

116TH CONGRESS  
2D SESSION

# H. R. 7575

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

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2020

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

---

## A BILL

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

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

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 2020”.

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. Budgetary treatment expansion and adjustment for the Harbor Maintenance Trust Fund.  
 Sec. 102. Funding for navigation.  
 Sec. 103. Annual report to Congress on the Harbor Maintenance Trust Fund.  
 Sec. 104. Additional measures at donor ports and energy transfer ports.  
 Sec. 105. Assumption of maintenance of a locally preferred plan.  
 Sec. 106. Coast Guard anchorages.  
 Sec. 107. State contribution of funds for certain operation and maintenance costs.  
 Sec. 108. Inland waterway projects.  
 Sec. 109. Implementation of water resources principles and requirements.  
 Sec. 110. Resiliency planning assistance.  
 Sec. 111. Project consultation.  
 Sec. 112. Review of resiliency assessments.  
 Sec. 113. Small flood control projects.  
 Sec. 114. Conforming amendment.  
 Sec. 115. Feasibility studies; review of natural and nature-based features.  
 Sec. 116. Report on corrosion prevention activities.  
 Sec. 117. Quantification of benefits for flood risk management projects in seismic zones.  
 Sec. 118. Federal interest determination.  
 Sec. 119. Economically disadvantaged community flood protection and hurricane and storm damage reduction study pilot program.  
 Sec. 120. Permanent measures to reduce emergency flood fighting needs for communities subject to repetitive flooding.  
 Sec. 121. Emergency response to natural disasters.  
 Sec. 122. Study on natural infrastructure at Corps of Engineers projects.  
 Sec. 123. Review of Corps of Engineers assets.  
 Sec. 124. Sense of Congress on multi-purpose projects.  
 Sec. 125. Beneficial reuse of dredged material; dredged material management plans.  
 Sec. 126. Aquatic ecosystem restoration for anadromous fish.  
 Sec. 127. Annual report to Congress.  
 Sec. 128. Harmful algal bloom demonstration program.  
 Sec. 129. Update on Invasive Species Policy Guidance.  
 Sec. 130. Report on debris removal.  
 Sec. 131. Missouri River interception-rearing complex construction.  
 Sec. 132. Cost and benefit feasibility assessment.  
 Sec. 133. Materials, services, and funds for repair, restoration, or rehabilitation of projects.  
 Sec. 134. Levee safety.  
 Sec. 135. National Dam Safety Program.  
 Sec. 136. Rehabilitation of Corps of Engineers constructed pump stations.  
 Sec. 137. Non-Federal Project Implementation Pilot Program.  
 Sec. 138. Definition of economically disadvantaged community.

## TITLE II—STUDIES AND REPORTS

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

## TITLE III—DEAUTHORIZATIONS AND MODIFICATIONS

- Sec. 301. Deauthorization of inactive projects.
- Sec. 302. Abandoned and inactive noncoal mine restoration.
- Sec. 303. Tribal partnership program.
- Sec. 304. Lakes program.
- Sec. 305. Watercraft inspection stations.
- Sec. 306. Chesapeake Bay Environmental Restoration and Protection Program.
- Sec. 307. Upper Mississippi River System Environmental Management Program.
- Sec. 308. McClellan-Kerr Arkansas River Navigation System.
- Sec. 309. Ouachita-Black River Navigation Project, Arkansas.
- Sec. 310. Sacramento River, Glenn-Colusa, California.
- Sec. 311. Lake Isabella, California.
- Sec. 312. Lower San Joaquin River flood control project.
- Sec. 313. San Diego River and Mission Bay, San Diego County, California.
- Sec. 314. San Francisco, California, Waterfront Area.
- Sec. 315. Western Pacific Interceptor Canal, Sacramento River, California.
- Sec. 316. Rio Grande Environmental Management Program, Colorado, New Mexico, and Texas.
- Sec. 317. New London Harbor Waterfront Channel, Connecticut.
- Sec. 318. Washington Harbor, District of Columbia.
- Sec. 319. Central Everglades, Florida.
- Sec. 320. Miami River, Florida.
- Sec. 321. Taylor Creek Reservoir and Levee L-73 (Section 1), Upper St. Johns River Basin, Florida.
- Sec. 322. San Juan-Chama project; Abiquiu Dam, New Mexico.
- Sec. 323. Pawcatuck River, Little Narragansett Bay and Watch Hill Cove, Rhode Island and Connecticut.
- Sec. 324. Harris County, Texas.
- Sec. 325. Cap Sante Waterway, Washington.

- Sec. 326. Additional assistance for critical projects.
- Sec. 327. Project modification authorizations.
- Sec. 328. Application of credit.
- Sec. 329. Project reauthorizations.
- Sec. 330. Conveyances.
- Sec. 331. Repeals.

#### TITLE IV—WATER RESOURCES INFRASTRUCTURE

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

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

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

## 4 **TITLE I—GENERAL PROVISIONS**

### 5 **SEC. 101. BUDGETARY TREATMENT EXPANSION AND AD-** 6 **JUSTMENT FOR THE HARBOR MAINTENANCE** 7 **TRUST FUND.**

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

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

15               “(H) HARBOR MAINTENANCE ACTIVI-  
16 TIES.—If, for any fiscal year, appropriations for  
17 the Construction, Mississippi River and Tribu-  
18 taries, and Operation and Maintenance ac-  
19 counts of the Corps of Engineers are enacted

1           that are derived from the Harbor Maintenance  
2           Trust Fund established under section 9505(a)  
3           of the Internal Revenue Code of 1986 and that  
4           the Congress designates in statute as being for  
5           harbor operations and maintenance activities,  
6           then the adjustment for that fiscal year shall be  
7           the total of such appropriations that are derived  
8           from such Fund and designated as being for  
9           harbor operations and maintenance activi-  
10          ties.’”.

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

14          **SEC. 102. FUNDING FOR NAVIGATION.**

15          (a) **FUNDING FOR NAVIGATION.**—Section 210 of the  
16          Water Resources Development Act of 1986 (33 U.S.C.  
17          2238) is amended, in the section heading, by striking  
18          “**AUTHORIZATION OF APPROPRIATIONS**” and insert-  
19          ing “**FUNDING FOR NAVIGATION**”.

20          (b) **OPERATION AND MAINTENANCE OF HARBOR**  
21          **PROJECTS.**—Section 210(c) of the Water Resources De-  
22          velopment Act of 1986 (33 U.S.C. 2238(c)) is amended—

23                  (1) by amending paragraph (1) to read as fol-  
24          lows:

1           “(1) IN GENERAL.—For each fiscal year, of the  
2 funds made available under this section (including  
3 funds appropriated from the Harbor Maintenance  
4 Trust Fund), the Secretary shall make expenditures  
5 to pay for operation and maintenance costs of the  
6 harbors and inland harbors referred to in subsection  
7 (a)(2), using—

8           “(A) not less than 20 percent of such  
9 funds for emerging harbor projects, to the ex-  
10 tent there are identifiable operations and main-  
11 tenance needs, including eligible breakwater and  
12 jetty needs, at such harbor projects;

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

16           “(C) 10 percent of such funds for ex-  
17 panded uses carried out at donor ports, as such  
18 term is defined in section 2106 of the Water  
19 Resources Reform and Development Act of  
20 2014 (33 U.S.C. 2238c); and

21           “(D) any remaining funds for operation  
22 and maintenance costs of any harbor or inland  
23 harbor referred to in subsection (a)(2) based on  
24 an equitable allocation of such funds among  
25 such harbors and inland harbors.”;

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

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

5           “(A) IN GENERAL.—In each fiscal year,  
6           the Secretary may use not more than  
7           \$5,000,000 of funds designated for emerging  
8           harbor projects under paragraph (1)(A) to pay  
9           for the costs of up to 10 projects for mainte-  
10          nance dredging of a marina or berthing area, in  
11          an emerging harbor, that includes an area that  
12          is located adjacent to, or is accessible by, a  
13          Federal navigation project, subject to subpara-  
14          graphs (B) and (C) of this paragraph.

15          “(B) ELIGIBLE EMERGING HARBORS.—  
16          The Secretary may use funds as authorized  
17          under subparagraph (A) at an emerging harbor  
18          that—

19                 “(i) supports commercial activities, in-  
20                 cluding commercial fishing operations,  
21                 commercial fish processing operations, rec-  
22                 reational and sport fishing, and commer-  
23                 cial boat yards; or

1                   “(ii) supports activities of the Sec-  
2                   retary of the department in which the  
3                   Coast Guard is operating.

4                   “(C) COST SHARING REQUIREMENTS.—  
5                   The Secretary shall require a non-Federal inter-  
6                   est to contribute not less than 25 percent of the  
7                   costs for maintenance dredging of that portion  
8                   of a maintenance dredging project described in  
9                   subparagraph (A) that is located outside of the  
10                  Federal navigation project, which may be pro-  
11                  vided as an in-kind contribution, including  
12                  through the use of dredge equipment owned by  
13                  non-Federal interest to carry out such activi-  
14                  ties.”; and

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

16                  “(5) EMERGENCY EXPENDITURES.—Nothing in  
17                  this subsection prohibits the Secretary from making  
18                  an expenditure to pay for the operation and mainte-  
19                  nance costs of a specific harbor or inland harbor, in-  
20                  cluding the transfer of funding from the operation  
21                  and maintenance of a separate project, if—

22                         “(A) the Secretary determines that the ac-  
23                         tion is necessary to address the navigation  
24                         needs of a harbor or inland harbor where safe



1 navigation has been severely restricted due to  
2 an unforeseen event; and

3 “(B) the Secretary provides within 90 days  
4 of the action notice and information on the  
5 need for the action to the Committee on Envi-  
6 ronment and Public Works and the Committee  
7 on Appropriations of the Senate and the Com-  
8 mittee on Transportation and Infrastructure  
9 and the Committee on Appropriations of the  
10 House of Representatives.”.

11 (c) PRIORITIZATION.—Section 210 of the Water Re-  
12 sources Development Act of 1986 (33 U.S.C. 2238) is  
13 amended by striking subsection (d) and redesignating sub-  
14 sections (e) and (f) as subsections (d) and (e), respectively.

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

22 (e) DEFINITIONS.—Section 210(e) of the Water Re-  
23 sources Development Act of 1986 (as so redesignated) is  
24 amended—

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

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

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

5           “(2) EMERGING HARBOR.—The term ‘emerging  
6 harbor’ means a harbor or inland harbor referred to  
7 in subsection (a)(2) that transits less than  
8 1,000,000 tons of cargo annually.

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

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

14           “(C) An in-water improvement, if the im-  
15 provement—

16           “(i) is for the seismic reinforcement of  
17 a wharf or other berthing structure, or the  
18 repair or replacement of a deteriorating  
19 wharf or other berthing structure, at a  
20 port facility;

21           “(ii) benefits commercial navigation at  
22 the harbor; and

23           “(iii) is located in, or adjacent to, a  
24 berth that is accessible to a Federal navi-  
25 gation project.

1           “(D) An activity to maintain slope stability  
2           at a berth in a harbor that is accessible to a  
3           Federal navigation project if such activity bene-  
4           fits commercial navigation at the harbor.”.

5 **SEC. 103. ANNUAL REPORT TO CONGRESS ON THE HARBOR**  
6 **MAINTENANCE TRUST FUND.**

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

10           (1) in subsection (a)—

11           (A) by striking “and annually thereafter,”  
12           and inserting “and annually thereafter concu-  
13           rent with the submission of the President’s an-  
14           nual budget request to Congress,”; and

15           (B) by striking “Public Works and Trans-  
16           portation” and inserting “Transportation and  
17           Infrastructure”; and

18           (2) in subsection (b)(1) by adding at the end  
19           the following:

20           “(D) A description of the expected expend-  
21           itures from the trust fund to meet the needs of  
22           navigation for the fiscal year of the budget re-  
23           quest.”.

1 **SEC. 104. ADDITIONAL MEASURES AT DONOR PORTS AND**  
2 **ENERGY TRANSFER PORTS.**

3 (a) DEFINITIONS.—Section 2106(a) of the Water Re-  
4 sources Reform and Development Act of 2014 (33 U.S.C.  
5 2238c(a)) is amended—

6 (1) in paragraph (3)(A)—

7 (A) by amending clause (ii) to read as fol-  
8 lows:

9 “(ii) at which the total amount of har-  
10 bor maintenance taxes collected (including  
11 the estimated taxes related to domestic  
12 cargo and cruise passengers) comprise not  
13 less than \$15,000,000 annually of the total  
14 funding of the Harbor Maintenance Trust  
15 Fund in each of the previous 3 fiscal  
16 years;”;

17 (B) in clause (iii), by inserting “(including  
18 the estimated taxes related to domestic cargo  
19 and cruise passengers)” after “taxes collected”;  
20 and

21 (C) in clause (iv), by striking “fiscal year  
22 2012” and inserting “each of the previous 3 fis-  
23 cal years”;

24 (2) in paragraph (5)(B), by striking “fiscal year  
25 2012” each place it appears and inserting “each of  
26 the previous 3 fiscal years”;

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

4           “(8) HARBOR MAINTENANCE TRUST FUND.—  
5           The term ‘Harbor Maintenance Trust Fund’ means  
6           the Harbor Maintenance Trust Fund established by  
7           section 9505 of the Internal Revenue Code of  
8           1986.”; and

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

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

12           “(B) at which the total amount of harbor  
13           maintenance taxes collected (including the esti-  
14           mated taxes related to domestic cargo and  
15           cruise passengers) comprise annually more than  
16           \$5,000,000 but less than \$15,000,000 of the  
17           total funding of the Harbor Maintenance Trust  
18           Fund in each of the previous 3 fiscal years;”;

19           (B) in subparagraph (C), by inserting “(in-  
20           cluding the estimated taxes related to domestic  
21           cargo and cruise passengers)” after “taxes col-  
22           lected”; and

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

1 (b) REPORT TO CONGRESS; AUTHORIZATION OF AP-  
2 PROPRIATIONS.—Section 2106 of the Water Resources  
3 Reform and Development Act of 2014 (33 U.S.C. 2238c)  
4 is amended—

5 (1) by striking subsection (e) and redesignating  
6 subsections (f) and (g) as subsections (e) and (f), re-  
7 spectively; and

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

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

11 (B) by striking paragraph (3).

