) the fol-  
20 lowing:

21 “(12) REGIONAL DISTRICT.—The term ‘re-  
22 gional district’ means a subdivision of a State gov-  
23 ernment, or a subdivision of multiple State govern-  
24 ments, that is authorized to acquire, construct, oper-

1       ate, and maintain projects for the purpose of flood  
2       damage reduction.”.

3       (b) INVENTORY AND INSPECTION OF LEVEES.—Sec-  
4       tion 9004 of the Water Resources Development Act of  
5       2007 (33 U.S.C. 3303) is amended—

6               (1) in subsection (a)—

7                       (A) in paragraph (1) by striking “one year  
8                       after the date of enactment of this Act” and in-  
9                       serting “1 year after the date of enactment of  
10                      the Water Resources Development Act of  
11                      2016”;

12                     (B) in paragraph (2)(A) by striking  
13                     “States, Indian tribes, Federal agencies, and  
14                     other entities” and inserting “States, regional  
15                     districts, Indian tribes, Federal agencies, and  
16                     other entities”; and

17                     (C) in paragraph (3)—

18                               (i) in the heading for subparagraph  
19                               (A) by striking “FEDERAL, STATE, AND  
20                               LOCAL” and inserting “FEDERAL, STATE,  
21                               REGIONAL, TRIBAL, AND LOCAL”; and

22                               (ii) in subparagraph (A) by striking  
23                               “Federal, State, and local” and inserting  
24                               “Federal, State, regional, tribal, and  
25                               local”; and

1 (2) in subsection (c)—

2 (A) in paragraph (4)—

3 (i) in the paragraph heading by strik-  
4 ing “STATE AND TRIBAL” and inserting  
5 “STATE, REGIONAL, AND TRIBAL”; and

6 (ii) by striking “State or Indian tribe”  
7 each place it appears and inserting “State,  
8 regional district, or Indian tribe”; and

9 (B) in paragraph (5)—

10 (i) by striking “State or Indian tribe”  
11 and inserting “State, regional district, or  
12 Indian tribe”; and

13 (ii) by striking “chief executive of the  
14 tribal government” and inserting “chief ex-  
15 ecutive of the regional district or tribal  
16 government”.

17 (c) LEVEE SAFETY INITIATIVE.—Section 9005 of the  
18 Water Resources Development Act of 2007 (33 U.S.C.  
19 3303a) is amended—

20 (1) in subsection (c)—

21 (A) in paragraph (1)—

22 (i) in the matter preceding subpara-  
23 graph (A)—

24 (I) by striking “1 year after the  
25 date of enactment of this subsection”

1 and inserting “1 year after the date of  
2 enactment of the Water Resources  
3 Development Act of 2016”; and

4 (II) by striking “State, local, and  
5 tribal governments and organizations”  
6 and inserting “State, regional, local,  
7 and tribal governments and organiza-  
8 tions”; and

9 (ii) in subparagraph (A) by striking  
10 “Federal, State, tribal, and local agencies”  
11 and inserting “Federal, State, regional,  
12 local, and tribal agencies”;

13 (B) in paragraph (3)—

14 (i) in subparagraph (A) by striking  
15 “State, local, and tribal governments” and  
16 inserting “State, regional, local, and tribal  
17 governments”; and

18 (ii) in subparagraph (B) by inserting  
19 “regional, or tribal” after “State” each  
20 place it appears; and

21 (C) in paragraph (5)(A) by striking  
22 “States, non-Federal interests, and other ap-  
23 propriate stakeholders” and inserting “States,  
24 regional districts, Indian tribes, non-Federal in-  
25 terests, and other appropriate stakeholders”;

1           (2) in subsection (e)(1) in the matter preceding  
2           subparagraph (A) by striking “States, communities,  
3           and levee owners” and inserting “States, regional  
4           governments, Indian tribes, communities, and levee  
5           owners”;

6           (3) in subsection (g)—

7           (A) in the subsection heading by striking  
8           “STATE AND TRIBAL” and inserting “STATE,  
9           REGIONAL, AND TRIBAL”;

10          (B) in paragraph (1)—

11           (i) in subparagraph (A)—

12           (I) by striking “1 year after the  
13           date of enactment of this subsection”  
14           and inserting “1 year after the date of  
15           enactment of the Water Resources  
16           Development Act of 2016”; and

17           (II) by striking “State or tribal”  
18           and inserting “State, regional, or trib-  
19           al”; and

20           (ii) in subparagraph (B)—

21           (I) by striking “State and Indian  
22           tribe” and inserting “State, regional  
23           district, and Indian tribe”; and

24           (II) by striking “State or Indian  
25           tribe” each place it appears and in-

1           serting “State, regional district, or In-  
2           dian tribe”; and

3           (C) in paragraph (2)—

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

7           (ii) in subparagraph (A) by striking  
8           “States and Indian tribes” and inserting  
9           “States, regional districts, and Indian  
10          tribes”;

11          (iii) in subparagraph (B)—

12           (I) in the matter preceding clause

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

16           (II) in clause (ii) by striking  
17           “levees within the State” and insert-  
18           ing “levees within the State or re-  
19           gional district”; and

20           (III) in clause (iii) by striking  
21           “State or Indian tribe” and inserting  
22           “State, regional district, or Indian  
23           tribe”;

24           (iv) in subparagraph (C)(ii) in the  
25          matter preceding subclause (I) by striking

1 “State or tribal” and inserting “State, re-  
2 gional, or tribal”; and

3 (v) in subparagraph (E)—

4 (I) by striking “States and In-  
5 dian tribes” each place it appears and  
6 inserting “States, regional districts,  
7 and Indian tribes”;

8 (II) in clause (ii)(II)—

9 (aa) in the matter preceding  
10 item (aa) by striking “State or  
11 Indian tribe” and inserting  
12 “State, regional district, or In-  
13 dian tribe”;

14 (bb) in item (aa) by striking  
15 “miles of levees in the State” and  
16 inserting “miles of levees in the  
17 State or regional district”; and

18 (cc) in item (bb) by striking  
19 “miles of levees in all States”  
20 and inserting “miles of levees in  
21 all States and regional districts”;  
22 and

23 (III) in clause (iii)—

24 (aa) by striking “State or  
25 Indian tribe” and inserting



1 “State, regional district, or In-  
2 dian tribe”; and

3 (bb) by striking “State or  
4 tribal” and inserting “State, re-  
5 gional, or tribal”; and

6 (4) in subsection (h)—

7 (A) in paragraph (1) by striking “States,  
8 Indian tribes, and local governments” and in-  
9 serting “States, regional districts, Indian tribes,  
10 and local governments”;

11 (B) in paragraph (2)—

12 (i) in the matter preceding subpara-  
13 graph (A) by striking “State, Indian tribe,  
14 or local government” and inserting “State,  
15 regional district, Indian tribe, or local gov-  
16 ernment”; and

17 (ii) in subparagraph (E) in the matter  
18 preceding clause (i) by striking “State or  
19 tribal” and inserting “State, regional, or  
20 tribal”;

21 (C) in paragraph (3)—

22 (i) in subparagraph (A) by striking  
23 “State, Indian tribe, or local government”  
24 and inserting “State, regional district, In-  
25 dian tribe, or local government”; and

1                   (ii) in subparagraph (D) by striking  
2                   “180 days after the date of enactment of  
3                   this subsection” and inserting “180 days  
4                   after the date of enactment of the Water  
5                   Resources Development Act of 2016”; and  
6                   (D) in paragraph (4)(A)(i) by striking  
7                   “State or tribal” and inserting “State, regional,  
8                   or tribal”.

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

12                   (1) in subsection (a)(1)—

13                           (A) in the matter preceding subparagraph  
14                           (A) by striking “1 year after the date of enact-  
15                           ment of this subsection” and inserting “1 year  
16                           after the date of enactment of the Water Re-  
17                           sources Development Act of 2016”; and

18                           (B) in subparagraph (B) by striking  
19                           “State and tribal” and inserting “State, re-  
20                           gional, and tribal”;

21                   (2) in subsection (c)—

22                           (A) in the matter preceding paragraph  
23                           (1)—

24                                   (i) by striking “2 years after the date  
25                                   of enactment of this subsection” and in-

1           serting “2 years after the date of enact-  
2           ment of the Water Resources Development  
3           Act of 2016”; and

4                   (ii) by striking “State, tribal, and  
5           local” and inserting “State, regional, trib-  
6           al, and local”;

7           (B) in paragraph (2) by striking “State  
8           and tribal” and inserting “State, regional, and  
9           tribal”; and

10           (C) in paragraph (4) by striking “State  
11           and local” and inserting “State, regional, tribal,  
12           and local”; and

13           (3) in subsection (d)—

14                   (A) in the matter preceding paragraph (1)  
15           by striking “1 year after the date of enactment  
16           of this subsection” and inserting “1 year after  
17           the date of enactment of the Water Resources  
18           Development Act of 2016”; and

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

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

23           Section 221(b)(1) of the Flood Control Act of 1970  
24           (42 U.S.C. 1962d–5b(b)(1)) is amended by inserting  
25           “and, as defined in section 3 of the Alaska Native Claims

1 Settlement Act (43 U.S.C. 1602), a Native village, Re-  
2 gional Corporation, and Village Corporation” after “In-  
3 dian tribe”.