12 **SEC. 105. ASSUMPTION OF MAINTENANCE OF A LOCALLY**  
13 **PREFERRED PLAN.**

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

17 “(f) OPERATION AND MAINTENANCE.—

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

23 “(A) before construction of the improve-  
24 ments—

1           “(i) the Secretary determines that the  
2           improvements are feasible and consistent  
3           with the purposes of this title; and

4           “(ii) the Secretary and the non-Fed-  
5           eral interest execute a written agreement  
6           relating to operation and maintenance of  
7           the improvements;

8           “(B) the Secretary certifies that the  
9           project or separable element of the project is  
10          constructed in accordance with applicable per-  
11          mits and appropriate engineering and design  
12          standards; and

13          “(C) the Secretary does not find that the  
14          project or separable element is no longer fea-  
15          sible.

16          “(2) FEDERAL FINANCIAL PARTICIPATION IN  
17          THE COSTS OF A LOCALLY PREFERRED PLAN.—In  
18          the case of improvements determined by the Sec-  
19          retary pursuant to paragraph (1)(A)(i) to deviate  
20          from the national economic development plan, the  
21          Secretary shall be responsible for all operation and  
22          maintenance costs of such improvements, as de-  
23          scribed in section 101(b), including costs in excess  
24          of the costs of the national economic development

1 plan, if the Secretary determines that the improve-  
2 ments satisfy the requirements of paragraph (1).”.

3 **SEC. 106. COAST GUARD ANCHORAGES.**

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

11 **SEC. 107. STATE CONTRIBUTION OF FUNDS FOR CERTAIN**  
12 **OPERATION AND MAINTENANCE COSTS.**

13 In carrying out eligible operations and maintenance  
14 activities within the Great Lakes Navigation System pur-  
15 suant to section 210 of the Water Resources Development  
16 Act of 1986 (33 U.S.C. 2238) in a State that has imple-  
17 mented any additional State limitation on the disposal of  
18 dredged material in the open waters of such State, the  
19 Secretary may, pursuant to section 5 of the Act of June  
20 22, 1936 (33 U.S.C. 701h), receive from such State, and  
21 expend, such funds as may be contributed by the State  
22 to cover the additional costs for operations and mainte-  
23 nance activities for a harbor or inland harbor within such  
24 State that result from such limitation.



1 **SEC. 108. INLAND WATERWAY PROJECTS.**

2 (a) IN GENERAL.—Notwithstanding section 102 of  
3 the Water Resources Development Act of 1986 (33 U.S.C.  
4 2212), 35 percent of the costs of construction of a project  
5 to which such section applies shall be paid from amounts  
6 appropriated from the Inland Waterways Trust Fund—

7 (1) during each of fiscal years 2021 through  
8 2027; and

9 (2) for a project the construction of which is  
10 initiated during such period, in each fiscal year until  
11 such construction is complete.

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

19 **SEC. 109. IMPLEMENTATION OF WATER RESOURCES PRIN-**  
20 **CIPLES AND REQUIREMENTS.**

21 (a) IN GENERAL.—Not later than 180 days after the  
22 date of enactment of this Act, the Secretary shall issue  
23 final agency-specific procedures necessary to implement  
24 the principles and requirements and the interagency  
25 guidelines.

1 (b) DEVELOPMENT OF FUTURE WATER RESOURCES

2 DEVELOPMENT PROJECTS.—The procedures required by  
3 subsection (a) shall ensure that the Secretary, in the for-  
4 mulation of future water resources development projects—

5 (1) develops such projects in accordance with—

6 (A) the guiding principles established by  
7 the principles and requirements; and

8 (B) the national water resources planning  
9 policy established by section 2031(a) of the  
10 Water Resources Development Act of 2007 (42  
11 U.S.C. 1962–3(a)); and

12 (2) fully identifies and analyzes national eco-  
13 nomic development benefits, regional economic devel-  
14 opment benefits, environmental quality benefits, and  
15 other societal effects.

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

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

22 (1) provide notice to interested non-Federal  
23 stakeholders of the Secretary’s intent to revise the  
24 procedures;

1           (2) provide opportunities for interested non-  
2 Federal stakeholders to engage with, and provide  
3 input and recommendations to, the Secretary on the  
4 revision of the procedures; and

5           (3) solicit and consider public and expert com-  
6 ments.

7 (e) DEFINITIONS.—In this section:

8           (1) INTERAGENCY GUIDELINES.—The term  
9 “interagency guidelines” means the interagency  
10 guidelines contained in the document finalized by  
11 the Council on Environmental Quality pursuant to  
12 section 2031 of the Water Resources Development  
13 Act of 2007 (42 U.S.C. 1962–3) in December 2014,  
14 to implement the principles and requirements.

15           (2) PRINCIPLES AND REQUIREMENTS.—The  
16 term “principles and requirements” means the prin-  
17 ciples and requirements contained in the document  
18 prepared by the Council on Environmental Quality  
19 pursuant to section 2031 of the Water Resources  
20 Development Act of 2007 (42 U.S.C. 1962–3), enti-  
21 tled “Principles and Requirements for Federal In-  
22 vestments in Water Resources”, and dated March  
23 2013.

1 **SEC. 110. RESILIENCY PLANNING ASSISTANCE.**

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

9 (b) PRIORITIZING FLOOD RISK RESILIENCY TECH-  
10 NICAL ASSISTANCE FOR ECONOMICALLY DISADVANTAGED  
11 COMMUNITIES.—In carrying out section 206 of the Flood  
12 Control Act of 1960 (33 U.S.C. 709a), the Secretary shall  
13 prioritize the provision of technical assistance to support  
14 flood risk resiliency planning efforts of an economically  
15 disadvantaged community.

16 **SEC. 111. PROJECT CONSULTATION.**

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

20 (1) The report required under section 1214 of  
21 the Water Resources Development Act of 2018 (132  
22 Stat. 3809).

23 (2) The report required under section  
24 1120(a)(3) of the Water Resources Development Act  
25 of 2016 (130 Stat. 1643).

26 (b) CONSULTATION.—

1           (1) AGENCIES AND TRIBES.—The Secretary  
2 shall ensure that all covered community consultation  
3 policies, regulations, and guidance of the Corps of  
4 Engineers continue to be implemented, and that con-  
5 sultations with Federal and State agencies and In-  
6 dian Tribes required for a water resources develop-  
7 ment project are carried out.

8           (2) COMMUNITIES.—The Secretary shall ensure  
9 that any covered communities, including such com-  
10 munities identified in the reports submitted under  
11 subsection (a), that are found to be disproportion-  
12 ately or adversely affected are included in consulta-  
13 tion policies, regulations, and guidance of the Corps  
14 of Engineers.

15           (3) PROJECT PLANNING AND CONSTRUCTION.—  
16 The Secretary shall ensure that covered communities  
17 are consulted in the development of water resources  
18 development project planning and construction, for  
19 the purposes of achieving environmental justice and  
20 addressing any disproportionate or adverse effects  
21 on such communities.

22           (c) ENVIRONMENTAL JUSTICE UPDATES.—

23           (1) IN GENERAL.—Not later than 1 year after  
24 the date of enactment of this Act, the Secretary  
25 shall update any policies, regulations, and guidance

1 of the Corps of Engineers related to achieving envi-  
2 ronmental justice for covered communities.

3 (2) RECOMMENDATIONS AND CONSULTATION.—

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

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

7 (B) use the recommendations from the re-  
8 ports submitted under subsection (a).

9 (d) COMMUNITY ENGAGEMENT.—The Secretary shall  
10 ensure that in carrying out authorized water resources de-  
11 velopment projects in, and all other activities of the Corps  
12 of Engineers related to, covered communities, the Corps  
13 of Engineers—

14 (1) promotes the meaningful involvement of  
15 such communities in the project development and  
16 implementation, enforcement efforts, and other ac-  
17 tivities of the Corps of Engineers;

18 (2) provides guidance and technical assistance  
19 to such communities to increase understanding of  
20 the project development and implementation activi-  
21 ties, regulations, and policies of the Corps of Engi-  
22 neers; and

23 (3) cooperates with State, Tribal, and local gov-  
24 ernments with respect to activities carried out pur-  
25 suant to this subsection.

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

5 (1)(A) consults with Indian Tribes specifically  
6 on any Tribal lands near or adjacent to any activi-  
7 ties of the Corps of Engineers, for purposes of iden-  
8 tifying lands of ancestral, cultural, or religious im-  
9 portance; and

10 (B) cooperates with Indian Tribes to avoid, or  
11 otherwise find alternate solutions with respect to,  
12 such lands; and

13 (2)(A) consults with Indian Tribes specifically  
14 on any Tribal areas near or adjacent to any activi-  
15 ties of the Corps of Engineers, for purposes of iden-  
16 tifying lands, waters, and other resources critical to  
17 the livelihood of the Indian Tribes; and

18 (B) cooperates with Indian Tribes to avoid, or  
19 otherwise find alternate solutions with respect to,  
20 such areas.

21 (f) DEFINITIONS.—In this section:

22 (1) COMMUNITY OF COLOR.—The term “com-  
23 munity of color” means a community of individuals  
24 who are—

25 (A) American Indian or Alaska Native;

- 1 (B) Asian or Pacific Islander;  
2 (C) Black, not of Hispanic origin; or  
3 (D) Hispanic.

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

- 6 (A) A community of color.  
7 (B) An economically disadvantaged com-  
8 munity.  
9 (C) A rural community.  
10 (D) A Tribal or indigenous community.

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

12 (a) RESILIENCY ASSESSMENT.—

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



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

3           (A) coordinate the review with the Engi-  
4 neer Research and Development Center, other  
5 Federal and State agencies, and other relevant  
6 entities; and

7           (B) to the maximum extent practicable and  
8 where appropriate, utilize data provided to the  
9 Secretary by such agencies.

10       (b) ASSESSMENT OF BENEFITS OF SEA LEVEL RISE  
11 RESILIENCY IN FEASIBILITY REPORTS.—

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

21           (2) SEA LEVEL RISE RESILIENCY BENEFITS.—  
22 To the maximum extent practicable, in carrying out  
23 a study pursuant to paragraph (1), the Secretary  
24 shall document the potential effects of sea level rise  
25 on the project, and benefits of the project relating

1 to sea level rise, during the 50-year period after the  
2 date of completion of the project.

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

4 Section 205 of the Flood Control Act of 1948 (33  
5 U.S.C. 701s) is amended by inserting “, and projects that  
6 use natural features or nature-based features (as those  
7 terms are defined in section 1184(a) of the Water Re-  
8 sources Development Act of 2016 (33 U.S.C. 2289a(a)),”  
9 after “nonstructural projects”.

10 **SEC. 114. CONFORMING AMENDMENT.**

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

13 (1) in the subsection heading, by striking  
14 “NONSTRUCTURAL FLOOD CONTROL PROJECTS”  
15 and inserting “PROJECTS USING NONSTRUCTURAL,  
16 NATURAL, OR NATURE-BASED FEATURES”; and

17 (2) in paragraph (1), by striking “nonstructural  
18 flood control measures” and inserting “a flood risk  
19 management or hurricane and storm damage risk re-  
20 duction measure using a nonstructural feature, or a  
21 natural feature or nature-based feature (as those  
22 terms are defined in section 1184(a) of the Water  
23 Resources Development Act of 2016 (33 U.S.C.  
24 2289a(a)),”.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16          “(b) FEDERAL INTEREST DETERMINATION.—

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

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

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

2 “(B) shall not exceed \$200,000.

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

7 “(4) TREATMENT.—

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

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

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

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

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

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

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

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

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

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

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

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

16 (1) the percentage of people living in poverty in  
17 the county or counties in which the project is located  
18 is above the percentage of people living in poverty in  
19 the State, based on Census Bureau data;

20 (2) the percentage of families with income  
21 above the poverty threshold but below the average  
22 household income in the county or counties in which  
23 the project is located is above the percentage of the  
24 same for the State, based on Census Bureau data;



1           (3) the percentage of the population that identi-  
2           fies as belonging to a minority or indigenous group  
3           in the county or counties in which the project is lo-  
4           cated is above the average percentage in the State,  
5           based on Census Bureau data; and

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

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

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

20          (f) STUDY REQUIREMENTS.—Feasibility studies car-  
21          ried out under this subsection shall, to the maximum ex-  
22          tent practical, incorporate natural features or nature-  
23          based features (as such terms are defined in section 1184  
24          of the Water Resources Development Act of 2016 (33  
25          U.S.C. 2289a)), or a combination of such features and

1 nonstructural features, that avoid or reduce at least 50  
2 percent of flood or storm damages in one or more of the  
3 alternatives included in the final alternatives evaluated.

4 (g) NOTIFICATION.—The Secretary shall notify the  
5 Committee on Transportation and Infrastructure of the  
6 House of Representatives and the Committee on Environ-  
7 ment and Public Works of the Senate of the selection of  
8 each feasibility study under the pilot program.

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

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

19 (j) REPORT.—Not later than 5 years and 10 years  
20 after the date of enactment of this Act, the Secretary shall  
21 submit to the Committee on Transportation and Infra-  
22 structure of the House of Representatives and the Com-  
23 mittee on Environment and Public Works of the Senate,  
24 and make publicly available, a report detailing the results

1 of the pilot program carried out under this section, includ-  
2 ing—

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

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

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

11 **SEC. 120. PERMANENT MEASURES TO REDUCE EMERGENCY**  
12 **FLOOD FIGHTING NEEDS FOR COMMUNITIES**  
13 **SUBJECT TO REPETITIVE FLOODING.**

14 (a) DEFINITIONS.—In this section:

15 (1) AFFECTED COMMUNITY.—The term “af-  
16 fected community” means a legally constituted pub-  
17 lic body (as that term is used in section 221(b) of  
18 the Flood Control Act of 1970 (42 U.S.C. 1962d-  
19 5b(b))—

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

23 (B) that has received emergency flood-  
24 fighting assistance, including construction of  
25 temporary barriers by the Secretary, under sec-

1           tion 5 of the Act of August 18, 1941 (33  
2           U.S.C. 701n), with respect to such flood events.

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

8           (b) PROGRAM.—

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

19          (2) CONSIDERATIONS.—In carrying out para-  
20          graph (1), the Secretary shall, to the maximum ex-  
21          tent practical, review and, where appropriate, incor-  
22          porate natural features or nature-based features, or  
23          a combination of such features and nonstructural  
24          features, that avoid or reduce at least 50 percent of

1 flood or storm damages in one or more of the alter-  
2 natives included in the final alternatives evaluated.

3 (3) CONSTRUCTION.—

4 (A) IN GENERAL.—The Secretary may  
5 carry out a project described in paragraph (1)  
6 without further congressional authorization if—

7 (i) the Secretary determines that the  
8 project—

9 (I) is advisable to reduce the risk  
10 of flooding for an affected community;  
11 and

12 (II) produces benefits that are in  
13 excess of the estimated costs; and

14 (ii) the Federal share of the cost of  
15 the construction does not exceed  
16 \$15,000,000.

17 (B) SPECIFIC AUTHORIZATION.—If the  
18 Federal share of the cost of a project described  
19 in paragraph (1) exceeds \$15,000,000, the Sec-  
20 retary shall submit the project recommendation  
21 to Congress for authorization prior to construc-  
22 tion, and shall include the project recommenda-  
23 tion in the next annual report submitted under  
24 section 7001 of the Water Resources Reform  
25 and Development Act of 2014.

1 (C) FINANCING.—

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

13 (ii) EFFECT ON NON-FEDERAL  
14 SHARE.—Amounts provided by an affected  
15 community under clause (i) shall be in ad-  
16 dition to any payments or contributions  
17 the affected community is required to pro-  
18 vide towards the remaining costs of design  
19 and construction of the project under sec-  
20 tion 103 of the Water Resources Develop-  
21 ment Act of 1986 (33 U.S.C. 2213).

22 (4) ABILITY TO PAY.—

23 (A) IN GENERAL.—Any cost-sharing agree-  
24 ment for a project entered into pursuant to this

1 section shall be subject to the ability of the af-  
2 fected community to pay.

3 (B) DETERMINATION.—The ability of any  
4 affected community to pay shall be determined  
5 by the Secretary in accordance with procedures  
6 established by the Secretary.

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

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

15 (a) IN GENERAL.—Section 5 of the Act of August  
16 18, 1941 (33 U.S.C. 701n) is amended—

17 (1) in subsection (a), by adding at the end the  
18 following—

19 “(5) FEASIBILITY STUDY.—

20 “(A) DETERMINATION.—Not later than  
21 180 days after receiving, from a non-Federal  
22 sponsor of a project to repair or rehabilitate a  
23 flood control work described in paragraph (1),  
24 a request to initiate a feasibility study to fur-  
25 ther modify the relevant flood control work to

1 provide for an increased level of protection, the  
2 Secretary shall provide to the non-Federal spon-  
3 sor a written decision on whether the Secretary  
4 has the authority under section 216 of the  
5 Flood Control Act of 1970 (33 U.S.C. 549a) to  
6 undertake the requested feasibility study.

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

15 (2) in subsection (c)—

16 (A) in the subsection heading, by striking  
17 “LEVEE OWNERS MANUAL” and inserting  
18 “ELIGIBILITY”;

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

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

25 “(2) COMPLIANCE.—



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

12                   “(i) enters into a written agreement  
13 with the Secretary that identifies any items  
14 of deferred or inadequate maintenance and  
15 upkeep identified by the Secretary prior to  
16 the natural disaster; and

17                   “(ii) pays, during performance of the  
18 repair and rehabilitation work, all costs to  
19 address—

20                           “(I) any items of deferred or in-  
21 adequate maintenance and upkeep  
22 identified by the Secretary; and

23                           “(II) any repair or rehabilitation  
24 work necessary to address damage the

1 Secretary attributes to such deferred  
2 or inadequate maintenance or upkeep.

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

6 “(C) SUNSET.—The authority of the Sec-  
7 retary to enter into agreements under para-  
8 graph (2) shall terminate on the date that is 5  
9 years after the date of enactment of this Act.”;  
10 and

11 (D) in paragraph (3) (as so redesignated),  
12 by striking “this subsection” and inserting  
13 “paragraph (1)”.

14 **SEC. 122. STUDY ON NATURAL INFRASTRUCTURE AT CORPS**  
15 **OF ENGINEERS PROJECTS.**

16 (a) DEFINITION OF NATURAL FEATURE AND NA-  
17 TURE-BASED FEATURE.—In this section, the terms “nat-  
18 ural feature” and “nature-based feature” have the mean-  
19 ings given those terms in section 1184(a) of the Water  
20 Resources Development Act of 2016 (33 U.S.C.  
21 2289a(a)).

22 (b) STUDY.—Not later than 2 years after the date  
23 of enactment of this Act, the Comptroller General of the  
24 United States shall conduct, and submit to the Committee  
25 on Transportation and Infrastructure of the House of

1 Representatives and the Committee on Environment and  
2 Public Works of the Senate, a report on the results of  
3 a study on the consideration by the Secretary of natural  
4 infrastructure, natural features, and nature-based fea-  
5 tures in the study of the feasibility of projects for flood  
6 risk management, hurricane and storm damage risk re-  
7 duction, and ecosystem restoration.

8 (c) REQUIREMENTS.—The study under subsection  
9 (b) shall include—

10 (1) a description of guidance or instructions  
11 issued, and other measures taken, by the Secretary  
12 to consider natural infrastructure, natural features,  
13 and nature-based features in project feasibility stud-  
14 ies;

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

17 (A) the costs, benefits, and effects associ-  
18 ated with natural infrastructure, natural fea-  
19 tures, and nature-based features recommended  
20 by the Secretary for flood risk management,  
21 hurricane and storm damage risk reduction,  
22 and ecosystem restoration; and

23 (B) the effectiveness of natural infrastruc-  
24 ture, natural features, and nature-based fea-  
25 tures;

1           (3) an analysis of projects for flood risk man-  
2           agement, hurricane and storm damage risk reduc-  
3           tion, and ecosystem restoration that have incor-  
4           porated natural infrastructure, natural features, or  
5           nature-based features to identify best practices, in-  
6           cluding for measuring project benefits and costs;

7           (4) a description of any statutory, fiscal, regu-  
8           latory, or other policy barriers to the appropriate  
9           consideration and use of a full array of natural in-  
10          frastructure, natural features, and nature-based fea-  
11          tures in carrying out feasibility studies and projects;  
12          and

13          (5) any recommendations for changes to law, or  
14          to fiscal, regulatory, or other policies, to improve the  
15          use of natural infrastructure, natural features, and  
16          nature-based features by the Corps of Engineers in  
17          carrying out feasibility studies and projects.

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

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

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

23          “(a) ASSESSMENT.—The Secretary shall conduct an  
24          assessment of projects constructed by the Secretary for

1 which the Secretary continues to have financial or oper-  
2 ational responsibility.

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

8 “(1) that are not needed for the missions of the  
9 Corps of Engineers; or

10 “(2) the modification of which, including  
11 though the use of natural features or nature-based  
12 features (as those terms are defined in section  
13 1184(a) of the Water Resources Development Act of  
14 2016 (33 U.S.C. 2289a(a)), could improve the sus-  
15 tainable operations of the project, or reduce oper-  
16 ation and maintenance costs for the project.

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

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

22 “(2) The economic and environmental impacts  
23 of the project on existing communities in the vicinity  
24 of the project.

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

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

6           “(5) The extent to which investment of addi-  
7           tional Federal resources in the project proposed for  
8           divestment or modification, including investment  
9           needed to bring the project to a good state of repair,  
10          is in the public interest.

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

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

17          “(e) REPORT TO CONGRESS.—

18                 “(1) IN GENERAL.—Upon completion of the in-  
19                 ventory required by subsection (b), the Secretary  
20                 shall submit to the Committee on Environment and  
21                 Public Works of the Senate and the Committee on  
22                 Transportation and Infrastructure of the House of  
23                 Representatives, and make publicly available, a re-  
24                 port containing the findings of the Secretary with

1 respect to the assessment and inventory required  
2 under this section.

3 “(2) INCLUSION.—The Secretary shall list in an  
4 appendix any recommendation of a non-Federal in-  
5 terest made with respect to a project under sub-  
6 section (d) that the Secretary determines not to in-  
7 clude in the inventory developed under subsection  
8 (b), based on the criteria in subsection (c), including  
9 information about the request and the reasons for  
10 the Secretary’s determination.”.

11 **SEC. 124. SENSE OF CONGRESS ON MULTI-PURPOSE**  
12 **PROJECTS.**

13 It is the sense of Congress that the Secretary, in co-  
14 ordination with non-Federal interests, should maximize  
15 the development, evaluation, and recommendation of  
16 project alternatives for future water resources develop-  
17 ment projects that produce multiple project benefits, such  
18 as navigation, flood risk management, and ecosystem res-  
19 toration benefits, including through the use of natural or  
20 nature-based features and the beneficial reuse of dredged  
21 material.

22 **SEC. 125. BENEFICIAL REUSE OF DREDGED MATERIAL;**  
23 **DREDGED MATERIAL MANAGEMENT PLANS.**

24 (a) NATIONAL POLICY ON THE BENEFICIAL REUSE  
25 OF DREDGED MATERIAL.—

1           (1) IN GENERAL.—It is the policy of the United  
2 States for the Corps of Engineers to maximize the  
3 beneficial reuse, in an environmentally acceptable  
4 manner, of suitable dredged material obtained from  
5 the construction or operation and maintenance of  
6 water resources development projects.

7           (2) PLACEMENT OF DREDGED MATERIALS.—

8           (A) IN GENERAL.—In evaluating the place-  
9 ment of dredged material obtained from the  
10 construction or operation and maintenance of  
11 water resources development projects, the Sec-  
12 retary shall consider—

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

15                   (ii) the economic and environmental  
16 benefits, efficiencies, and impacts (includ-  
17 ing the effects on living coral) of using the  
18 dredged material for beneficial uses, in-  
19 cluding, in the case of beneficial reuse ac-  
20 tivities that involve more than one water  
21 resources development project, the benefits,  
22 efficiencies, and impacts that result from  
23 the combined activities.

24           (B) CALCULATION OF FEDERAL STAND-  
25 ARD.—The economic benefits and efficiencies



1 from the beneficial use of dredged material con-  
2 sidered by the Secretary under subparagraph  
3 (A) shall be included in any determination re-  
4 lating to the “Federal standard” by the Sec-  
5 retary under section 335.7 of title 33, Code of  
6 Federal Regulations for the placement or dis-  
7 posal of such material.

8 (b) BENEFICIAL USE OF DREDGED MATERIAL.—

9 (1) PILOT PROGRAM PROJECTS.—Section 1122  
10 of the Water Resources Development Act of 2016  
11 (33 U.S.C. 2326 note) is amended—

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

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

16 (2) SENSE OF CONGRESS.—It is the sense of  
17 Congress that the Secretary, in selecting projects for  
18 the beneficial reuse of dredged materials under sec-  
19 tion 1122 of the Water Resources Development Act  
20 of 2016 (33 U.S.C. 2326 note), should ensure the  
21 thorough evaluation of project submissions from  
22 rural, small, and economically disadvantaged com-  
23 munities.

24 (c) FIVE-YEAR REGIONAL DREDGED MATERIAL  
25 MANAGEMENT PLANS.—

1           (1) IN GENERAL.—Not later than 1 year after  
2 the date of enactment of this Act, and annually  
3 thereafter, the District Commander of each district  
4 of the Corps of Engineers that obtains dredged ma-  
5 terial through the construction or operation and  
6 maintenance of a water resources development  
7 project shall, at Federal expense, develop and submit  
8 to the Secretary a 5-year dredged material manage-  
9 ment plan in coordination with relevant State agen-  
10 cies and stakeholders.

11           (2) SCOPE.—Each plan developed under this  
12 subsection shall include—

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

15                   (B) an estimate of the amount of dredged  
16 material likely to be obtained through the con-  
17 struction or operation and maintenance of all  
18 water resources development projects projected  
19 to be carried out within the district during the  
20 5-year period following submission of the plan,  
21 and the estimated timing for obtaining such  
22 dredged material;

23                   (C) an identification of potential water re-  
24 sources development projects projected to be  
25 carried out within the district during such 5-

1 year period that are suitable for, or that re-  
2 quire, the placement of dredged material, and  
3 an estimate of the amount of dredged material  
4 placement capacity of such projects;

5 (D) an evaluation of—

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

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

17 (E) the district-wide goals for beneficial  
18 reuse of the dredged material, including any ex-  
19 pected cost savings from aligning and coordi-  
20 nating multiple projects (including projects  
21 across Corps districts) in the reuse of the  
22 dredged material.

23 (3) PUBLIC COMMENT.—In developing each  
24 plan under this subsection, each District Com-

1        mander shall provide notice and an opportunity for  
2        public comment.

3            (4) PUBLIC AVAILABILITY.—Upon submission  
4        of each plan to the Secretary under this subsection,  
5        each District Commander shall make the plan pub-  
6        licly available, including on a publicly available  
7        website.

8        (d) DREDGE PILOT PROGRAM.—

9            (1) REVISIONS.—Section 1111 of the Water  
10        Resources Development Act of 2018 (33 U.S.C.  
11        2326 note) is amended—

12            (A) in subsection (a), by striking “for the  
13        operation and maintenance of harbors and in-  
14        land harbors” and all that follows through the  
15        period at the end and inserting the following:

16        “for the—

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

20        “(2) inland and intracoastal waterways of the  
21        United States described in section 206 of the Inland  
22        Waterways Revenue Act of 1978 (33 U.S.C.  
23        1804).”; and

1 (B) in subsection (b), by striking “or in-  
2 land harbors” and inserting “, inland harbors,  
3 or inland or intracoastal waterways”.

4 (2) COORDINATION WITH EXISTING AUTHORI-  
5 TIES.—The Secretary may carry out the dredge pilot  
6 program authorized by section 1111 of the Water  
7 Resources Development Act of 2018 (33 U.S.C.  
8 2326 note) in coordination with Federal regional  
9 dredge demonstration programs in effect on the date  
10 of enactment of this Act.