4 **SEC. 129. INDIAN TRIBES.**

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

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

9 (2) in subsection (a)—

10 (A) by striking “projects in American” and  
11 inserting “projects—  
12 “(1) in American”;

13 (B) by striking the period at the end and  
14 inserting “; and”; and

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

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

17 **SEC. 130. DISSEMINATION OF INFORMATION ON THE AN-**  
18 **NUAL REPORT PROCESS.**

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

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

23 (2) The Water Resources Reform and Develop-  
24 ment Act of 2014 (Public Law 113–121) established  
25 a new and transparent process to review and

1       prioritize the water resources development activities  
2       of the Corps of Engineers with strong congressional  
3       oversight.

4               (3) Section 7001 of the Water Resources Re-  
5       form and Development Act of 2014 (33 U.S.C.  
6       2282d) requires the Secretary to develop and submit  
7       to Congress each year a Report to Congress on Fu-  
8       ture Water Resources Development and, as part of  
9       the annual report process, to—

10               (A) publish a notice in the Federal Reg-  
11              ister that requests from non-Federal interests  
12              proposed feasibility studies and proposed modi-  
13              fications to authorized water resources develop-  
14              ment projects and feasibility studies for inclu-  
15              sion in the report; and

16               (B) review the proposals submitted and in-  
17              clude in the report those proposed feasibility  
18              studies and proposed modifications that meet  
19              the criteria for inclusion established under sec-  
20              tion 7001.

21               (4) Congress will use the information provided  
22       in the annual Report to Congress on Future Water  
23       Resources Development to determine authorization  
24       needs and priorities for purposes of water resources  
25       development legislation.

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

11          (b) DISSEMINATION OF PROCESS INFORMATION.—  
12          The Secretary shall develop, support, and implement edu-  
13          cation and awareness efforts for non-Federal interests  
14          with respect to the annual Report to Congress on Future  
15          Water Resources Development required under section  
16          7001 of the Water Resources Reform and Development  
17          Act of 2014 (33 U.S.C. 2282d), including efforts to—

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

21                 (2) issue guidance for non-Federal interests to  
22                 assist such interests in developing proposals for  
23                 water resources development projects that satisfy the  
24                 requirements of section 7001; and

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

5 **SEC. 131. SCOPE OF PROJECTS.**

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

9           “(5) WATER RESOURCES DEVELOPMENT  
10          PROJECT.—The term ‘water resources development  
11          project’ includes a project under an environmental  
12          infrastructure assistance program.”.

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

14          At the request of a non-Federal interest with respect  
15          to a proposed water resources development project, the  
16          Secretary shall meet with the non-Federal interest, prior  
17          to initiating a feasibility study relating to the proposed  
18          project, to review a preliminary analysis of the Federal  
19          interest in the proposed project and the costs, benefits,  
20          and environmental impacts of the proposed project, includ-  
21          ing an estimate of the costs of preparing a feasibility re-  
22          port.

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

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

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

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

9 (A) the Committee on Environment and  
10 Public Works of the Senate; and

11 (B) the Committee on Transportation and  
12 Infrastructure of the House of Representatives.

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

17 (1) review the report; and

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

21 (c) PRIOR REPORTS.—Not later than 120 days after  
22 the date of enactment of this Act, with respect to any post-  
23 authorization change report that was completed prior to  
24 the date of enactment of this Act and is subject to a review  
25 by the Secretary that has yet to be completed, the Sec-



1 retary shall complete review of, and provide recommenda-  
2 tions to Congress with respect to, the report.

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

6 (1) a general reevaluation report;

7 (2) a limited reevaluation report; and

8 (3) any other report that recommends the modi-  
9 fication of an authorized water resources develop-  
10 ment project.

11 **SEC. 134. MAINTENANCE DREDGING DATA.**

12 (a) IN GENERAL.—The Secretary shall establish,  
13 maintain, and make publicly available a database on main-  
14 tenance dredging carried out by the Secretary, which shall  
15 include information on maintenance dredging carried out  
16 by Federal and non-Federal vessels.

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

20 (1) the volume of dredged material removed;

21 (2) the initial cost estimate of the Corps of En-  
22 gineers;

23 (3) the total cost;

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

25 and

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

4 **SEC. 135. ELECTRONIC SUBMISSION AND TRACKING OF**  
5 **PERMIT APPLICATIONS.**

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

9 **“SEC. 2040. ELECTRONIC SUBMISSION AND TRACKING OF**  
10 **PERMIT APPLICATIONS.**

11           “(a) DEVELOPMENT OF ELECTRONIC SYSTEM.—

12                   “(1) IN GENERAL.—The Secretary shall re-  
13           search, develop, and implement an electronic system  
14           to allow the electronic preparation and submission of  
15           applications for permits and requests for jurisdic-  
16           tional determinations under the jurisdiction of the  
17           Secretary.

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

20                           “(A) applications for standard individual  
21           permits;

22                           “(B) applications for letters of permission;

23                           “(C) joint applications with States for  
24           State and Federal permits;

25                           “(D) applications for emergency permits;

1           “(E) applications or requests for jurisdic-  
2           tional determinations; and

3           “(F) preconstruction notification submis-  
4           sions, when required for a nationwide or other  
5           general permit.

6           “(3) IMPROVING EXISTING DATA SYSTEMS.—  
7           The Secretary shall seek to incorporate the elec-  
8           tronic system required under paragraph (1) into ex-  
9           isting systems and databases of the Corps of Engi-  
10          neers to the maximum extent practicable.

11          “(4) PROTECTION OF INFORMATION.—The elec-  
12          tronic system required under paragraph (1) shall  
13          provide for the protection of personal, private, privi-  
14          leged, confidential, and proprietary information, and  
15          information the disclosure of which is otherwise pro-  
16          hibited by law.

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

19               “(1) enable an applicant or requestor to pre-  
20               pare electronically an application for a permit or re-  
21               quest;

22               “(2) enable an applicant or requestor to submit  
23               to the Secretary, by email or other means through  
24               the Internet, the completed application form or re-  
25               quest;

1           “(3) enable an applicant or requestor to submit  
2           to the Secretary, by email or other means through  
3           the Internet, data and other information in support  
4           of the permit application or request;

5           “(4) provide an online interactive guide to pro-  
6           vide assistance to an applicant or requestor at any  
7           time while filling out the permit application or re-  
8           quest; and

9           “(5) enable an applicant or requestor (or a des-  
10          ignated agent) to track the status of a permit appli-  
11          cation or request in a manner that will—

12                   “(A) allow the applicant or requestor to  
13                   determine whether the application is pending or  
14                   final and the disposition of the request;

15                   “(B) allow the applicant or requestor to re-  
16                   search previously submitted permit applications  
17                   and requests within a given geographic area  
18                   and the results of such applications or requests;  
19                   and

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

23          “(c) DOCUMENTATION.—All permit decisions and ju-  
24          risdictional determinations made by the Secretary shall be  
25          in writing and include documentation supporting the basis

1 for the decision or determination. The Secretary shall pre-  
2 scribe means for documenting all decisions or determina-  
3 tions to be made by the Secretary.

4 “(d) RECORD OF DETERMINATIONS.—

5 “(1) IN GENERAL.—The Secretary shall main-  
6 tain, for a minimum of 5 years, a record of all per-  
7 mit decisions and jurisdictional determinations made  
8 by the Secretary, including documentation sup-  
9 porting the basis of the decisions and determina-  
10 tions.

11 “(2) ARCHIVING OF INFORMATION.—The Sec-  
12 retary shall explore and implement an appropriate  
13 mechanism for archiving records of permit decisions  
14 and jurisdictional determinations, including docu-  
15 mentation supporting the basis of the decisions and  
16 determinations, after the 5-year maintenance period  
17 described in paragraph (1).

18 “(e) AVAILABILITY OF DETERMINATIONS.—

19 “(1) IN GENERAL.—The Secretary shall make  
20 the records of all permit decisions and jurisdictional  
21 determinations made by the Secretary available to  
22 the public for review and reproduction.

23 “(2) PROTECTION OF INFORMATION.—The Sec-  
24 retary shall provide for the protection of personal,  
25 private, privileged, confidential, and proprietary in-

1 formation, and information the disclosure of which is  
2 prohibited by law, which may be excluded from dis-  
3 closure.

4 “(f) DEADLINE FOR ELECTRONIC SYSTEM IMPLE-  
5 MENTATION.—

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

11 “(2) REPORT ON ELECTRONIC SYSTEM IMPLE-  
12 MENTATION.—Not later than 180 days after the ex-  
13 piration of the deadline under paragraph (1), the  
14 Secretary shall submit to the Committee on Trans-  
15 portation and Infrastructure of the House of Rep-  
16 resentatives and the Committee on Environment and  
17 Public Works of the Senate a report describing the  
18 measures implemented and barriers faced in car-  
19 rying out this section.