11 **SEC. 126. AQUATIC ECOSYSTEM RESTORATION FOR ANAD-**  
12 **ROMOUS FISH.**

13 (a) ANADROMOUS FISH HABITAT AND PASSAGE.—  
14 Section 206 of the Water Resources Development Act of  
15 1996 (33 U.S.C. 2330) is amended—

16 (1) in subsection (a), by adding at the end the  
17 following:

18 “(3) ANADROMOUS FISH HABITAT AND PAS-  
19 SAGE.—

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

23 “(i) installing fish bypass structures  
24 on small water diversions;

25 “(ii) modifying tide gates; and

1                   “(iii) restoring or reconnecting  
2 floodplains and wetlands that are impor-  
3 tant for anadromous fish habitat or pas-  
4 sage.

5                   “(B) BENEFITS.—A project that includes  
6 measures under this paragraph shall be formu-  
7 lated to maximize benefits for the anadromous  
8 fish species benefitted by the project.”; and  
9                   (2) by adding at the end the following:

10                  “(g) PRIORITIZATION.—The Secretary shall give  
11 projects that include measures described in subsection  
12 (a)(3) equal priority for implementation as other projects  
13 under this section.”.

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

15                  Section 7001(c)(4)(B) of the Water Resources Re-  
16 form and Development Act of 2014 (33 U.S.C.  
17 2282d(c)(4)(B)) is amended—

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

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

20                  and

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

22                                  “(ii) the Secretary shall not include  
23 proposals in the appendix of the annual re-  
24 port that otherwise meet the criteria for  
25 inclusion in the annual report solely on the

1 basis that the proposals are for the pur-  
2 poses of navigation, flood risk manage-  
3 ment, ecosystem restoration, or municipal  
4 or agricultural water supply; and”.

5 **SEC. 128. HARMFUL ALGAL BLOOM DEMONSTRATION PRO-**  
6 **GRAM.**

7 (a) IN GENERAL.—The Secretary shall carry out a  
8 demonstration program to determine the causes of, and  
9 implement measures to effectively detect, prevent, treat,  
10 and eliminate, harmful algal blooms associated with water  
11 resources development projects.

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

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

17 (2) make maximum use of existing Federal and  
18 State data and ongoing programs and activities of  
19 Federal and State agencies, including the activities  
20 of the Secretary carried out through the Engineer  
21 Research and Development Center pursuant to sec-  
22 tion 1109 of the Water Resources Development Act  
23 of 2018 (33 U.S.C. 610 note).

24 (c) FOCUS AREAS.—In carrying out the demonstra-  
25 tion program under subsection (a), the Secretary shall un-

1 undertake program activities related to harmful algal blooms  
2 in the Great Lakes, the tidal and inland waters of the  
3 State of New Jersey, and Lake Okeechobee, Florida.

4 **SEC. 129. UPDATE ON INVASIVE SPECIES POLICY GUID-**  
5 **ANCE.**

6 (a) IN GENERAL.—The Secretary shall periodically  
7 update the Invasive Species Policy Guidance, developed  
8 under section 104 of the River and Harbor Act of 1958  
9 (33 U.S.C. 610) and the Nonindigenous Aquatic Nuisance  
10 Prevention and Control Act of 1990 (16 U.S.C. 4701 et  
11 seq.), in accordance with the most recent National  
12 Invasive Species Council Management Plan developed pur-  
13 suant to Executive Order 13112.

14 (b) INCLUSION.—The Secretary may include in the  
15 updated guidance invasive species specific efforts at feder-  
16 ally authorized water resources development projects lo-  
17 cated in—

18 (1) high-altitude lakes; and

19 (2) the Tennessee and Cumberland River ba-  
20 sins.

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

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



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

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

6 “(1) the extent to which, during the 10 fiscal  
7 years prior to such date of enactment, the Secretary  
8 has carried out section 3 of the Act of March 2,  
9 1945 (33 U.S.C. 603a);

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

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

15 **SEC. 131. MISSOURI RIVER INTERCEPTION-REARING COM-**  
16 **PLEX CONSTRUCTION.**

17 (a) REPORT.—Not later than 1 year after the date  
18 of enactment of this Act, and annually thereafter, the Sec-  
19 retary shall submit to the Committee on Transportation  
20 and Infrastructure of the House of Representatives and  
21 the Committee on Environment and Public Works of the  
22 Senate a report on the effects of any interception-rearing  
23 complex constructed on the Missouri River on—

24 (1) flood risk management and navigation; and

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

1 (b) NO ADDITIONAL IRC CONSTRUCTION.—The Sec-  
2 retary may not authorize construction of an interception-  
3 rearing complex on the Missouri River until the Sec-  
4 retary—

5 (1) submits the report required by subsection

6 (a);

7 (2) acting through the Engineer Research and  
8 Development Center, conducts further research on  
9 interception-rearing complex design, including any  
10 effects on existing flows, flood risk management, and  
11 navigation; and

12 (3) develops a plan—

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

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

18 (c) FUTURE IRC CONSTRUCTION.—

19 (1) PUBLIC COMMENT.—The Secretary shall  
20 provide an opportunity for comment from the public  
21 and the Governor of each affected State on any pro-  
22 posals to construct an interception-rearing complex  
23 after the date of enactment of this Act.

24 (2) PERIOD.—The public comment period re-  
25 quired by paragraph (1) shall be not less than 90

1 days for each proposal to construct an interception-  
2 rearing complex on the Missouri River.

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

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

6 (1) in clause (i)(I), by inserting “or contribute”  
7 after “pay”; and

8 (2) in clause (ii)—

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

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

13 (C) by inserting “or contributions” after  
14 “non-Federal payments”.

15 **SEC. 133. MATERIALS, SERVICES, AND FUNDS FOR REPAIR,**  
16 **RESTORATION, OR REHABILITATION OF**  
17 **PROJECTS.**

18 (a) IN GENERAL.—In any area covered by an emer-  
19 gency or major disaster declaration declared under the  
20 Robert T. Stafford Disaster Relief and Emergency Assist-  
21 ance Act (42 U.S.C. 5121 et seq.), the Secretary is au-  
22 thorized to accept and use materials, services, and funds,  
23 during the period the declaration is in effect, from a non-  
24 Federal interest or private entity to repair, restore, or re-  
25 habilitate a federally authorized water resources develop-

1 ment project, and to provide reimbursement to such non-  
2 Federal interest or private entity for such materials, serv-  
3 ices, and funds, in the Secretary's sole discretion, and sub-  
4 ject to the availability of appropriations, if the Secretary  
5 determines that reimbursement is in the public interest.

6 (b) ADDITIONAL REQUIREMENT.—The Secretary  
7 may only reimburse for the use of materials or services  
8 accepted under this section if such materials or services  
9 meet the Secretary's specifications and comply with all ap-  
10 plicable laws and regulations that would apply if such ma-  
11 terials and services were acquired by the Secretary, includ-  
12 ing sections 3141 through 3148 and 3701 through 3708  
13 of title 40, United States Code, section 8302 of title 41,  
14 United States Code, and the National Environmental Pol-  
15 icy Act of 1969.

16 (c) AGREEMENTS.—

17 (1) IN GENERAL.—Prior to the acceptance of  
18 materials, services, or funds under this section, the  
19 Secretary and the non-Federal interest shall enter  
20 into an agreement that specifies—

21 (A) the non-Federal interest shall hold and  
22 save the United States free from any and all  
23 damages that arise from use of materials or  
24 services of the non-Federal interest, except for

1 damages due to the fault or negligence of the  
2 United States or its contractors;

3 (B) the non-Federal interest shall certify  
4 that the materials or services comply with all  
5 applicable laws and regulations under sub-  
6 section (b); and

7 (C) any other term or condition required  
8 by the Secretary.

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

13 (A) specifies the value, as determined by  
14 the Secretary, of those materials or services  
15 contributed and eligible for reimbursement; and

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

18 **SEC. 134. LEVEE SAFETY.**

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

22 “(d) IDENTIFICATION OF DEFICIENCIES.—

23 “(1) IN GENERAL.—For each levee included in  
24 an inventory established under subsection (b) or for

1 which the Secretary has conducted a review under  
2 subsection (c), the Secretary shall—

3 “(A) identify the specific engineering and  
4 maintenance deficiencies, if any; and

5 “(B) describe the recommended remedies  
6 to correct each deficiency identified under sub-  
7 paragraph (A), and, if requested by owner of a  
8 non-Federal levee, the associated costs of those  
9 remedies.

10 “(2) CONSULTATION.—In identifying defi-  
11 ciencies and describing remedies for a levee under  
12 paragraph (1), the Secretary shall consult with rel-  
13 evant non-Federal interests, including by providing  
14 an opportunity for comment by those non-Federal  
15 interests.”.

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

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

19 (1) in subparagraph (A)—

20 (A) by striking clause (iii) and inserting  
21 the following:

22 “(iii) has an emergency action plan  
23 that—

24 “(I) is approved by the relevant  
25 State dam safety agency; or

1                   “(II) is in conformance with  
2                   State law and pending approval by the  
3                   relevant State dam safety agency;”;  
4                   and

5                   (B) by striking clause (iv) and inserting  
6                   the following:

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

10                   “(v) poses an unacceptable risk to the  
11                   public, as determined by the Adminis-  
12                   trator, in consultation with the Board.”;

13                   (2) in subparagraph (B)(i), by inserting “under  
14                   a hydropower project with an authorized installed  
15                   capacity of greater than 1.5 megawatts” after  
16                   “dam”; and

17                   (3) in paragraph (10)—

18                   (A) in the heading, by striking “NON-FED-  
19                   ERAL SPONSOR” and inserting “ELIGIBLE SUB-  
20                   RECIPIENT”; and

21                   (B) by striking “The term ‘non-Federal  
22                   sponsor’” and inserting “The term ‘eligible  
23                   subrecipient’”.

24                   (b) REHABILITATION OF HIGH HAZARD POTENTIAL  
25                   DAMS.—

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

6           (2) ELIGIBLE ACTIVITIES.—Section 8A(b) of  
7           the National Dam Safety Program Act (33 U.S.C.  
8           467f–2(b)) is amended, in the matter preceding  
9           paragraph (1), by striking “for a project may be  
10          used for” and inserting “to a State may be used by  
11          the State to award grants to eligible subrecipients  
12          for”.

13          (3) AWARD OF GRANTS.—Section 8A(c) of the  
14          National Dam Safety Program Act (33 U.S.C.  
15          467f–2(c)) is amended—

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

18                 (B) in paragraph (2)—

19                         (i) in subparagraph (A), by striking  
20                         “an eligible high hazard potential dam to  
21                         a non-Federal sponsor” and inserting “eli-  
22                         gible high hazard potential dams to a  
23                         State”;

24                         (ii) in subparagraph (B)—



1 (I) in the subparagraph heading,  
2 by striking “PROJECT GRANT” and in-  
3 sserting “GRANT”;

4 (II) by striking “project grant  
5 agreement with the non-Federal spon-  
6 sor” and inserting “grant agreement  
7 with the State”; and

8 (III) by striking “project,” and  
9 inserting “projects for which the  
10 grant is awarded,”;

11 (iii) by amending subparagraph (C) to  
12 read as follows:

13 “(C) GRANT ASSURANCE.—As part of a  
14 grant agreement under subparagraph (B), the  
15 Administrator shall require that each eligible  
16 subrecipient to which the State awards a grant  
17 under this section provides an assurance, with  
18 respect to the dam to be rehabilitated by the el-  
19 igible subrecipient, that the dam owner will  
20 carry out a plan for maintenance of the dam  
21 during the expected life of the dam.”; and

22 (iv) in subparagraph (D), by striking  
23 “A grant provided under this section shall  
24 not exceed” and inserting “A State may  
25 not award a grant to an eligible sub-

1 recipient under this section that exceeds,  
2 for any 1 dam,”.

3 (4) REQUIREMENTS.—Section 8A(d) of the Na-  
4 tional Dam Safety Program Act (33 U.S.C. 467f-  
5 2(d)) is amended—

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

8 (B) in paragraph (2)—

9 (i) in the paragraph heading, by strik-  
10 ing “NON-FEDERAL SPONSOR” and insert-  
11 ing “ELIGIBLE SUBRECIPIENT”;

12 (ii) in the matter preceding subpara-  
13 graph (A), by striking “the non-Federal  
14 sponsor shall” and inserting “an eligible  
15 subrecipient shall, with respect to the dam  
16 to be rehabilitated by the eligible sub-  
17 recipient,”;

18 (iii) in subparagraph (A), by striking  
19 “participate in, and comply with,” and in-  
20 sserting “demonstrate that the community  
21 in which the dam is located participates in,  
22 and complies with,”;

23 (iv) in subparagraph (B), by striking  
24 “have” and inserting “beginning not later  
25 than 2 years after the date on which the

1 Administrator publishes criteria for hazard  
2 mitigation plans under paragraph (3),  
3 demonstrate that the Tribal or local gov-  
4 ernment with jurisdiction over the area in  
5 which the dam is located has”; and

6 (v) in subparagraph (C), by striking  
7 “50-year period” and inserting “expected  
8 life of the dam”; and

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

10 “(3) HAZARD MITIGATION PLAN CRITERIA.—

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

15 (5) FLOODPLAIN MANAGEMENT PLANS.—Sec-  
16 tion 8A(e) of the National Dam Safety Program Act  
17 (33 U.S.C. 467f–2(e)) is amended—

18 (A) in paragraph (1)—

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

23 (ii) in subparagraph (B), by striking  
24 “1 year” and inserting “2 years” each  
25 place it appears; and

1 (B) by striking paragraph (3) and insert-  
2 ing the following:

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

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

14 **SEC. 136. REHABILITATION OF CORPS OF ENGINEERS CON-**  
15 **STRUCTED PUMP STATIONS.**

16 (a) DEFINITIONS.—In this section:

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

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

22 (B) that the Secretary has identified as  
23 having a major deficiency; and

24 (C) the failure of which the Secretary has  
25 determined would impair the function of a flood

1 risk management project constructed by the  
2 Corps of Engineers.