20 “(g) APPLICABILITY.—The requirements described in  
21 subsections (c), (d), and (e) shall apply to permit applica-  
22 tions and requests for jurisdictional determinations sub-  
23 mitted to the Secretary after the date of enactment of the  
24 Water Resources Development Act of 2016.

1       “(h) LIMITATION.—This section shall not preclude  
2 the submission to the Secretary, acting through the Chief  
3 of Engineers, of a physical copy of a permit application  
4 or a request for a jurisdictional determination.”.

5       (b) CLERICAL AMENDMENT.—The table of contents  
6 in section 1(b) of the Water Resources Development Act  
7 of 2007 is amended by striking the item relating to section  
8 2040 and inserting the following:

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

9       **SEC. 136. DATA TRANSPARENCY.**

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

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

14       “(a) IN GENERAL.—Using available funds, the Sec-  
15 retary shall make publicly available, including on the  
16 Internet, all data in the custody of the Corps of Engineers  
17 on—

18               “(1) the planning, design, construction, oper-  
19 ation, and maintenance of water resources develop-  
20 ment projects; and

21               “(2) water quality and water management of  
22 projects owned, operated, or managed by the Corps  
23 of Engineers.

24       “(b) LIMITATION.—Nothing in this section may be  
25 construed to compel or authorize the disclosure of data

1 or other information determined by the Secretary to be  
2 confidential information, privileged information, law en-  
3 forcement information, national security information, in-  
4 frastructure security information, personal information, or  
5 information the disclosure of which is otherwise prohibited  
6 by law.

7 “(c) TIMING.—The Secretary shall ensure that data  
8 is made publicly available under subsection (a) as quickly  
9 as practicable after the data is generated by the Corps  
10 of Engineers.

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

15 **SEC. 137. BACKLOG PREVENTION.**

16 (a) PROJECT DEAUTHORIZATION.—

17 (1) IN GENERAL.—A water resources develop-  
18 ment project, or separable element of such a project,  
19 authorized for construction by this Act shall not be  
20 authorized after the last day of the 7-year period be-  
21 ginning on the date of enactment of this Act unless  
22 funds have been obligated for construction of such  
23 project during that period.

24 (2) IDENTIFICATION OF PROJECTS.—Not later  
25 than 60 days after the expiration of the 7-year pe-



1       riod referred to in paragraph (1), the Secretary shall  
2       submit to the Committee on Environment and Pub-  
3       lic Works of the Senate and the Committee on  
4       Transportation and Infrastructure of the House of  
5       Representatives a report that identifies the projects  
6       deauthorized under paragraph (1).

7       (b) REPORT TO CONGRESS.—Not later than 60 days  
8       after the expiration of the 12-year period beginning on the  
9       date of enactment of this Act, the Secretary shall submit  
10      to the Committee on Environment and Public Works of  
11      the Senate and the Committee on Transportation and In-  
12      frastructure of the House of Representatives, and make  
13      available to the public, a report that contains—

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

17           (2) a description of the reasons the projects  
18      were not completed;

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

21           (4) a 5-year and 10-year projection of construc-  
22      tion backlog and any recommendations to Congress  
23      regarding how to mitigate current problems and the  
24      backlog.

1 **SEC. 138. QUALITY CONTROL.**

2 (a) IN GENERAL.—Paragraph (a) of the first section  
3 of the Act of December 22, 1944 (58 Stat. 888, chapter  
4 665; 33 U.S.C. 701–1(a)), is amended by inserting “and  
5 shall be made publicly available” before the period at the  
6 end.

7 (b) PROJECT ADMINISTRATION.—Section 2041(b)(1)  
8 of the Water Resources Development Act of 2007 (33  
9 U.S.C. 2346(b)(1)) is amended by inserting “final post-  
10 authorization change report,” after “final reevaluation re-  
11 port,”.

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

13 (a) IN GENERAL.—In conjunction with the Presi-  
14 dent’s budget submission to Congress with respect to fiscal  
15 year 2018 under section 1105(a) of title 31, United States  
16 Code, and biennially thereafter in conjunction with the  
17 President’s budget submission, the Secretary shall submit  
18 to the Committee on Environment and Public Works and  
19 the Committee on Appropriations of the Senate and the  
20 Committee on Transportation and Infrastructure and the  
21 Committee on Appropriations of the House of Representa-  
22 tives a report that describes—

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

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

1           (3) how projects are prioritized in the applica-  
2           ble budget submission, including how the Secretary  
3           determines those projects for which construction ini-  
4           tiation is recommended.

5           (b) NOTIFICATION.—

6           (1) REQUIREMENT.—If the Secretary proposes  
7           a covered revised budget estimate, the Secretary  
8           shall notify, in writing, each Member of Congress  
9           representing a congressional district affected by the  
10          study, project, or activity subject to the revised esti-  
11          mate.

12          (2) COVERED REVISED BUDGET ESTIMATE DE-  
13          FINED.—In this subsection, the term “covered re-  
14          vised budget estimate” means a budget estimate for  
15          a water resources development study, project, or ac-  
16          tivity that differs from the estimate most recently  
17          specified for that study, project, or activity in a  
18          budget of the President submitted under section  
19          1105(a) of title 31, United States Code.

## 20                                   **TITLE II—STUDIES**

### 21   **SEC. 201. AUTHORIZATION OF PROPOSED FEASIBILITY** 22                                   **STUDIES.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22          (19) TULSA AND WEST TULSA LEVEES, TULSA,  
23          OKLAHOMA.—Project for flood damage reduction,  
24          Tulsa and West Tulsa Levees, Tulsa, Oklahoma.

1           (20) STONYCREEK AND LITTLE CONEMAUGH  
2 RIVERS, PENNSYLVANIA.—Project for flood damage  
3 reduction and recreation, Stonycreek and Little  
4 Conemaugh Rivers, Pennsylvania.

5           (21) TIOGA-HAMMOND LAKE, PENNSYLVANIA.—  
6 Project for ecosystem restoration, Tioga-Hammond  
7 Lake, Pennsylvania.

8           (22) BRAZOS RIVER, FORT BEND COUNTY,  
9 TEXAS.—Project for flood damage reduction in the  
10 vicinity of the Brazos River, Fort Bend County,  
11 Texas.

12           (23) CHACON CREEK, CITY OF LAREDO,  
13 TEXAS.—Project for flood damage reduction, eco-  
14 system restoration, and recreation, Chacon Creek,  
15 city of Laredo, Texas.

16           (24) CORPUS CHRISTI SHIP CHANNEL,  
17 TEXAS.—Project for navigation, Corpus Christi Ship  
18 Channel, Texas.

19           (25) CITY OF EL PASO, TEXAS.—Project for  
20 flood damage reduction, city of El Paso, Texas.

21           (26) GULF INTRACOASTAL WATERWAY,  
22 BRAZORIA AND MATAGORDA COUNTIES, TEXAS.—  
23 Project for navigation and hurricane and storm  
24 damage reduction, Gulf Intracoastal Waterway,  
25 Brazoria and Matagorda Counties, Texas.

1           (27) PORT OF BAY CITY, TEXAS.—Project for  
2 navigation, Port of Bay City, Texas.

3           (28) CHINCOTEAGUE ISLAND, VIRGINIA.—  
4 Project for hurricane and storm damage reduction,  
5 navigation, and ecosystem restoration, Chincoteague  
6 Island, Virginia.

7           (29) BURLEY CREEK WATERSHED, KITSAP  
8 COUNTY, WASHINGTON.—Project for flood damage  
9 reduction and ecosystem restoration, Burley Creek  
10 Watershed, Kitsap County, Washington.

11 **SEC. 202. EXPEDITED COMPLETION OF REPORTS FOR CER-**  
12 **TAIN PROJECTS.**

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

19           (1) Project for flood risk management, Little  
20 Colorado River at Winslow, Navajo County, Arizona.

21           (2) Project for flood risk management, Lower  
22 San Joaquin River, California.

23           (3) Project for flood risk management and eco-  
24 system restoration, Sacramento River Flood Control  
25 System, California.



1           (4) Project for hurricane and storm damage  
2 risk reduction, Ft. Pierce, Florida.

3           (5) Project for flood risk management, Des  
4 Moines and Raccoon Rivers, Iowa.

5           (6) Project for navigation, Mississippi River  
6 Ship Channel, Louisiana.

7           (7) Project for flood risk management, North  
8 Branch Ecorse Creek, Wayne County, Michigan.

9           (8) Project for navigation, Upper Ohio River,  
10 Pennsylvania.

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

14           (1) Project for flood risk management, Swope  
15 Park Industrial Area, Kansas City, Missouri.

16           (2) Project for hurricane and storm damage  
17 risk reduction, New Hanover County, North Caro-  
18 lina.

## 19       **TITLE III—DEAUTHORIZATIONS** 20       **AND RELATED PROVISIONS**

### 21       **SEC. 301. DEAUTHORIZATION OF INACTIVE PROJECTS.**

22       (a) PURPOSES.—The purposes of this section are—

23           (1) to identify \$5,000,000,000 in water re-  
24 sources development projects authorized by Congress  
25 that are no longer viable for construction due to—

1 (A) a lack of local support;

2 (B) a lack of available Federal or non-Fed-  
3 eral resources; or

4 (C) an authorizing purpose that is no  
5 longer relevant or feasible;

6 (2) to create an expedited and definitive process  
7 for Congress to deauthorize water resources develop-  
8 ment projects that are no longer viable for construc-  
9 tion; and

10 (3) to allow the continued authorization of  
11 water resources development projects that are viable  
12 for construction.

13 (b) INTERIM DEAUTHORIZATION LIST.—

14 (1) IN GENERAL.—The Secretary shall develop  
15 an interim deauthorization list that identifies—

16 (A) each water resources development  
17 project, or separable element of a project, au-  
18 thorized for construction before November 8,  
19 2007, for which—

20 (i) planning, design, or construction  
21 was not initiated before the date of enact-  
22 ment of this Act; or

23 (ii) planning, design, or construction  
24 was initiated before the date of enactment  
25 of this Act, but for which no funds, Fed-

1 eral or non-Federal, were obligated for  
2 planning, design, or construction of the  
3 project or separable element of the project  
4 during the current fiscal year or any of the  
5 6 preceding fiscal years; and

6 (B) each project or separable element iden-  
7 tified and included on a list to Congress for de-  
8 authorization pursuant to section 1001(b)(2) of  
9 the Water Resources Development Act of 1986  
10 (33 U.S.C. 579a(b)(2)).

11 (2) PUBLIC COMMENT AND CONSULTATION.—

12 (A) IN GENERAL.—The Secretary shall so-  
13 licit comments from the public and the Gov-  
14 ernors of each applicable State on the interim  
15 deauthorization list developed under paragraph  
16 (1).

17 (B) COMMENT PERIOD.—The public com-  
18 ment period shall be 90 days.

19 (3) SUBMISSION TO CONGRESS; PUBLICA-  
20 TION.—Not later than 90 days after the date of the  
21 close of the comment period under paragraph (2),  
22 the Secretary shall—

23 (A) submit a revised interim deauthoriza-  
24 tion list to the Committee on Environment and  
25 Public Works of the Senate and the Committee

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

3 (B) publish the revised interim deauthor-  
4 ization list in the Federal Register.

5 (c) FINAL DEAUTHORIZATION LIST.—

6 (1) IN GENERAL.—The Secretary shall develop  
7 a final deauthorization list of water resources devel-  
8 opment projects, or separable elements of projects,  
9 from the revised interim deauthorization list de-  
10 scribed in subsection (b)(3).

11 (2) DEAUTHORIZATION AMOUNT.—

12 (A) PROPOSED FINAL LIST.—The Sec-  
13 retary shall prepare a proposed final deauthor-  
14 ization list of projects and separable elements of  
15 projects that have, in the aggregate, an esti-  
16 mated Federal cost to complete that is at least  
17 \$5,000,000,000.

18 (B) DETERMINATION OF FEDERAL COST  
19 TO COMPLETE.—For purposes of subparagraph  
20 (A), the Federal cost to complete shall take into  
21 account any allowances authorized by section  
22 902 of the Water Resources Development Act  
23 of 1986 (33 U.S.C. 2280), as applied to the  
24 most recent project schedule and cost estimate.

25 (3) IDENTIFICATION OF PROJECTS.—

## 1 (A) SEQUENCING OF PROJECTS.—

2 (i) IN GENERAL.—The Secretary shall  
3 identify projects and separable elements of  
4 projects for inclusion on the proposed final  
5 deauthorization list according to the order  
6 in which the projects and separable ele-  
7 ments of the projects were authorized, be-  
8 ginning with the earliest authorized  
9 projects and separable elements of projects  
10 and ending with the latest project or sepa-  
11 rable element of a project necessary to  
12 meet the aggregate amount under para-  
13 graph (2).

14 (ii) FACTORS TO CONSIDER.—The  
15 Secretary may identify projects and sepa-  
16 rable elements of projects in an order other  
17 than that established by clause (i) if the  
18 Secretary determines, on a case-by-case  
19 basis, that a project or separable element  
20 of a project is critical for interests of the  
21 United States, based on the possible im-  
22 pact of the project or separable element of  
23 the project on public health and safety, the  
24 national economy, or the environment.

1 (iii) CONSIDERATION OF PUBLIC COM-  
2 MENTS.—In making determinations under  
3 clause (ii), the Secretary shall consider any  
4 comments received under subsection (b)(3).

5 (B) APPENDIX.—The Secretary shall in-  
6 clude as part of the proposed final deauthoriza-  
7 tion list an appendix that—

8 (i) identifies each project or separable  
9 element of a project on the interim de-  
10 authorization list developed under sub-  
11 section (b) that is not included on the pro-  
12 posed final deauthorization list; and

13 (ii) describes the reasons why the  
14 project or separable element is not in-  
15 cluded on the proposed final list.

16 (4) PUBLIC COMMENT AND CONSULTATION.—

17 (A) IN GENERAL.—The Secretary shall so-  
18 licit comments from the public and the Gov-  
19 ernors of each applicable State on the proposed  
20 final deauthorization list and appendix devel-  
21 oped under paragraphs (2) and (3).

22 (B) COMMENT PERIOD.—The public com-  
23 ment period shall be 90 days.

24 (5) SUBMISSION OF FINAL LIST TO CONGRESS;  
25 PUBLICATION.—Not later than 120 days after the

1 date of the close of the comment period under para-  
2 graph (4), the Secretary shall—

3 (A) submit a final deauthorization list and  
4 an appendix to the final deauthorization list in  
5 a report to the Committee on Environment and  
6 Public Works of the Senate and the Committee  
7 on Transportation and Infrastructure of the  
8 House of Representatives; and

9 (B) publish the final deauthorization list  
10 and the appendix to the final deauthorization  
11 list in the Federal Register.

12 (d) DEAUTHORIZATION; CONGRESSIONAL REVIEW.—

13 (1) IN GENERAL.—After the expiration of the  
14 180-day period beginning on the date of submission  
15 of the final deauthorization list and appendix under  
16 subsection (c), a project or separable element of a  
17 project identified in the final deauthorization list is  
18 hereby deauthorized, unless Congress passes a joint  
19 resolution disapproving the final deauthorization list  
20 prior to the end of such period.

21 (2) NON-FEDERAL CONTRIBUTIONS.—

22 (A) IN GENERAL.—A project or separable  
23 element of a project identified in the final de-  
24 authorization list under subsection (c) shall not  
25 be deauthorized under this subsection if, before

1           the expiration of the 180-day period referred to  
2           in paragraph (1), the non-Federal interest for  
3           the project or separable element of the project  
4           provides sufficient funds to complete the project  
5           or separable element of the project.

6           (B) TREATMENT OF PROJECTS.—Notwith-  
7           standing subparagraph (A), each project and  
8           separable element of a project identified in the  
9           final deauthorization list shall be treated as de-  
10          authorized for purposes of the aggregate de-  
11          authorization amount specified in subsection  
12          (c)(2).

13          (3) PROJECTS IDENTIFIED IN APPENDIX.—A  
14          project or separable element of a project identified  
15          in the appendix to the final deauthorization list shall  
16          remain subject to future deauthorization by Con-  
17          gress.

18          (e) SPECIAL RULE FOR PROJECTS RECEIVING  
19          FUNDS FOR POST-AUTHORIZATION STUDY.—A project or  
20          separable element of a project may not be identified on  
21          the interim deauthorization list developed under sub-  
22          section (b), or the final deauthorization list developed  
23          under subsection (c), if the project or separable element  
24          received funding for a post-authorization study during the  
25          current fiscal year or any of the 6 preceding fiscal years.



1 (f) GENERAL PROVISIONS.—

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

4 (A) POST-AUTHORIZATION STUDY.—The  
5 term “post-authorization study” means—

6 (i) a feasibility report developed under  
7 section 905 of the Water Resources Devel-  
8 opment Act of 1986 (33 U.S.C. 2282);

9 (ii) a feasibility study, as defined in  
10 section 105(d) of the Water Resources De-  
11 velopment Act of 1986 (33 U.S.C.  
12 2215(d)); or

13 (iii) a review conducted under section  
14 216 of the Flood Control Act of 1970 (33  
15 U.S.C. 549a), including an initial appraisal  
16 that—

17 (I) demonstrates a Federal inter-  
18 est; and

19 (II) requires additional analysis  
20 for the project or separable element.

21 (B) WATER RESOURCES DEVELOPMENT  
22 PROJECT.—The term “water resources develop-  
23 ment project” includes an environmental infra-  
24 structure assistance project or program of the  
25 Corps of Engineers.