3 (2) REHABILITATION.—

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

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

14 (i) the incorporation into the eligible  
15 pump station of—

16 (I) current design standards;  
17 (II) efficiency improvements; and  
18 (III) associated drainage; and

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

22 (I) significantly decrease the risk  
23 of loss of life and property damage; or

1 (II) decrease total lifecycle reha-  
2 bilitation costs for the eligible pump  
3 station.

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

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

9 (1) provide 35 percent of the cost of rehabilita-  
10 tion of an eligible pump station carried out under  
11 this section; and

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

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

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

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

1 (e) TREATMENT.—The rehabilitation of an eligible  
2 pump station pursuant to this section shall not be consid-  
3 ered to be a separable element of the associated flood risk  
4 management project constructed by the Corps of Engi-  
5 neers.

6 (f) AUTHORIZATION OF APPROPRIATIONS.—There is  
7 authorized to be appropriated to carry out this section  
8 \$60,000,000, to remain available until expended.

9 **SEC. 137. NON-FEDERAL PROJECT IMPLEMENTATION**  
10 **PILOT PROGRAM.**

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

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

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

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

20 “(9) IMPLEMENTATION GUIDANCE.—

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

1           “(i) the metrics for measuring the  
2 success of the pilot program;

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

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

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

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

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



1 the date on which the Secretary issues the guid-  
2 ance under subparagraph (A).”.

3 **SEC. 138. DEFINITION OF ECONOMICALLY DISADVANTAGED**  
4 **COMMUNITY.**

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

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

18 **TITLE II—STUDIES AND**  
19 **REPORTS**

20 **SEC. 201. AUTHORIZATION OF PROPOSED FEASIBILITY**  
21 **STUDIES.**

22 (a) IN GENERAL.—The Secretary is authorized to  
23 conduct a feasibility study for the following projects for  
24 water resources development and conservation and other  
25 purposes, as identified in the reports titled “Report to

1 Congress on Future Water Resources Development” sub-  
2 mitted to Congress pursuant to section 7001 of the Water  
3 Resources Reform and Development Act of 2014 (33  
4 U.S.C. 2282d) or otherwise reviewed by Congress:

5 (1) TONTO CREEK, GILA RIVER, ARIZONA.—  
6 Project for flood risk management, Tonto Creek,  
7 Gila River, Arizona.

8 (2) SULPHUR RIVER, ARKANSAS AND TEXAS.—  
9 Project for ecosystem restoration, Sulphur River,  
10 Arkansas and Texas.

11 (3) CABLE CREEK, CALIFORNIA.—Project for  
12 flood risk management, water supply, and related  
13 benefits, Cable Creek, California.

14 (4) DEL MAR BLUFFS, CALIFORNIA.—Project  
15 for shoreline stabilization, Del Mar Bluffs, San  
16 Diego County, California.

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

20 (6) RIO HONDO CHANNEL, CALIFORNIA.—  
21 Project for ecosystem restoration, Rio Hondo Chan-  
22 nel, San Gabriel River, California.

23 (7) SOUTHERN CALIFORNIA, CALIFORNIA.—  
24 Project for coastal storm damage reduction, South-  
25 ern California.

1           (8) SHINGLE CREEK AND KISSIMMEE RIVER,  
2           FLORIDA.—Project for ecosystem restoration and  
3           water storage, Shingle Creek and Kissimmee River,  
4           Osceola County, Florida.

5           (9) ST. JOHN’S RIVER AND LAKE JESUP, FLOR-  
6           IDA.—Project for ecosystem restoration, St. John’s  
7           River and Lake Jesup, Florida.

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

11          (11) CHICAGO AREA WATERWAYS SYSTEM, ILLI-  
12          NOIS.—Project for ecosystem restoration, recreation,  
13          and other purposes, Illinois River, Chicago River,  
14          Calumet River, Grand Calumet River, Little Cal-  
15          umet River, and other waterways in the vicinity of  
16          Chicago, Illinois.

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

19          (13) LOWER MISSOURI RIVER, KANSAS.—  
20          Project for bank stabilization and navigation, Lower  
21          Missouri River, Sioux City, Kansas.

22          (14) TANGIPAHOA PARISH, LOUISIANA.—  
23          Project for flood risk management, Tangipahoa Par-  
24          ish, Louisiana.

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

4           (16) LOWER ST. CROIX RIVER, MINNESOTA.—  
5 Project for flood risk management, ecosystem res-  
6 toration, and recreation, Lower St. Croix River,  
7 Minnesota.

8           (17) ESCATAWPA RIVER BASIN, MISSISSIPPI.—  
9 Project for flood risk management and ecosystem  
10 restoration, Escatawpa River, Jackson County, Mis-  
11 sissippi.

12           (18) LONG BEACH, BAY ST. LOUIS AND MIS-  
13 SISSIPPI SOUND, MISSISSIPPI.—Project for hurricane  
14 and storm damage risk reduction and flood risk  
15 management, Long Beach, Bay St. Louis and Mis-  
16 sissippi Sound, Mississippi.

17           (19) PASCAGOULA RIVER BASIN, MISSISSIPPI.—  
18 Project for comprehensive watershed study,  
19 Pascagoula, Mississippi.

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

23           (21) LOWER OSAGE RIVER BASIN, MISSOURI.—  
24 Project for ecosystem restoration, Lower Osage  
25 River Basin, Missouri.

1           (22) UPPER BASIN AND STONY BROOK (GREEN  
2           BROOK SUB-BASIN), RARITAN RIVER BASIN, NEW  
3           JERSEY.—Reevaluation of the Upper Basin and  
4           Stony Brook portions of the project for flood control,  
5           Green Brook Sub-basin, Raritan River Basin, New  
6           Jersey, authorized by section 401 of the Water Re-  
7           sources Development Act of 1986 (100 Stat. 4119),  
8           including the evaluation of non-structural measures  
9           to achieve the project purpose.

10           (23) LAKE ONTARIO SHORELINE, NEW YORK.—  
11           Project for coastal storm resiliency, Lake Ontario  
12           shoreline, New York.

13           (24) WADING RIVER CREEK, NEW YORK.—  
14           Project for hurricane and storm damage risk reduc-  
15           tion, flood risk management, navigation, and eco-  
16           system restoration, Wading River Creek, New York.

17           (25) REEL POINT PRESERVE, NEW YORK.—  
18           Project for navigation and shoreline stabilization,  
19           Reel Point Preserve, New York.

20           (26) GOLDSMITH INLET, NEW YORK.—Project  
21           for navigation, Goldsmith Inlet, New York.

22           (27) TUSCARAWAS RIVER BASIN, OHIO.—  
23           Project for comprehensive watershed study,  
24           Tuscarawas River Basin, Ohio.

1           (28) LOWER COLUMBIA RIVER BASIN (TURNING  
2 BASIN), OREGON AND WASHINGTON.—Project to im-  
3 prove turning basins for the project for navigation,  
4 Columbia River Channel, Oregon and Washington,  
5 authorized by section 101(b)(13) of the Water Re-  
6 sources Development Act of 1999 (113 Stat. 280).

7           (29) WILLIAMSPORT, PENNSYLVANIA.—Project  
8 for flood risk management and levee rehabilitation,  
9 greater Williamsport, Pennsylvania.

10          (30) CITY OF CHARLESTON, SOUTH CARO-  
11 LINA.—Project for tidal- and inland-related flood  
12 risk management, Charleston, South Carolina.

13          (31) TENNESSEE AND CUMBERLAND RIVER BA-  
14 SINS, TENNESSEE.—Project to deter, impede, or re-  
15 strict the dispersal of aquatic nuisance species in the  
16 Tennessee and Cumberland River Basins, Ten-  
17 nessee.

18          (32) PORT ARTHUR AND VICINITY, TEXAS.—  
19 Modification of the project for hurricane and storm  
20 damage risk reduction, Port Arthur and vicinity,  
21 Texas, authorized by section 203 of the Flood Con-  
22 trol Act of 1962 (76 Stat. 1184), to reduce the re-  
23 sidual risk of flooding through the construction of  
24 improvements to interior drainage.

1           (33) PORT OF VICTORIA, TEXAS.—Project for  
2 flood risk management, Port of Victoria, Texas.

3           (34) LOWER FOX RIVER BASIN, WISCONSIN.—  
4 Project for comprehensive watershed study, Lower  
5 Fox River Basin, Wisconsin.

6           (35) UPPER FOX RIVER AND WOLF RIVER, WIS-  
7 CONSIN.—Project for flood risk management and  
8 ecosystem restoration, Upper Fox River and Wolf  
9 River, Wisconsin.

10       (b) SPECIAL RULE.—The Secretary shall consider  
11 any study carried out by the Secretary to formulate the  
12 modifications to the project for hurricane and storm dam-  
13 age risk reduction, Port Arthur and vicinity, Texas, identi-  
14 fied in subsection (b)(32) shall be considered a continu-  
15 ation of the study carried out for Sabine Pass to Galveston  
16 Bay, Texas, authorized by a resolution of the Committee  
17 on Environment and Public Works of the Senate, ap-  
18 proved June 23, 2004.

19 **SEC. 202. EXPEDITED COMPLETIONS.**

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

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

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

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

7           (4) Project for flood risk management, Lower  
8           Santa Cruz River, Arizona.

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

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

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

18          (8) Project for flood risk management, Prado  
19          Basin, California.

20          (9) Project to modify the project for navigation,  
21          San Francisco Bay to Stockton, California.

22          (10) Project to modify the Seven Oaks Dam,  
23          California, portion of the project for flood control,  
24          Santa Ana River Mainstem, California, authorized  
25          by section 401(a) of the Water Resources Develop-



1       ment Act of 1986 (100 Stat. 4113; 101 Stat. 1329–  
2       111; 104 Stat. 4611; 110 Stat. 3713; 121 Stat.  
3       1115), to include water conservation as an author-  
4       ized purpose.

5           (11) Project to modify the project for naviga-  
6       tion, Delaware River Mainstem and Channel Deep-  
7       ening, Delaware, New Jersey, and Pennsylvania, au-  
8       thorized by section 101(6) of the Water Resources  
9       Development Act of 1992 (106 Stat. 4802; 113  
10      Stat. 300; 114 Stat. 1262) to include the construc-  
11     tion of a turning basin located near the Packer Ave-  
12     nue Marine Terminal.

13          (12) Project for ecosystem restoration, Central  
14      and Southern Florida Project Canal 111 (C-111),  
15      South Dade County, Florida.

16          (13) Project for comprehensive hurricane and  
17      storm damage risk reduction and shoreline erosion  
18      protection, Chicago, Illinois, authorized by section  
19      101(a)(12) of the Water Resources Development Act  
20      of 1996 (110 Stat. 3664; 113 Stat. 302).

21          (14) Project for flood risk management, Whea-  
22      ton, DuPage County, Illinois.

23          (15) Project for flood damage reduction, eco-  
24      system restoration, and recreation, Blue River  
25      Basin, Kansas City, Kansas, carried out pursuant to

1 the resolution of the Committee on Transportation  
2 and Infrastructure of the House of Representatives  
3 adopted on September 24, 2008 (docket number  
4 2803).

5 (16) Project to deepen the project for naviga-  
6 tion, Gulfport Harbor, Mississippi, authorized by  
7 section 202(a) of the Water Resources Development  
8 Act of 1986 (100 Stat. 4094).

9 (17) Project for hurricane and storm damage  
10 risk reduction, Raritan Bay and Sandy Hook Bay,  
11 Highlands, New Jersey.

12 (18) Project for navigation, Shark River, New  
13 Jersey.

14 (19) Project for flood risk management,  
15 Rondout Creek-Wallkill River Watershed, New York,  
16 carried out pursuant to the resolution of the Com-  
17 mittee on Transportation and Infrastructure of the  
18 House of Representatives adopted on May 2, 2007  
19 (docket number 2776).

20 (20) Project for ecosystem restoration and hur-  
21 ricane and storm damage risk reduction, Spring  
22 Creek South (Howard Beach), Queens, New York.

23 (21) Project for flood control, 42nd Street  
24 Levee, Springfield, Oregon, being carried out under

1 section 205 of the Flood Control Act of 1948 (33  
2 U.S.C. 701s).

3 (22) Project for ecosystem restoration, Hood  
4 River at the confluence with the Columbia River, Or-  
5 egon.

6 (23) Project for flood risk management, Rio  
7 Culebrinas, Puerto Rico.

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

10 (25) Project for flood risk management, Rio  
11 Guayanilla, Puerto Rico.

12 (26) Project for flood risk management, Dor-  
13 chester County, South Carolina.

14 (27) Project for navigation, Georgetown Har-  
15 bor, South Carolina.

16 (28) Project for hurricane and storm damage  
17 risk reduction, Myrtle Beach, South Carolina.

18 (29) Project to modify the projects for naviga-  
19 tion and other purposes, Old Hickory Lock and Dam  
20 and the Cordell Hull Dam and Reservoir, Cum-  
21 berland River, Tennessee, authorized by the Act of  
22 July 24, 1946 (chapter 595, 60 Stat. 636), to add  
23 flood risk management as an authorized purpose.

24 (30) Project for flood risk management, eco-  
25 system restoration, water supply, and related pur-

1 poses, Lower Rio Grande River, Cameron County,  
2 Texas, carried out pursuant to the resolution of the  
3 Committee on Transportation and Infrastructure of  
4 the House of Representatives adopted on May 21,  
5 2003 (docket number 2710).

6 (31) Project for flood risk management, Savan  
7 Gut Phase II, St. Thomas, United States Virgin Is-  
8 lands.

9 (32) Project for flood risk management, Tur-  
10 pentine Run, St. Thomas, United States Virgin Is-  
11 lands.

12 (33) Project for navigation, North Landing  
13 Bridge, Atlantic Intracoastal Waterway, Virginia.

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

17 (1) Project for ecosystem restoration, Tres  
18 Rios, Arizona.

19 (2) Project for flood control, San Luis Rey  
20 River, California.

21 (3) Project for ecosystem restoration, Central  
22 and Southern Florida Project Canal 111 (C-111),  
23 South Dade County, Florida.

24 (4) Project for ecosystem restoration, Com-  
25 prehensive Everglades Restoration Plan,

1 Caloosahatchee River C-43, West Basin Storage  
2 Reservoir, Florida.

3 (5) Project for flood risk management, Des  
4 Moines Levee System, including Birdland Park  
5 Levee, Des Moines and Raccoon Rivers, Des Moines,  
6 Iowa.

7 (c) WATERSHED AND RIVER BASIN ASSESSMENTS.—  
8 The Secretary shall expedite the completion of an assess-  
9 ment under section 729 of the Water Resources Develop-  
10 ment Act of 1986 (33 U.S.C. 2267a), for the following:

11 (1) Kansas River Basin, Kansas.

12 (2) Merrimack River Basin, Massachusetts.

13 (d) DISPOSITION STUDY.—The Secretary shall expe-  
14 dite the completion of a disposition study, carried out  
15 under section 216 of the Flood Control Act of 1970 (33  
16 U.S.C. 549a), for the project for Salinas Reservoir (Santa  
17 Margarita Lake), California.

18 **SEC. 203. FEASIBILITY STUDY MODIFICATIONS.**

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

22 (1) by inserting “, San Francisco, Marin,” after  
23 “Sonoma”;

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

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

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

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

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

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

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

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

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

1 (2) consult with affected communities; and

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

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

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

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

21 (2) identifies project alternatives necessary to—

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



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

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

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

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

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

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

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

1 (B) incorporate—

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

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

8 (c) RECOMMENDATIONS.—

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

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

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

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

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

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

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

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

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

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

22          (e) DEFINITIONS.—In this section:

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

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

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

14   **SEC. 206. GREAT LAKES COASTAL RESILIENCY STUDY.**

15      (a) IN GENERAL.—In carrying out the comprehensive  
16      assessment of water resources needs for the Great Lakes  
17      System under section 729 of the Water Resources Devel-  
18      opment Act of 1986 (33 U.S.C. 2267a), as required by  
19      section 1219 of the Water Resources Development Act of  
20      2018 (132 Stat. 3811), the Secretary shall—

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

24                       (A) coastal storm and flood risk manage-  
25      ment measures, including measures that use

1 natural features and nature-based features, as  
2 those terms are defined in section 1184 of the  
3 Water Resources Development Act of 2016 (33  
4 U.S.C. 2289a);

5 (B) operation and maintenance of the  
6 Great Lakes Navigation System, as such term  
7 is defined in section 210 of the Water Re-  
8 sources Development Act of 1986 (33 U.S.C.  
9 2238);

10 (C) ecosystem protection and restoration;

11 (D) the prevention and control of invasive  
12 species and the effects of invasive species; and

13 (E) recreation associated with water re-  
14 sources development projects;

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

18 (3) to the maximum extent practicable and  
19 where appropriate, utilize existing data provided to  
20 the Secretary by Federal and State agencies, Indian  
21 Tribes, and other stakeholders, including data ob-  
22 tained through other Federal programs.

23 (b) RECOMMENDATIONS; ADDITIONAL STUDY.—

24 (1) IN GENERAL.—In carrying out the com-  
25 prehensive assessment described in subsection (a),

1 the Secretary may make a recommendation to Con-  
2 gress for—

3 (A) the construction of a water resources  
4 development project;

5 (B) the structural or operational modifica-  
6 tion of an existing water resources development  
7 project;

8 (C) such additional monitoring of, or  
9 adaptive management measures to carry out  
10 with respect to, existing water resources devel-  
11 opment projects, to respond to changing hydro-  
12 logic and climatic conditions; or

13 (D) geographic areas within the Great  
14 Lakes System for additional study by the Sec-  
15 retary.

16 (2) ADDITIONAL CONSIDERATIONS.—Any feasi-  
17 bility study carried out pursuant to a recommenda-  
18 tion under paragraph (1)(D) shall be considered to  
19 be a continuation of the comprehensive assessment  
20 described in subsection (a).

21 (c) EXEMPTION FROM MAXIMUM STUDY COST AND  
22 DURATION LIMITATIONS.—Section 1001 of the Water Re-  
23 sources Reform and Development Act of 2014 (33 U.S.C.  
24 2282c) shall not apply to any study recommended under  
25 subsection (b)(1)(D).

1 **SEC. 207. RATHBUN LAKE, CHARITON RIVER, IOWA.**

2 Not later than 1 year after the date of enactment  
3 of this Act, the Secretary shall submit to the Committee  
4 on Transportation and Infrastructure of the House of  
5 Representatives and the Committee on Environment and  
6 Public Works of the Senate a report that evaluates—

7 (1) the existing allocations of storage space for  
8 Rathbun Lake, authorized pursuant to the Flood  
9 Control Act of 1954 (68 Stat. 1262; 121 Stat.  
10 1124), including the existing allocation for municipal  
11 water supply;

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

14 (3) the affordability of future municipal water  
15 supply allocations from Rathbun Lake, for residen-  
16 tial users of such future allocations, at projected fu-  
17 ture costs.

18 **SEC. 208. REPORT ON THE STATUS OF RESTORATION IN**  
19 **THE LOUISIANA COASTAL AREA.**

20 Not later than 1 year after the date of enactment  
21 of this Act, the Coastal Louisiana Ecosystem Protection  
22 and Restoration Task Force established by section 7004  
23 of Water Resources Development Act of 2007 (121 Stat.  
24 1272) shall submit to Congress a report that summarizes  
25 the activities and recommendations of the task force, in-  
26 cluding—

1           (1) policies, strategies, plans, programs,  
2 projects, and activities undertaken for addressing  
3 conservation, protection, restoration, and mainte-  
4 nance of the coastal Louisiana ecosystem; and

5           (2) financial participation by each agency rep-  
6 resented on the Task Force in conserving, pro-  
7 tecting, restoring, and maintaining the coastal Lou-  
8 isiana ecosystem.

9 **SEC. 209. LOWER MISSISSIPPI RIVER COMPREHENSIVE**  
10 **STUDY.**

11       (a) **COMPREHENSIVE STUDY.**—The Secretary shall  
12 conduct a comprehensive study of the Lower Mississippi  
13 River basin, from Cape Girardeau, Missouri, to the Gulf  
14 of Mexico, to identify actions to be undertaken by the Sec-  
15 retary for the comprehensive management of the basin for  
16 the purposes of flood risk management, navigation, eco-  
17 system restoration, water supply, hydropower, and recre-  
18 ation.

19       (b) **CONSULTATION AND USE OF EXISTING DATA.**—  
20 In conducting the comprehensive study under subsection  
21 (a), the Secretary shall consult with applicable Federal,  
22 State, and local agencies, Indian Tribes, non-Federal in-  
23 terests, and other stakeholders, and, to the maximum ex-  
24 tent practicable and where appropriate, make use of exist-  
25 ing data provided to the Secretary by such parties.



1 (c) RECOMMENDATIONS.—

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

5 (A) the construction of a water resources  
6 development project;

7 (B) the structural or operational modifica-  
8 tion of an existing water resources development  
9 project;

10 (C) such additional monitoring of, or  
11 adaptive management measures to carry out  
12 with respect to, existing water resources devel-  
13 opment projects, to respond to changing condi-  
14 tions; or

15 (D) geographic areas within the Lower  
16 Mississippi River basin for additional study by  
17 the Secretary.

18 (2) ADDITIONAL CONSIDERATIONS.—Any feasi-  
19 bility study carried out pursuant to a recommenda-  
20 tion under paragraph (1)(D) shall be considered to  
21 be a continuation of the comprehensive study re-  
22 quired under subsection (a).

23 (d) COMPLETION OF STUDY; REPORT TO CON-  
24 GRESS.—Not later than 3 years after the date of enact-  
25 ment of this section, the Secretary shall submit to the

1 Committee on Transportation and Infrastructure of the  
2 House of Representatives and the Committee on Environ-  
3 ment and Public Works of the Senate a report detailing—

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

7           (2) any interim actions relating to existing  
8           water resources development projects undertaken by  
9           the Secretary during the study period.

10 **SEC. 210. UPPER MISSISSIPPI RIVER COMPREHENSIVE**  
11 **PLAN.**

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

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

20 **SEC. 211. LOWER MISSOURI BASIN FLOOD RISK AND RESIL-**  
21 **IENCY STUDY, IOWA, KANSAS, NEBRASKA,**  
22 **AND MISSOURI.**

23           (a) **ADDITIONAL STUDIES.**—

24           (1) **IN GENERAL.**—Except as provided in para-  
25 graph (2), upon the request of the non-Federal in-

1       terest for the Lower Missouri Basin study, the Sec-  
2       retary shall expand the scope of such study to inves-  
3       tigate and provide recommendations relating to—

4               (A) modifications to projects in Iowa, Kan-  
5               sas, Nebraska, and Missouri authorized under  
6               the Pick-Sloan Missouri River Basin Program  
7               (authorized by section 9(b) of the Flood Control  
8               Act of December 22, 1944 (chapter 665, 58  
9               Stat. 891)) and the Missouri River Bank Sta-  
10              bilization and Navigation project (authorized by  
11              section 2 of the Act of March 2, 1945 (chapter  
12              19, 59 Stat. 19)), including modifications to the  
13              authorized purposes of such projects to further  
14              flood risk management and resiliency; and

15              (B) modifications to non-Federal, publicly  
16              owned levees in the Lower Missouri River  
17              Basin.

18       (2) EXCEPTION.—If the Secretary determines  
19       that expanding the scope of the Lower Missouri  
20       Basin study as provided in paragraph (1) is not  
21       practicable, and the non-Federal interest for such  
22       study concurs in such determination, the Secretary  
23       shall carry out such additional studies as are nec-  
24       essary to investigate the modifications described in  
25       paragraph (1).

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

4           (A) Any additional study carried out under  
5 paragraph (2).

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

9           (C) Any study recommended to be carried  
10 out in a report that the Chief of Engineers pre-  
11 pares for an additional study carried out under  
12 paragraph (2).

13           (D) Any study spun off from the Lower  
14 Missouri Basin study before the completion of  
15 such study.

16           (E) Any study spun off from an additional  
17 study carried out under paragraph (2) before  
18 the completion of such additional study.

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

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

4           (A) consider the use of—

5               (i) structural and nonstructural meas-  
6               ures, including the setting back of levees  
7               and removing structures from areas of re-  
8               curring flood vulnerability, where advan-  
9               tageous, to reduce flood risk and damages  
10              in the Lower Missouri River Basin; and

11              (ii) where such features are locally ac-  
12              ceptable, natural features or nature-based  
13              features (as such terms are defined in sec-  
14              tion 1184 of the Water Resources Develop-  
15              ment Act of 2016 (33 U.S.C. 2289a); and

16           (B) consult with applicable Federal and  
17       State agencies, Indian Tribes, and other stake-  
18       holders within the Lower Missouri River Basin  
19       and solicit public comment on such rec-  
20       ommendations.

21           (6) EXEMPTION FROM MAXIMUM STUDY COST  
22       AND DURATION LIMITATIONS.—Section 1001 of the  
23       Water Resources Reform and Development Act of  
24       2014 (33 U.S.C. 2282c) shall not apply to the

1 Lower Missouri Basin study or any study described  
2 in paragraph (3).

3 (7) PRECONSTRUCTION, ENGINEERING, AND  
4 DESIGN.—Upon completion of a study authorized by  
5 this section, if the Secretary determines that a rec-  
6 ommended project, or modification to a project de-  
7 scribed in paragraph (1), is justified, the Secretary  
8 may proceed directly to preconstruction planning,  
9 engineering, and design of the project or modifica-  
10 tion.

11 (8) TECHNICAL ASSISTANCE.—

12 (A) IN GENERAL.—For the provision of  
13 technical assistance to support small commu-  
14 nities and economically disadvantaged commu-  
15 nities in the planning and design of flood risk  
16 management and flood risk resiliency projects  
17 in the Lower Missouri River Basin, for each of  
18 fiscal years 2021 through 2026, there are au-  
19 thorized to be appropriated—

20 (i) \$2,000,000 to carry out section  
21 206 of the Flood Control Act of 1960 (33  
22 U.S.C. 709a), in addition to amounts oth-  
23 erwise authorized to carry out such sec-  
24 tion; and

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

6           (B) CONDITIONS.—

7           (i) LIMITATIONS NOT APPLICABLE.—  
8           The limitations on the use of funds in sec-  
9           tion 206(d) of the Flood Control Act of  
10          1960 and section 22(e)(2) of the Water  
11          Resources Development Act of 1974 shall  
12          not apply to the amounts authorized to be  
13          appropriated by subparagraph (A).

14          (ii) RULE OF CONSTRUCTION.—Noth-  
15          ing in this paragraph restricts the author-  
16          ity of the Secretary to use any funds other-  
17          wise appropriated to carry out section 206  
18          of the Flood Control Act of 1960 or sec-  
19          tion 22(a)(2) of the Water Resources De-  
20          velopment Act of 1974 to provide technical  
21          assistance described in subparagraph (A).

22          (9) COMPLETION OF STUDY; REPORT TO CON-  
23          GRESS.—Not later than 3 years after the date of en-  
24          actment of this Act, the Secretary shall submit to  
25          the Committee on Transportation and Infrastructure

1 of the House of Representatives and the Committee  
2 on Environment and Public Works of the Senate a  
3 report detailing—

4 (A) the results of the study authorized by  
5 this section;

6 (B) any additional, site-specific areas with-  
7 in the Lower Missouri River Basin for which  
8 additional study for flood risk management  
9 projects is recommended by the Secretary; and

10 (C) any interim actions relating to existing  
11 water resources development projects under-  
12 taken by the Secretary during the study period.

13 (b) DEFINITIONS.—In this section:

14 (1) LOWER MISSOURI BASIN STUDY.—The term  
15 “Lower Missouri Basin study” means the Lower  
16 Missouri Basin Flood Risk and Resiliency Study,  
17 Iowa, Kansas, Nebraska, and Missouri, authorized  
18 pursuant to section 216 of the Flood Control Act of  
19 1970 (33 U.S.C. 549a).