1           (2) TREATMENT OF PROJECT MODIFICA-  
2 TIONS.—For purposes of this section, if an author-  
3 ized water resources development project or sepa-  
4 rable element of the project has been modified by an  
5 Act of Congress, the date of the authorization of the  
6 project or separable element shall be deemed to be  
7 the date of the most recent such modification.

8 **SEC. 302. VALDEZ, ALASKA.**

9           (a) IN GENERAL.—Subject to subsection (b), the por-  
10 tion of the project for navigation, Valdez, Alaska, identi-  
11 fied as Tract G, Harbor Subdivision, shall not be subject  
12 to navigational servitude beginning on the date of enact-  
13 ment of this Act.

14           (b) ENTRY BY FEDERAL GOVERNMENT.—The Fed-  
15 eral Government may enter upon the property referred to  
16 in subsection (a) to carry out any required operation and  
17 maintenance of the general navigation features of the  
18 project referred to in subsection (a).

19 **SEC. 303. LOS ANGELES COUNTY DRAINAGE AREA, LOS AN-**  
20 **GELES COUNTY, CALIFORNIA.**

21           (a) IN GENERAL.—The Secretary shall—

22               (1) prioritize the updating of the Water Control  
23 Manuals for control structures in the Los Angeles  
24 County Drainage Area, Los Angeles County, Cali-  
25 fornia, authorized by section 101(b) of the Water

1 Resources Development Act of 1990 (Public Law  
2 101–640; 104 Stat. 4611); and

3 (2) integrate and incorporate into the project  
4 seasonal operations for water conservation and water  
5 supply.

6 (b) PARTICIPATION.—The update referred to in sub-  
7 section (a) shall be done in coordination with all appro-  
8 priate Federal agencies, elected officials, and members of  
9 the public.

10 **SEC. 304. SUTTER BASIN, CALIFORNIA.**

11 (a) IN GENERAL.—The separable element consti-  
12 tuting the locally preferred plan increment reflected in the  
13 report of the Chief of Engineers dated March 12, 2014,  
14 and authorized for construction in item 8 of the table con-  
15 tained in section 7002(2) of the Water Resources Reform  
16 and Development Act of 2014 (Public Law 113–121; 128  
17 Stat. 1366) is no longer authorized beginning on the date  
18 of enactment of this Act.

19 (b) SAVINGS PROVISIONS.—The deauthorization  
20 under subsection (a) does not affect—

21 (1) the national economic development plan sep-  
22 arable element reflected in the report of the Chief of  
23 Engineers dated March 12, 2014, and authorized for  
24 construction in item 8 of the table contained in sec-  
25 tion 7002(2) of the Water Resources Reform and

1 Development Act of 2014 (Public Law 113–121;  
2 128 Stat. 1366); or

3 (2) previous authorizations providing for the  
4 Sacramento River and major and minor tributaries  
5 project, including—

6 (A) section 2 of the Act of March 1, 1917  
7 (39 Stat. 949, chapter 144);

8 (B) section 12 of the Act of December 22,  
9 1944 (58 Stat. 900, chapter 665);

10 (C) section 204 of the Flood Control Act  
11 of 1950 (64 Stat. 177, chapter 188); and

12 (D) any other Acts relating to the author-  
13 ization for the Sacramento River and major and  
14 minor tributaries project along the Feather  
15 River right bank between levee stationing  
16 1483+33 and levee stationing 2368+00.

17 **SEC. 305. ESSEX RIVER, MASSACHUSETTS.**

18 (a) DEAUTHORIZATION.—The portions of the project  
19 for navigation, Essex River, Massachusetts, authorized by  
20 the Act of July 13, 1892 (27 Stat. 88, chapter 158), and  
21 modified by the Act of March 3, 1899 (30 Stat. 1121,  
22 chapter 425), and the Act of March 2, 1907 (34 Stat.  
23 1073, chapter 2509), that do not lie within the areas de-  
24 scribed in subsection (b) are no longer authorized begin-  
25 ning on the date of enactment of this Act.

1 (b) DESCRIPTION OF PROJECT AREAS.—The areas  
2 described in this subsection are as follows: Beginning at  
3 a point N3056139.82 E851780.21, thence southwesterly  
4 about 156.88 feet to a point N3055997.75 E851713.67;  
5 thence southwesterly about 64.59 feet to a point  
6 N3055959.37 E851661.72; thence southwesterly about  
7 145.14 feet to a point N3055887.10 E851535.85; thence  
8 southwesterly about 204.91 feet to a point N3055855.12  
9 E851333.45; thence northwesterly about 423.50 feet to a  
10 point N3055976.70 E850927.78; thence northwesterly  
11 about 58.77 feet to a point N3056002.99 E850875.21;  
12 thence northwesterly about 240.57 feet to a point  
13 N3056232.82 E850804.14; thence northwesterly about  
14 203.60 feet to a point N3056435.41 E850783.93; thence  
15 northwesterly about 78.63 feet to a point N3056499.63  
16 E850738.56; thence northwesterly about 60.00 feet to a  
17 point N3056526.30 E850684.81; thence southwesterly  
18 about 85.56 feet to a point N3056523.33 E850599.31;  
19 thence southwesterly about 36.20 feet to a point  
20 N3056512.37 E850564.81; thence southwesterly about  
21 80.10 feet to a point N3056467.08 E850498.74; thence  
22 southwesterly about 169.05 feet to a point N3056334.36  
23 E850394.03; thence northwesterly about 48.52 feet to a  
24 point N3056354.38 E850349.83; thence northeasterly  
25 about 83.71 feet to a point N3056436.35 E850366.84;

1 thence northeasterly about 212.38 feet to a point  
2 N3056548.70 E850547.07; thence northeasterly about  
3 47.60 feet to a point N3056563.12 E850592.43; thence  
4 northeasterly about 101.16 feet to a point N3056566.62  
5 E850693.53; thence southeasterly about 80.22 feet to a  
6 point N3056530.97 E850765.40; thence southeasterly  
7 about 99.29 feet to a point N3056449.88 E850822.69;  
8 thence southeasterly about 210.12 feet to a point  
9 N3056240.79 E850843.54; thence southeasterly about  
10 219.46 feet to a point N3056031.13 E850908.38; thence  
11 southeasterly about 38.23 feet to a point N3056014.02  
12 E850942.57; thence southeasterly about 410.93 feet to a  
13 point N3055896.06 E851336.21; thence northeasterly  
14 about 188.43 feet to a point N3055925.46 E851522.33;  
15 thence northeasterly about 135.47 feet to a point  
16 N3055992.91 E851639.80; thence northeasterly about  
17 52.15 feet to a point N3056023.90 E851681.75; thence  
18 northeasterly about 91.57 feet to a point N3056106.82  
19 E851720.59.

20 **SEC. 306. PORT OF CASCADE LOCKS, OREGON.**

21 (a) **EXTINGUISHMENT OF PORTIONS OF EXISTING**  
22 **FLOWAGE EASEMENT.**—With respect to the properties de-  
23 scribed in subsection (b), beginning on the date of enact-  
24 ment of this Act, the flowage easements described in sub-

1 section (c) are extinguished above elevation 82.2 feet  
2 (NGVD29), the ordinary high water line.

3 (b) AFFECTED PROPERTIES.—The properties de-  
4 scribed in this subsection, as recorded in Hood River  
5 County, Oregon, are as follows:

6 (1) Lots 3, 4, 5, and 7 of the “Port of Cascade  
7 Locks Business Park” subdivision, Instrument  
8 Number 2014–00436.

9 (2) Parcels 1, 2, and 3 of Hood River County  
10 Partition, Plat Number 2008–25P.

11 (c) FLOWAGE EASEMENTS.—The flowage easements  
12 described in this subsection are identified as Tracts 302E–  
13 1 and 304E–1 on the easement deeds recorded as instru-  
14 ments in Hood River County, Oregon, and described as  
15 follows:

16 (1) A flowage easement dated October 3, 1936,  
17 recorded December 1, 1936, book 25, page 531  
18 (Records of Hood River County, Oregon), in favor of  
19 the United States (302E–1–Perpetual Flowage  
20 Easement from 10/5/37, 10/5/36, and 10/3/36; pre-  
21 viously acquired as Tracts OH–36 and OH–41 and  
22 a portion of Tract OH–47).

23 (2) A flowage easement dated October 5, 1936,  
24 recorded October 17, 1936, book 25, page 476  
25 (Records of Hood River County, Oregon), in favor of

1 the United States, affecting that portion below the  
2 94-foot contour line above main sea level (304 E1–  
3 Perpetual Flowage Easement from 8/10/37 and 10/  
4 3/36; previously acquired as Tract OH–042 and a  
5 portion of Tract OH–47).

6 (d) FEDERAL LIABILITIES; CULTURAL, ENVIRON-  
7 MENTAL, AND OTHER REGULATORY REVIEWS.—

8 (1) FEDERAL LIABILITY.—The United States  
9 shall not be liable for any injury caused by the extin-  
10 guishment of an easement under this section.

11 (2) CULTURAL AND ENVIRONMENTAL REGU-  
12 LATORY ACTIONS.—Nothing in this section estab-  
13 lishes any cultural or environmental regulation relat-  
14 ing to the properties described in subsection (b).

15 (e) EFFECT ON OTHER RIGHTS.—Nothing in this  
16 section affects any remaining right or interest of the Corps  
17 of Engineers in the properties described in subsection (b).

18 **SEC. 307. CENTRAL DELAWARE RIVER, PHILADELPHIA,**  
19 **PENNSYLVANIA.**

20 (a) AREA TO BE DECLARED NONNAVIGABLE.—Sub-  
21 ject to subsection (c), unless the Secretary finds, after con-  
22 sultation with local and regional public officials (including  
23 local and regional public planning organizations), that  
24 there are substantive objections, those portions of the  
25 Delaware River, bounded by the former bulkhead and



1 pierhead lines that were established by the Secretary of  
2 War and successors and described as follows, are declared  
3 to be nonnavigable waters of the United States:

4 (1) Piers 70 South through 38 South, encom-  
5 passing an area bounded by the southern line of  
6 Moore Street extended to the northern line of Cath-  
7 erine Street extended, including the following piers:  
8 Piers 70, 68, 67, 64, 61–63, 60, 57, 55, 53, 48, 46,  
9 40, and 38.

10 (2) Piers 24 North through 72 North, encom-  
11 passing an area bounded by the southern line of Cal-  
12 lowhill Street extended to the northern line of East  
13 Fletcher Street extended, including the following  
14 piers: Piers 24, 25, 27–35, 35.5, 36, 37, 38, 39, 49,  
15 51–52, 53–57, 58–65, 66, 67, 69, 70–72, and  
16 Rivercenter.

17 (b) PUBLIC INTEREST DETERMINATION.—The Sec-  
18 retary shall make the public interest determination under  
19 subsection (a) separately for each proposed project to be  
20 undertaken within the boundaries described in subsection  
21 (a), using reasonable discretion, not later than 150 days  
22 after the date of submission of appropriate plans for the  
23 proposed project.

24 (c) LIMITS ON APPLICABILITY; REGULATORY RE-  
25 QUIREMENTS.—The declaration under subsection (a) shall

1 apply only to those parts of the areas described in sub-  
2 section (a) that are or will be bulkheaded and filled or  
3 otherwise occupied by permanent structures, including  
4 marina and recreation facilities. All such work is subject  
5 to all applicable Federal statutes and regulations, includ-  
6 ing sections 9 and 10 of the Act of March 3, 1899 (30  
7 Stat. 1151, chapter 425; 33 U.S.C. 401 and 403), section  
8 404 of the Federal Water Pollution Control Act (33  
9 U.S.C. 1344), and the National Environmental Policy Act  
10 of 1969 (42 U.S.C. 4321 et seq.).

11 **SEC. 308. RIVERCENTER, PHILADELPHIA, PENNSYLVANIA.**

12 Section 38(c) of the Water Resources Development  
13 Act of 1988 (33 U.S.C. 59j–1(c)) is amended—

14 (1) by striking “(except 30 years from such  
15 date of enactment, in the case of the area or any  
16 part thereof described in subsection (a)(5))”; and

17 (2) by adding at the end the following: “Not-  
18 withstanding the preceding sentence, the declaration  
19 of nonnavigability for the area described in sub-  
20 section (a)(5), or any part thereof, shall not ex-  
21 pire.”.

22 **SEC. 309. JOE POOL LAKE, TEXAS.**

23 The Secretary shall accept from the Trinity River Au-  
24 thority of Texas, if received by September 30, 2016,  
25 \$31,233,401 as payment in full of amounts owed to the

1 United States, including any accrued interest, for the ap-  
2 proximately 61,747.1 acre-feet of water supply storage  
3 space in Joe Pool Lake, Texas (previously known as  
4 Lakeview Lake), for which payment has not commenced  
5 under Article 5.a. (relating to project investment costs)  
6 of contract number DACW63-76-C-0106, as of the date  
7 of enactment of this Act.

8 **SEC. 310. SALT CREEK, GRAHAM, TEXAS.**

9 (a) IN GENERAL.—The project for flood control, envi-  
10 ronmental restoration, and recreation, Salt Creek, Gra-  
11 ham, Texas, authorized by section 101(a)(30) of the  
12 Water Resources Development Act of 1999 (Public Law  
13 106-53; 113 Stat. 278), is no longer authorized as a Fed-  
14 eral project beginning on the date of enactment of this  
15 Act.

16 (b) CERTAIN PROJECT-RELATED CLAIMS.—The non-  
17 Federal interest for the project shall hold and save the  
18 United States harmless from any claim that has arisen,  
19 or that may arise, in connection with the project.

20 (c) TRANSFER.—The Secretary is authorized to  
21 transfer any land acquired by the Federal Government for  
22 the project on behalf of the non-Federal interest that re-  
23 mains in Federal ownership on or after the date of enact-  
24 ment of this Act to the non-Federal interest.

1 (d) REVERSION.—If the Secretary determines that  
2 land transferred under subsection (c) ceases to be owned  
3 by the public, all right, title, and interest in and to the  
4 land and improvements thereon shall revert, at the discre-  
5 tion of the Secretary, to the United States.

6 **SEC. 311. TEXAS CITY SHIP CHANNEL, TEXAS CITY, TEXAS.**

7 (a) IN GENERAL.—The portion of the Texas City  
8 Ship Channel, Texas City, Texas, described in subsection  
9 (b) shall not be subject to navigational servitude beginning  
10 on the date of enactment of this Act.

11 (b) DESCRIPTION.—The portion of the Texas City  
12 Ship Channel described in this subsection is a tract or par-  
13 cel containing 393.53 acres (17,142,111 square feet) of  
14 land situated in the City of Texas City Survey, Abstract  
15 Number 681, and State of Texas Submerged Lands  
16 Tracts 98A and 99A, Galveston County, Texas, said  
17 393.53 acre tract being more particularly described as fol-  
18 lows:

19 (1) Beginning at the intersection of an edge of  
20 fill along Galveston Bay with the most northerly east  
21 survey line of said City of Texas City Survey, Ab-  
22 stract No. 681, the same being a called 375.75 acre  
23 tract patented by the State of Texas to the City of  
24 Texas City and recorded in Volume 1941, Page 750  
25 of the Galveston County Deed Records (G.C.D.R.),

1 from which a found U.S. Army Corps of Engineers  
2 Brass Cap stamped “R 4–3” set in the top of the  
3 Texas City Dike along the east side of Bay Street  
4 bears North  $56^{\circ} 14' 32''$  West, a distance of  
5 6,045.31 feet and from which a found U.S. Army  
6 Corps of Engineers Brass Cap stamped “R 4–2” set  
7 in the top of the Texas City Dike along the east side  
8 of Bay Street bears North  $49^{\circ} 13' 20''$  West, a dis-  
9 tance of 6,693.64 feet.

10 (2) Thence, over and across said State Tracts  
11 98A and 99A and along the edge of fill along said  
12 Galveston Bay, the following eight (8) courses and  
13 distances:

14 (A) South  $75^{\circ} 49' 13''$  East, a distance of  
15 298.08 feet to an angle point of the tract herein  
16 described.

17 (B) South  $81^{\circ} 16' 26''$  East, a distance of  
18 170.58 feet to an angle point of the tract herein  
19 described.

20 (C) South  $79^{\circ} 20' 31''$  East, a distance of  
21 802.34 feet to an angle point of the tract herein  
22 described.

23 (D) South  $75^{\circ} 57' 32''$  East, a distance of  
24 869.68 feet to a point for the beginning of a  
25 non-tangent curve to the right.

1 (E) Easterly along said non-tangent curve  
2 to the right having a radius of 736.80 feet, a  
3 central angle of  $24^{\circ} 55' 59''$ , a chord of South  
4  $68^{\circ} 47' 35''$  East – 318.10 feet, and an arc  
5 length of 320.63 feet to a point for the begin-  
6 ning of a non-tangent curve to the left.

7 (F) Easterly along said non-tangent curve  
8 to the left having a radius of 373.30 feet, a  
9 central angle of  $31^{\circ} 57' 42''$ , a chord of South  
10  $66^{\circ} 10' 42''$  East – 205.55 feet, and an arc  
11 length of 208.24 feet to a point for the begin-  
12 ning of a non-tangent curve to the right.

13 (G) Easterly along said non-tangent curve  
14 to the right having a radius of 15,450.89 feet,  
15 a central angle of  $02^{\circ} 04' 10''$ , a chord of South  
16  $81^{\circ} 56' 20''$  East – 558.04 feet, and an arc  
17 length of 558.07 feet to a point for the begin-  
18 ning of a compound curve to the right and the  
19 northeasterly corner of the tract herein de-  
20 scribed.