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



1 **SEC. 212. COUGAR AND DETROIT DAMS, WILLAMETTE**  
2 **RIVER BASIN, OREGON.**

3 (a) REPORT.—Not later than 2 years after the date  
4 of enactment of this Act, the Secretary shall submit to  
5 the Committee on Transportation and Infrastructure of  
6 the House of Representatives and the Committee on Envi-  
7 ronment and Public Works of the Senate, and make pub-  
8 licly available, a report providing an initial analysis of  
9 deauthorizing hydropower as a project purpose at the Cou-  
10 gar and Detroit Dams project.

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

13 (1) a description of the potential effects of  
14 deauthorizing hydropower as a project purpose at  
15 the Cougar and Detroit Dams project on—

16 (A) the operation of the project, including  
17 with respect to the other authorized purposes of  
18 the project;

19 (B) compliance of the project with the En-  
20 dangered Species Act;

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

24 (D) other ongoing studies in the Willam-  
25 ette River Basin; and

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

3       (c) **PROJECT DEFINED.**—In this section, the terms  
4 “Cougar and Detroit Dams project” and “project” mean  
5 the Cougar Dam and Reservoir project and Detroit Dam  
6 and Reservoir project, Willamette River Basin, Oregon,  
7 authorized by section 204 of the Flood Control Act of  
8 1950 (64 Stat. 179).

9 **SEC. 213. PORT ORFORD, OREGON.**

10       Not later than 180 days after the date of enactment  
11 of this Act, the Secretary shall, at Federal expense, submit  
12 to the Committee on Transportation and Infrastructure  
13 of the House of Representatives and the Committee on  
14 Environment and Public Works of the Senate a summary  
15 report on the research completed and data gathered by  
16 the date of enactment of this Act with regards to the con-  
17 figuration of a breakwater for the project for navigation,  
18 Port Orford, Oregon, authorized by section 117 of the  
19 River and Harbor Act of 1970 (84 Stat. 1822; 106 Stat.  
20 4809), for the purposes of addressing shoaling issues to  
21 minimize long-term maintenance costs.

22 **SEC. 214. WILSON CREEK AND SLOAN CREEK, FAIRVIEW,**  
23 **TEXAS.**

24       Not later than 180 days after the date of enactment  
25 of this section, the Secretary shall submit to Congress a

1 written status update regarding efforts to address flooding  
2 along Wilson Creek and Sloan Creek in the City of Fair-  
3 view, Texas.

4 **SEC. 215. GAO STUDY ON MITIGATION FOR WATER RE-**  
5 **SOURCES DEVELOPMENT PROJECTS.**

6 Not later than 18 months after the date of enactment  
7 of this Act, the Comptroller General of the United States  
8 shall—

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

18 (A) an evaluation of guidance or instruc-  
19 tions issued, and other measures taken, by the  
20 Secretary to ensure successful mitigation of  
21 such impacts;

22 (B) a review of the methods of mitigation,  
23 including the use of in-lieu fees, mitigation  
24 banking, and permittee-responsible mitigation,  
25 and their long-term effectiveness of restoring or

1 mitigating ecosystem services impacted by such  
2 projects;

3 (C) a review of how the use of the different  
4 mitigation methods for such projects varies  
5 across Corps of Engineers districts;

6 (D) an assessment of the backlog of miti-  
7 gation projects, including the number of mitiga-  
8 tion projects pending completion to address  
9 such impacts resulting from constructed water  
10 resources development projects;

11 (E) an evaluation of how the Secretary  
12 tracks compliance with the mitigation require-  
13 ments across Corps of Engineers districts;

14 (F) a review of how the mitigation require-  
15 ments for water resources development projects  
16 contributes to the resilience of water resources  
17 in the United States;

18 (G) an assessment of whether mitigation is  
19 being done prior to or contemporaneously with  
20 the construction of projects, as required by sec-  
21 tion 906 of the Water Resources Development  
22 Act of 1986 (33 U.S.C. 2283);

23 (H) an evaluation of compliance with sec-  
24 tion 906(d) of the Water Resources Develop-  
25 ment Act of 1986 (33 U.S.C. 2283(d)) for the

1 development of specific mitigation plans for  
2 projects, whether such plans were successful in  
3 mitigating the designated impacts of the  
4 projects, and, in instances where such plans  
5 were not successful, what actions the Secretary  
6 is taking to modify the plans such that they will  
7 be successful; and

8 (I) an assessment of how the Secretary  
9 might take advantage of natural infrastructure  
10 in mitigation planning to reduce flood risks and  
11 flood recovery costs for some communities; and

12 (2) submit to Congress a report that—

13 (A) describes the results of the study con-  
14 ducted under paragraph (1);

15 (B) includes recommendations to ensure  
16 compliance with and successful implementation  
17 of mitigation requirements for water resources  
18 development projects; and

19 (C) includes recommendations to ensure  
20 existing programs and authorities include the  
21 use, to the maximum extent practicable, of nat-  
22 ural infrastructure.

1 **SEC. 216. GAO STUDY ON APPLICATION OF HARBOR MAIN-**  
2 **TENANCE TRUST FUND EXPENDITURES.**

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

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

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

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

22 (A) emerging harbor projects (as defined  
23 in such section);

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

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

4 (D) projects assigned to harbors and in-  
5 land harbors within the Great Lakes Navigation  
6 System (as defined in such section);

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

9 (5) an assessment of projected needs associated  
10 with donor ports, medium-sized donor ports, and en-  
11 ergy transfer ports (as such terms are defined in  
12 section 2106 of the Water Resources Reform and  
13 Development Act of 2014 (33 U.S.C. 2201)); and

14 (6) an itemization of expenditures provided to  
15 donor ports, medium-sized donor ports, and energy  
16 transfer ports under section 2106 of the Water Re-  
17 sources Reform and Development Act of 2014 (33  
18 U.S.C. 2201).

19 (b) REPORT TO CONGRESS.—Upon completion of the  
20 report under subsection (a), the Comptroller General shall  
21 submit such report to the Committee on Transportation  
22 and Infrastructure of the House of Representatives and  
23 the Committee on Environment and Public Works of the  
24 Senate.

1 **SEC. 217. STUDY ON WATER SUPPLY AND WATER CON-**  
2 **SERVATION AT WATER RESOURCES DEVEL-**  
3 **OPMENT PROJECTS.**

4 (a) **IN GENERAL.**—Not later than 18 months after  
5 the date of enactment of this Act, the Secretary shall sub-  
6 mit to the Committee on Transportation and Infrastruc-  
7 ture of the House of the Representatives and the Com-  
8 mittee on Environment and Public Works of the Senate  
9 a report that analyses the benefits and consequences of  
10 including municipal water supply and water conservation  
11 as a primary mission of the Corps of Engineers in carrying  
12 out water resources development projects.

13 (b) **INCLUSION.**—The Secretary shall include in the  
14 report submitted under subsection (a)—

15 (1) a description of existing water resources de-  
16 velopment projects with municipal water supply or  
17 water conservation as authorized purposes, and the  
18 extent to which such projects are utilized for such  
19 purposes;

20 (2) a description of existing water resources de-  
21 velopment projects with respect to which—

22 (A) municipal water supply or water con-  
23 servation could be added as a project purpose,  
24 including those with respect to which a non-  
25 Federal interest has expressed an interest in



1 adding municipal water supply or water con-  
2 servation as a project purpose; and

3 (B) such a purpose could be accommodated  
4 while maintaining existing authorized purposes;

5 (3) a description of ongoing water resources de-  
6 velopment project studies the authorizations for  
7 which include authorization for the Secretary to  
8 study the feasibility of carrying out the project with  
9 a purpose of municipal water supply or water con-  
10 servation;

11 (4) an analysis of how adding municipal water  
12 supply and water conservation as a primary mission  
13 of the Corps of Engineers would affect the ability of  
14 the Secretary to carry out future water resources de-  
15 velopment projects; and

16 (5) any recommendations of the Secretary relat-  
17 ing to including municipal water supply and water  
18 conservation as a primary mission of the Corps of  
19 Engineers.

20 **SEC. 218. PFAS REVIEW AND INVENTORY AT CORPS FACILI-**  
21 **TIES.**

22 (a) INVENTORY OF PFAS AT CORPS FACILITIES.—

23 (1) IN GENERAL.—Not later than 18 months  
24 after the date of enactment of this section, and an-  
25 nually thereafter the Secretary shall complete an in-

1        ventionary of Corps of Engineers civil works facilities  
2        that are or may be contaminated, or could become  
3        contaminated, by PFAS.

4            (2) CONTENTS OF INVENTORY.—In carrying  
5        out this subsection, the Secretary shall review and  
6        identify—

7            (A) all facilities owned or operated by the  
8        Corps of Engineers, for which there is a civil  
9        works function, that are or may be contami-  
10       nated, or could become contaminated, by  
11       PFAS;

12           (B) the nature and extent of any such con-  
13       tamination or potential for contamination, in-  
14       cluding any potential pathways for human expo-  
15       sure to PFAS;

16           (C) response measures taken to monitor,  
17       control, remove, or remediate PFAS, or other-  
18       wise reduce the risk of human exposure to  
19       PFAS;

20           (D) for facilities identified under subpara-  
21       graph (A), the extent to which such facilities  
22       (or any such contamination or potential for con-  
23       tamination at such facilities) are related to the  
24       civil works functions of the Corps of Engineers;

1           (E) the extent to which the Secretary, or  
2           other entities, may have responsibility for such  
3           contamination or potential for contamination;  
4           and

5           (F) for facilities identified under subpara-  
6           graph (A), the costs to remediate and reduce  
7           the risk of human exposure to PFAS.

8           (3) COORDINATION WITH OTHER FEDERAL  
9           AGENCIES.—To the maximum extent practicable, the  
10          actions taken under this subsection shall supplement  
11          and support work undertaken by other Federal  
12          agencies, including actions taken pursuant to the  
13          plan published by the Administrator of the Environ-  
14          mental Protection Agency, titled “EPA’s Per- and  
15          Polyfluoroalkyl Substances (PFAS) Action Plan”  
16          and dated February 2019.

17          (4) REPORT TO CONGRESS.—Upon completion  
18          of the inventory under paragraph (1), and annually  
19          thereafter concurrent with the President’s annual  
20          budget request to Congress, the Secretary shall sub-  
21          mit the inventory to the Committee on Transpor-  
22          tation and Infrastructure of the House of Represent-  
23          atives and the Committee on Environment and Pub-  
24          lic Works of the Senate.

25          (b) PFAS TECHNOLOGY RESEARCH.—

1           (1) RESEARCH SUPPORT.—The Secretary, act-  
2           ing through the Hazardous Waste Research Center  
3           located at the Engineer Research and Development  
4           Center, shall, to the maximum extent practicable,  
5           support the efforts of other Federal agencies in the  
6           development of innovative technologies and meth-  
7           odologies for the detection, treatment, and cleanup  
8           of PFAS associated with Federal facilities, including  
9           groundwater associated with such facilities.

10           (2) DUPLICATION OF EFFORTS.—Nothing in  
11           this subsection is intended to duplicate the activities  
12           undertaken by other Federal agencies as identified  
13           in subsection (a)(3).

14           (c) DEFINITION.—In this section, the term “PFAS”  
15           means a perfluoroalkyl substance or polyfluoroalkyl sub-  
16           stance with at least one fully fluorinated carbon atom.

## 17       **TITLE III—DEAUTHORIZATIONS** 18               **AND MODIFICATIONS**

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

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

21                   (1) to identify water resources development  
22                   projects authorized by Congress that are no longer  
23                   viable for construction due to—

24                           (A) a lack of local support;

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

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

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

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

12 (b) PROPOSED DEAUTHORIZATION LIST.—

13 (1) PRELIMINARY LIST OF PROJECTS.—

14 (A) IN GENERAL.—The Secretary shall de-  
15 velop a preliminary list of each water resources  
16 development project, or separable element of a  
17 project, authorized for construction before No-  
18 vember 8, 2007, for which—

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

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

1           planning, design, or construction of the  
2           project or separable element of the project  
3           during the current fiscal year or any of the  
4           10 preceding fiscal years.

5           (B) USE OF COMPREHENSIVE CONSTRU-  
6           TION BACKLOG AND OPERATION AND MAINTEN-  
7           NANCE REPORT.—The Secretary may develop  
8           the preliminary list from the comprehensive  
9           construction backlog and operation and mainte-  
10          nance reports developed pursuant to section  
11          1001(b)(2) of the Water Resources Develop-  
12          ment Act of 1986 (33 U.S.C. 579a).

13          (2) PREPARATION OF PROPOSED DEAUTHORIZA-  
14          TION LIST.—

15                 (A) DEAUTHORIZATION AMOUNT.—The  
16                 Secretary shall prepare a proposed list of  
17                 projects for deauthorization comprised of a sub-  
18                 set of projects and separable elements identified  
19                 on the preliminary list developed under para-  
20                 graph (1) that have, in the aggregate, an esti-  
21                 mated Federal cost to complete that is at least  
22                 \$10,000,000,000.

23                 (B) DETERMINATION OF FEDERAL COST  
24                 TO COMPLETE.—For purposes of subparagraph  
25                 (A), the Federal cost to complete shall take into

1 account any allowances authorized by section  
2 902 of the Water Resources Development Act  
3 of 1986 (33 U.S.C. 2280), as applied to the  
4 most recent project schedule and cost estimate.

5 (C) INCLUSION OF DEAUTHORIZATION OF  
6 ANTIQUATED PROJECTS.—The Secretary shall  
7 reduce the amount identified for deauthoriza-  
8 tion under paragraph (2)(A) by an amount  
9 equivalent to the estimated current value of  
10 each project, or separable element of a project,  
11 that is deauthorized by subsection (f).

12 (3) SEQUENCING OF PROJECTS.—

13 (A) IN GENERAL.—The Secretary shall  
14 identify projects and separable elements for in-  
15 clusion on the proposed list of projects for de-  
16 authorization under paragraph (2) according to  
17 the order in which the projects and separable  
18 elements were authorized, beginning with the  
19 earliest authorized projects and separable ele-  
20 ments and ending with the latest project or sep-  
21 arable element necessary to meet the aggregate  
22 amount under paragraph (2)(A).

23 (B) FACTORS TO CONSIDER.—The Sec-  
24 retary may identify projects and separable ele-  
25 ments in an order other than that established

1 by subparagraph (A) if the Secretary deter-  
2 mines, on a case-by-case basis, that a project or  
3 separable element is critical for interests of the  
4 United States, based on the possible impact of  
5 the project or separable element on public  
6 health and safety, the national economy, or the  
7 environment.