21 (H) Southerly along said compound curve  
22 to the right and the easterly line of the tract  
23 herein described, having a radius of 1,425.00  
24 feet, a central angle of  $133^{\circ} 08' 00''$ , a chord  
25 of South  $14^{\circ} 20' 15''$  East – 2,614.94 feet, and

1 an arc length of 3,311.15 feet to a point on a  
2 line lying 125.00 feet northerly of and parallel  
3 with the centerline of an existing levee for the  
4 southeasterly corner of the tract herein de-  
5 scribed.

6 (3) Thence, continuing over and across said  
7 State Tracts 98A and 99A and along lines lying  
8 125.00 feet northerly of, parallel, and concentric  
9 with the centerline of said existing levee, the fol-  
10 lowing twelve (12) courses and distances:

11 (A) North  $78^{\circ} 01' 58''$  West, a distance of  
12 840.90 feet to an angle point of the tract herein  
13 described.

14 (B) North  $76^{\circ} 58' 35''$  West, a distance of  
15 976.66 feet to an angle point of the tract herein  
16 described.

17 (C) North  $76^{\circ} 44' 33''$  West, a distance of  
18 1,757.03 feet to a point for the beginning of a  
19 tangent curve to the left.

20 (D) Southwesterly, along said tangent  
21 curve to the left having a radius of 185.00 feet,  
22 a central angle of  $82^{\circ} 27' 32''$ , a chord of South  
23  $62^{\circ} 01' 41''$  West – 243.86 feet, and an arc  
24 length of 266.25 feet to a point for the begin-  
25 ning of a compound curve to the left.

1 (E) Southerly, along said compound curve  
2 to the left having a radius of 4,535.58 feet, a  
3 central angle of  $11^{\circ} 06' 58''$ , a chord of South  
4  $15^{\circ} 14' 26''$  West – 878.59 feet, and an arc  
5 length of 879.97 feet to an angle point of the  
6 tract herein described.

7 (F) South  $64^{\circ} 37' 11''$  West, a distance of  
8 146.03 feet to an angle point of the tract herein  
9 described.

10 (G) South  $67^{\circ} 08' 21''$  West, a distance of  
11 194.42 feet to an angle point of the tract herein  
12 described.

13 (H) North  $34^{\circ} 48' 22''$  West, a distance of  
14 789.69 feet to an angle point of the tract herein  
15 described.

16 (I) South  $42^{\circ} 47' 10''$  West, a distance of  
17 161.01 feet to an angle point of the tract herein  
18 described.

19 (J) South  $42^{\circ} 47' 10''$  West, a distance of  
20 144.66 feet to a point for the beginning of a  
21 tangent curve to the right.

22 (K) Westerly, along said tangent curve to  
23 the right having a radius of 310.00 feet, a cen-  
24 tral angle of  $59^{\circ} 50' 28''$ , a chord of South  $72^{\circ}$   
25  $42' 24''$  West – 309.26 feet, and an arc length



1 of 323.77 feet to an angle point of the tract  
2 herein described.

3 (L) North  $77^{\circ} 22' 21''$  West, a distance of  
4 591.41 feet to the intersection of said parallel  
5 line with the edge of fill adjacent to the easterly  
6 edge of the Texas City Turning Basin for the  
7 southwesterly corner of the tract herein de-  
8 scribed, from which a found U.S. Army Corps  
9 of Engineers Brass Cap stamped "SWAN 2"  
10 set in the top of a concrete column set flush in  
11 the ground along the north bank of Swan Lake  
12 bears South  $20^{\circ} 51' 58''$  West, a distance of  
13 4,862.67 feet.

14 (4) Thence, over and across said City of Texas  
15 City Survey and along the edge of fill adjacent to  
16 the easterly edge of said Texas City Turning Basin,  
17 the following eighteen (18) courses and distances:

18 (A) North  $01^{\circ} 34' 19''$  East, a distance of  
19 57.40 feet to an angle point of the tract herein  
20 described.

21 (B) North  $05^{\circ} 02' 13''$  West, a distance of  
22 161.85 feet to an angle point of the tract herein  
23 described.

1 (C) North  $06^{\circ} 01' 56''$  East, a distance of  
2 297.75 feet to an angle point of the tract herein  
3 described.

4 (D) North  $06^{\circ} 18' 07''$  West, a distance of  
5 71.33 feet to an angle point of the tract herein  
6 described.

7 (E) North  $07^{\circ} 21' 09''$  West, a distance of  
8 122.45 feet to an angle point of the tract herein  
9 described.

10 (F) North  $26^{\circ} 41' 15''$  West, a distance of  
11 46.02 feet to an angle point of the tract herein  
12 described.

13 (G) North  $01^{\circ} 31' 59''$  West, a distance of  
14 219.78 feet to an angle point of the tract herein  
15 described.

16 (H) North  $15^{\circ} 54' 07''$  West, a distance of  
17 104.89 feet to an angle point of the tract herein  
18 described.

19 (I) North  $04^{\circ} 00' 34''$  East, a distance of  
20 72.94 feet to an angle point of the tract herein  
21 described.

22 (J) North  $06^{\circ} 46' 38''$  West, a distance of  
23 78.89 feet to an angle point of the tract herein  
24 described.

1 (K) North  $12^{\circ} 07' 59''$  West, a distance of  
2 182.79 feet to an angle point of the tract herein  
3 described.

4 (L) North  $20^{\circ} 50' 47''$  West, a distance of  
5 105.74 feet to an angle point of the tract herein  
6 described.

7 (M) North  $02^{\circ} 02' 04''$  West, a distance of  
8 184.50 feet to an angle point of the tract herein  
9 described.

10 (N) North  $08^{\circ} 07' 11''$  East, a distance of  
11 102.23 feet to an angle point of the tract herein  
12 described.

13 (O) North  $08^{\circ} 16' 00''$  West, a distance of  
14 213.45 feet to an angle point of the tract herein  
15 described.

16 (P) North  $03^{\circ} 15' 16''$  West, a distance of  
17 336.45 feet to a point for the beginning of a  
18 non-tangent curve to the left.

19 (Q) Northerly along said non-tangent  
20 curve to the left having a radius of 896.08 feet,  
21 a central angle of  $14^{\circ} 00' 05''$ , a chord of North  
22  $09^{\circ} 36' 03''$  West – 218.43 feet, and an arc  
23 length of 218.97 feet to a point for the begin-  
24 ning of a non-tangent curve to the right.

1           (R) Northerly along said non-tangent  
2           curve to the right having a radius of 483.33  
3           feet, a central angle of  $19^{\circ} 13' 34''$ , a chord of  
4           North  $13^{\circ} 52' 03''$  East – 161.43 feet, and an  
5           arc length of 162.18 feet to a point for the  
6           northwesterly corner of the tract herein de-  
7           scribed.

8           (5) Thence, continuing over and across said  
9           City of Texas City Survey, and along the edge of fill  
10          along said Galveston Bay, the following fifteen (15)  
11          courses and distances:

12                 (A) North  $30^{\circ} 45' 02''$  East, a distance of  
13                 189.03 feet to an angle point of the tract herein  
14                 described.

15                 (B) North  $34^{\circ} 20' 49''$  East, a distance of  
16                 174.16 feet to a point for the beginning of a  
17                 non-tangent curve to the right.

18                 (C) Northeasterly along said non-tangent  
19                 curve to the right having a radius of 202.01  
20                 feet, a central angle of  $25^{\circ} 53' 37''$ , a chord of  
21                 North  $33^{\circ} 14' 58''$  East – 90.52 feet, and an  
22                 arc length of 91.29 feet to a point for the be-  
23                 ginning of a non-tangent curve to the left.

24                 (D) Northeasterly along said non-tangent  
25                 curve to the left having a radius of 463.30 feet,

1 a central angle of  $23^{\circ} 23' 57''$ , a chord of North  
2  $48^{\circ} 02' 53''$  East – 187.90 feet, and an arc  
3 length of 189.21 feet to a point for the begin-  
4 ning of a non-tangent curve to the right.

5 (E) Northeasterly along said non-tangent  
6 curve to the right having a radius of 768.99  
7 feet, a central angle of  $16^{\circ} 24' 19''$ , a chord of  
8 North  $43^{\circ} 01' 40''$  East – 219.43 feet, and an  
9 arc length of 220.18 feet to an angle point of  
10 the tract herein described.

11 (F) North  $38^{\circ} 56' 50''$  East, a distance of  
12 126.41 feet to an angle point of the tract herein  
13 described.

14 (G) North  $42^{\circ} 59' 50''$  East, a distance of  
15 128.28 feet to a point for the beginning of a  
16 non-tangent curve to the right.

17 (H) Northerly along said non-tangent  
18 curve to the right having a radius of 151.96  
19 feet, a central angle of  $68^{\circ} 36' 31''$ , a chord of  
20 North  $57^{\circ} 59' 42''$  East – 171.29 feet, and an  
21 arc length of 181.96 feet to a point for the  
22 most northerly corner of the tract herein de-  
23 scribed.

1 (I) South  $77^{\circ} 14' 49''$  East, a distance of  
2 131.60 feet to an angle point of the tract herein  
3 described.

4 (J) South  $84^{\circ} 44' 18''$  East, a distance of  
5 86.58 feet to an angle point of the tract herein  
6 described.

7 (K) South  $58^{\circ} 14' 45''$  East, a distance of  
8 69.62 feet to an angle point of the tract herein  
9 described.

10 (L) South  $49^{\circ} 44' 51''$  East, a distance of  
11 149.00 feet to an angle point of the tract herein  
12 described.

13 (M) South  $44^{\circ} 47' 21''$  East, a distance of  
14 353.77 feet to a point for the beginning of a  
15 non-tangent curve to the left.

16 (N) Easterly along said non-tangent curve  
17 to the left having a radius of 253.99 feet, a  
18 central angle of  $98^{\circ} 53' 23''$ , a chord of South  
19  $83^{\circ} 28' 51''$  East – 385.96 feet, and an arc  
20 length of 438.38 feet to an angle point of the  
21 tract herein described.

22 (O) South  $75^{\circ} 49' 13''$  East, a distance of  
23 321.52 feet to the point of beginning and con-  
24 taining 393.53 acres (17,142,111 square feet)  
25 of land.

1     **TITLE IV—WATER RESOURCES**  
 2                     **INFRASTRUCTURE**

3     **SEC. 401. PROJECT AUTHORIZATIONS.**

4             The following projects for water resources develop-  
 5     ment and conservation and other purposes, as identified  
 6     in the reports titled “Report to Congress on Future Water  
 7     Resources Development” submitted to Congress on Janu-  
 8     ary 29, 2015, and January 29, 2016, respectively, pursu-  
 9     ant to section 7001 of the Water Resources Reform and  
 10    Development Act of 2014 (33 U.S.C. 2282d) or otherwise  
 11    reviewed by Congress, are authorized to be carried out by  
 12    the Secretary substantially in accordance with the plans,  
 13    and subject to the conditions, described in the respective  
 14    reports designated in this section:

15                     (1) NAVIGATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. TX	Brazos Island Harbor	Nov. 3, 2014	Federal: \$116,116,000 Non-Federal: \$88,471,000 Total: \$204,587,000
2. LA	Calcasieu Lock	Dec. 2, 2014	Total: \$16,700,000 (to be derived ½ from the general fund of the Treasury and ½ from the Inland Waterways Trust Fund)
3. NH, ME	Portsmouth Harbor and Piscataqua River	Feb. 8, 2015	Federal: \$15,580,000 Non-Federal: \$5,190,000 Total: \$20,770,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
4. FL	Port Everglades	Jun. 25, 2015	Federal: \$220,200,000 Non-Federal: \$102,500,000 Total: \$322,700,000
5. AK	Little Diomed Harbor	Aug. 10, 2015	Federal: \$26,015,000 Non-Federal: \$2,945,000 Total: \$28,960,000
6. SC	Charleston Har- bor	Sep. 8, 2015	Federal: \$224,300,000 Non-Federal: \$269,000,000 Total: \$493,300,000
7. AK	Craig Harbor	March 16, 2016	Federal: \$29,062,000 Non-Federal: \$3,255,000 Total: \$32,317,000.

1 (2) FLOOD RISK MANAGEMENT.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. TX	Leon Creek Wa- tershed	Jun. 30, 2014	Federal: \$18,314,000 Non-Federal: \$9,861,000 Total: \$28,175,000
2. MO, KS	Armourdale and Central Indus- trial District Levee Units, Missouri River and Tributaries at Kansas Citys	Jan. 27, 2015	Federal: \$207,036,000 Non-Federal: \$111,481,000 Total: \$318,517,000
3. KS	City of Manhattan	Apr. 30, 2015	Federal: \$15,440,100 Non-Federal: \$8,313,900 Total: \$23,754,000
4. TN	Mill Creek	Oct. 16, 2015	Federal: \$17,759,000 Non-Federal: \$10,745,000 Total: \$28,504,000
5. KS	Upper Turkey Creek Basin	Dec. 22, 2015	Federal: \$24,584,000 Non-Federal: \$13,238,000 Total: \$37,822,000



<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
6. NC	Princeville	Feb. 23, 2016	Federal: \$14,001,000 Non-Federal: \$7,539,000 Total: \$21,540,000
7. CA	American River Common Fea- tures	Apr. 26, 2016	Federal: \$876,478,000 Non-Federal: \$689,272,000 Total: \$1,565,750,000
8. CA	West Sacramento	Apr. 26, 2016	Federal: \$776,517,000 Non-Federal: \$414,011,000 Total: \$1,190,528,000.

1                   (3) HURRICANE AND STORM DAMAGE RISK RE-  
2                   DUCTION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Initial Costs and Estimated Renourishment Costs</b>
1. SC	Colleton County	Sep. 5, 2014	Initial Federal: \$13,733,850 Initial Non-Federal: \$7,395,150 Initial Total: \$21,129,000 Renourishment Federal: \$16,371,000 Renourishment Non-Federal: \$16,371,000 Renourishment Total: \$32,742,000
2. FL	Flagler County	Dec. 23, 2014	Initial Federal: \$9,218,300 Initial Non-Federal: \$4,963,700 Initial Total: \$14,182,000 Renourishment Federal: \$15,390,000 Renourishment Non-Federal: \$15,390,000 Renourishment Total: \$30,780,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Initial Costs and Estimated Renourishment Costs</b>
3. NC	Carteret County	Dec. 23, 2014	Initial Federal: \$24,263,000 Initial Non-Federal: \$13,064,000 Initial Total: \$37,327,000 Renourishment Federal: \$114,728,000 Renourishment Non-Federal: \$114,728,000 Renourishment Total: \$229,456,000
4. NJ	Hereford Inlet to Cape May Inlet, Cape May County	Jan. 23, 2015	Initial Federal: \$14,040,000 Initial Non-Federal: \$7,560,000 Initial Total: \$21,600,000 Renourishment Federal: \$41,215,000 Renourishment Non-Federal: \$41,215,000 Renourishment Total: \$82,430,000
5. LA	West Shore Lake Pontchartrain	Jun. 12, 2015	Federal: \$466,760,000 Non-Federal: \$251,330,000 Total: \$718,090,000
6. CA	San Diego County	Apr. 26, 2016	Initial Federal: \$20,166,000 Initial Non-Federal: \$10,858,000 Initial Total: \$31,024,000 Renourishment Federal: \$68,215,000 Renourishment Non-Federal: \$68,215,000 Renourishment Total: \$136,430,000.

1

(4) ECOSYSTEM RESTORATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. FL	Central Everglades	Dec. 23, 2014	Federal: \$976,375,000 Non-Federal: \$974,625,000 Total: \$1,951,000,000
2. WA	Skokomish River	Dec. 14, 2015	Federal: \$12,782,000 Non-Federal: \$6,882,000 Total: \$19,664,000.

1                   (5) FLOOD RISK MANAGEMENT AND ECO-  
2                   SYSTEM RESTORATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. IL, WI	Upper Des Plaines River and Tributaries	Jun. 8, 2015	Federal: \$199,393,000 Non-Federal: \$107,694,000 Total: \$307,087,000.

3                   (6) FLOOD RISK MANAGEMENT, ECOSYSTEM  
4                   RESTORATION, AND RECREATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. CA	South San Francisco Bay Shoreline	Dec. 18, 2015	Federal: \$69,521,000 Non-Federal: \$104,379,000 Total: \$173,900,000.

5                   (7) ECOSYSTEM RESTORATION AND RECRE-  
6                   ATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. OR	Willamette River	Dec. 14, 2015	Federal: \$19,143,000 Non-Federal: \$10,631,000 Total: \$29,774,000
2. CA	Los Angeles River	Dec. 18, 2015	Federal: \$375,773,000 Non-Federal: \$980,835,000 Total: \$1,356,608,000.

1 (8) DEAUTHORIZATIONS, MODIFICATIONS, AND  
2 OTHER PROJECTS.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Decision Document</b>	<b>D. Estimated Costs</b>
1. TX	Upper Trinity River	May 21, 2008	Federal: \$526,500,000 Non-Federal: \$283,500,000 Total: \$810,000,000
2. KY	Green River Locks and Dams 3, 4, 5, 6 and Barren River Lock and Dam 1 Disposi- tion	Apr. 30, 2015	Federal: \$0 Non-Federal: \$0 Total: \$0
3. KS	Turkey Creek Basin	May 13, 2016	Federal: \$97,067,750 Non-Federal: \$55,465,250 Total: \$152,533,000
4. KY	Ohio River Shore- line	May 13, 2016	Federal: \$34,860,000 Non-Federal: \$11,620,000 Total: \$46,480,000
5. MO	Blue River Basin	May 13, 2016	Federal: \$20,309,900 Non-Federal: \$10,936,100 Total: \$31,246,000.

○