8 (4) PUBLIC COMMENT AND CONSULTATION.—

9 (A) IN GENERAL.—The Secretary shall so-  
10 licit comments from the public and the Gov-  
11 ernors of each applicable State on the proposed  
12 deauthorization list prepared under paragraph  
13 (2)(A).

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

16 (5) PREPARATION OF FINAL DEAUTHORIZATION  
17 LIST.—

18 (A) IN GENERAL.—The Secretary shall  
19 prepare a final deauthorization list by—

20 (i) considering any comments received  
21 under paragraph (4); and

22 (ii) revising the proposed deauthoriza-  
23 tion list prepared under paragraph (2)(A)  
24 as the Secretary determines necessary to  
25 respond to such comments.



1 (B) APPENDIX.—The Secretary shall in-  
2 clude as part of the final deauthorization list an  
3 appendix that—

4 (i) identifies each project or separable  
5 element on the proposed deauthorization  
6 list that is not included on the final de-  
7 authorization list; and

8 (ii) describes the reasons why the  
9 project or separable element is not in-  
10 cluded on the final deauthorization list.

11 (c) SUBMISSION OF FINAL DEAUTHORIZATION LIST  
12 TO CONGRESS FOR CONGRESSIONAL REVIEW; PUBLICA-  
13 TION.—

14 (1) IN GENERAL.—Not later than 90 days after  
15 the date of the close of the comment period under  
16 subsection (b)(4), the Secretary shall—

17 (A) submit the final deauthorization list  
18 and appendix prepared under subsection (b)(5)  
19 to the Committee on Transportation and Infra-  
20 structure of the House of Representatives and  
21 the Committee on Environment and Public  
22 Works of the Senate; and

23 (B) publish the final deauthorization list  
24 and appendix in the Federal Register.

1           (2) EXCLUSIONS.—The Secretary shall not in-  
2       clude in the final deauthorization list submitted  
3       under paragraph (1) any project or separable ele-  
4       ment with respect to which Federal funds for plan-  
5       ning, design, or construction are obligated after the  
6       development of the preliminary list under subsection  
7       (b)(1)(A) but prior to the submission of the final de-  
8       authorization list under paragraph (1)(A) of this  
9       subsection.

10       (d) DEAUTHORIZATION; CONGRESSIONAL REVIEW.—

11           (1) IN GENERAL.—After the expiration of the  
12       2-year period beginning on the date of publication of  
13       the final deauthorization list and appendix under  
14       subsection (c)(1)(B), a project or separable element  
15       of a project identified in the final deauthorization  
16       list is hereby deauthorized, unless Congress passes a  
17       joint resolution disapproving the final deauthoriza-  
18       tion list prior to the end of such period.

19           (2) NON-FEDERAL CONTRIBUTIONS.—

20           (A) IN GENERAL.—A project or separable  
21       element of a project identified in the final de-  
22       authorization list under subsection (c) shall not  
23       be deauthorized under this subsection if, before  
24       the expiration of the 2-year period referred to  
25       in paragraph (1), the non-Federal interest for

1 the project or separable element of the project  
2 provides sufficient funds to complete the project  
3 or separable element of the project.

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

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

16 (e) SPECIAL RULES.—

17 (1) POST-AUTHORIZATION STUDIES.—A project  
18 or separable element of a project may not be identi-  
19 fied on the proposed deauthorization list developed  
20 under subsection (b), or the final deauthorization list  
21 developed under subsection (c), if the project or sep-  
22 arable element received funding for a post-authoriza-  
23 tion study during the current fiscal year or any of  
24 the 10 preceding fiscal years.

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           (f) DEAUTHORIZATION OF ANTIQUATED  
9 PROJECTS.—

10           (1) IN GENERAL.—Any water resources devel-  
11 opment project, or separable element of a project,  
12 authorized for construction prior to November 17,  
13 1986, for which construction has not been initiated  
14 prior to the date of enactment of this Act, or for  
15 which funds have not been obligated for construction  
16 in the 10-year period prior to the date of enactment  
17 of this Act, is hereby deauthorized.

18           (2) IDENTIFICATION.—Not later than 60 days  
19 after the date of enactment of this Act, the Sec-  
20 retary shall issue to the Committee on Transpor-  
21 tation and Infrastructure of the House of Represent-  
22 atives and the Committee on Environment and Pub-  
23 lic Works of the Senate a report that identifies—

1 (A) the name of each project, or separable  
2 element of a project, deauthorized by paragraph  
3 (1); and

4 (B) the estimated current value of each  
5 such project or separable element of a project.

6 (g) ECONOMIC AND ENVIRONMENTAL REVIEW OF IN-  
7 ACTIVE WATER RESOURCES DEVELOPMENT PROJECTS.—  
8 The Secretary or the non-Federal interest may not carry  
9 out any authorized water resources development project,  
10 or separable element of such project, for which construc-  
11 tion has not been initiated in the 20-year period following  
12 the date of the authorization of such project or separable  
13 element, until—

14 (1) the Secretary provides to the Committee on  
15 Transportation and Infrastructure of the House of  
16 Representatives and the Committee on Environment  
17 and Public Works of the Senate a post-authorization  
18 change report that updates the economic and envi-  
19 ronmental analysis of the project or separable ele-  
20 ment; and

21 (2) the Committee on Transportation and In-  
22 frastructure of the House of Representatives and the  
23 Committee on Environment and Public Works of the  
24 Senate take appropriate action to address any modi-  
25 fications to the economic and environmental analysis

1 for the project or separable element of the project  
2 contained in the post-authorization change report.

3 (h) DEFINITIONS.—In this section:

4 (1) POST-AUTHORIZATION CHANGE REPORT.—

5 The term “post-authorization change report” has  
6 the meaning given such term in section 1132(d) of  
7 the Water Resources Development Act of 2016 (33  
8 U.S.C. 2282e).

9 (2) POST-AUTHORIZATION STUDY.—The term

10 “post-authorization study” means—

11 (A) a feasibility report developed under  
12 section 905 of the Water Resources Develop-  
13 ment Act of 1986 (33 U.S.C. 2282);

14 (B) a feasibility study, as defined in sec-  
15 tion 105(d) of the Water Resources Develop-  
16 ment Act of 1986 (33 U.S.C. 2215(d)); or

17 (C) a review conducted under section 216  
18 of the Flood Control Act of 1970 (33 U.S.C.  
19 549a), including an initial appraisal that—

20 (i) demonstrates a Federal interest;

21 and

22 (ii) requires additional analysis for the  
23 project or separable element.

24 (3) WATER RESOURCES DEVELOPMENT

25 PROJECT.—The term “water resources development

1 project” includes an environmental infrastructure  
2 assistance project or program of the Corps of Engi-  
3 neers.

4 **SEC. 302. ABANDONED AND INACTIVE NONCOAL MINE RES-**  
5 **TORATION.**

6 Section 560(f) of the Water Resources Development  
7 Act of 1999 (33 U.S.C. 2336(f)) is amended by striking  
8 “\$20,000,000” and inserting “\$30,000,000”.

9 **SEC. 303. TRIBAL PARTNERSHIP PROGRAM.**

10 Section 203(b)(4) of the Water Resources Develop-  
11 ment Act of 2000 (33 U.S.C. 2269) is amended by strik-  
12 ing “\$12,500,000” each place it appears and inserting  
13 “\$15,000,000”.

14 **SEC. 304. LAKES PROGRAM.**

15 Section 602(a) of the Water Resources Development  
16 Act of 1986 (Public Law 99–662, 100 Stat. 4148; 110  
17 Stat. 3758; 113 Stat. 295; 121 Stat. 1076) is amended—

18 (1) in paragraph (27), by striking “and” at the  
19 end;

20 (2) in paragraph (28), by striking the period at  
21 the end and inserting a semicolon; and

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

23 “(29) Ellis Pond and Guild Pond, Norwood,  
24 Massachusetts; and

1           “(30) Memorial Pond, Walpole, Massachu-  
2           setts.”.

3 **SEC. 305. WATERCRAFT INSPECTION STATIONS.**

4           Section 104(d)(1)(A) of the River and Harbor Act  
5 of 1958 (33 U.S.C. 610(d)(1)(A)) is amended—

6           (1) in clause (ii), by striking “; and” and in-  
7           serting a semicolon;

8           (2) in clause (iii), by striking “Arizona River  
9           Basins.” and inserting “Arkansas River Basins;  
10          and”; and

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

12                           “(iv) to protect the Russian River  
13                           Basin, California.”.

14 **SEC. 306. CHESAPEAKE BAY ENVIRONMENTAL RESTORA-**  
15 **TION AND PROTECTION PROGRAM.**

16          (a) IN GENERAL.—Section 510 of the Water Re-  
17 sources Development Act of 1996 (Public Law 104–303,  
18 110 Stat. 3759; 121 Stat. 1202; 128 Stat. 1317) is  
19 amended—

20          (1) by redesignating subsection (h) as sub-  
21          section (i) and inserting after subsection (g) the fol-  
22          lowing:

23                           “(h) PROJECT CAP.—The total cost of a project car-  
24                           ried out under this section may not exceed \$15,000,000.”;  
25          and



1           (2) in subsection (i) (as so redesignated), by  
2 striking “\$40,000,000” and inserting  
3 “\$60,000,000”.

4           (b) **OUTREACH AND TRAINING.**—The Secretary shall  
5 conduct public outreach and workshops for non-Federal  
6 interests to provide information on the Chesapeake Bay  
7 environmental restoration and protection program estab-  
8 lished under section 510 of the Water Resources Develop-  
9 ment Act of 1996, including how to participate in the pro-  
10 gram.

11 **SEC. 307. UPPER MISSISSIPPI RIVER SYSTEM ENVIRON-**  
12 **MENTAL MANAGEMENT PROGRAM.**

13           Section 1103(e)(3) of the Water Resources Develop-  
14 ment Act of 1986 (33 U.S.C. 652(e)(3)) is amended by  
15 striking “\$22,750,000” and inserting “\$40,000,000”.

16 **SEC. 308. MCCLELLAN-KERR ARKANSAS RIVER NAVIGA-**  
17 **TION SYSTEM.**

18           Any Federal funds, regardless of the account from  
19 which the funds were provided, used to carry out construc-  
20 tion of the modification to the McClellan-Kerr Arkansas  
21 River Navigation System, authorized in section 136 of the  
22 Energy and Water Development Appropriations Act, 2004  
23 (117 Stat. 1842), shall be considered by the Secretary as  
24 initiating construction of the project such that future  
25 funds will not require a new investment decision.

1 **SEC. 309. OUACHITA-BLACK RIVER NAVIGATION PROJECT,**  
2 **ARKANSAS.**

3 The project for navigation, Ouachita-Black River, Ar-  
4 kansas, authorized by section 101 of the River and Harbor  
5 Act of 1960 (Public Law 86–645), is modified to include  
6 water supply as a project purpose, subject to completion  
7 by the Secretary of a feasibility study and any other review  
8 necessary for such modification.

9 **SEC. 310. SACRAMENTO RIVER, GLENN-COLUSA, CALI-**  
10 **FORNIA.**

11 The portion of project for flood control, Sacramento  
12 River, California, authorized by section 2 of the Act of  
13 March 1, 1917 (chapter 144, 39 Stat. 949; 103 Stat. 649;  
14 110 Stat. 3709; 112 Stat. 1841; 113 Stat. 299), con-  
15 sisting of a riverbed gradient restoration facility at the  
16 Glenn-Colusa Irrigation District Intake, is no longer au-  
17 thorized beginning on the date of enactment of this Act.

18 **SEC. 311. LAKE ISABELLA, CALIFORNIA.**

19 (a) SENSE OF CONGRESS.—It is the sense of Con-  
20 gress that the Secretary, when evaluating alternative loca-  
21 tions for construction of a permanent Isabella Lake Vis-  
22 itor Center by the Corps of Engineers to replace the facil-  
23 ity impacted by the Isabella Dam safety modification  
24 project, should afford substantial weight to the site pref-  
25 erence of the local community.

1 (b) AUTHORITY.—The Secretary may acquire such  
2 interests in real property as the Secretary determines nec-  
3 essary or advisable to support construction of the Isabella  
4 Dam safety modification project.

5 (c) TRANSFER.—The Secretary may transfer any real  
6 property interests acquired under subsection (b) to any  
7 other Federal agency or department without reimburse-  
8 ment.

9 (d) ISABELLA DAM SAFETY MODIFICATION PROJECT  
10 DEFINED.—In this section, the term “Isabella Dam safety  
11 modification project” means the dam safety modification  
12 project at the Isabella Reservoir in the San Joaquin Val-  
13 ley, California (authorized by Act of December 22, 1944  
14 (chapter 665, 58 Stat. 901)), including the component of  
15 the project relating to construction a visitor center facility.

16 **SEC. 312. LOWER SAN JOAQUIN RIVER FLOOD CONTROL**  
17 **PROJECT.**

18 The Secretary shall align the schedules of, and maxi-  
19 mize complimentary efforts, minimize duplicative prac-  
20 tices, and ensure coordination and information sharing  
21 with respect to—

22 (1) the project for flood risk management,  
23 Lower San Joaquin River, authorized by section  
24 1401(2) of the Water Resources Development Act of  
25 2018 (132 Stat. 3836); and



1 **“SEC. 114. SAN FRANCISCO, CALIFORNIA, WATERFRONT**  
2 **AREA.**

3 “(a) AREA TO BE DECLARED NONNAVIGABLE.—The  
4 following area is declared to be nonnavigable waters of the  
5 United States: All of that portion of the City and County  
6 of San Francisco, California, lying shoreward of a line be-  
7 ginning at the intersection of the southerly right of way  
8 line of Earl Street prolongation with the Pierhead United  
9 States Government Pierhead line, the Pierhead line as de-  
10 fined in the State of California Harbor and Navigation  
11 Code Section 1770, as amended in 1961; thence northerly  
12 along said Pierhead line to its intersection with a line par-  
13 allel with and distant 10 feet easterly from, the existing  
14 easterly boundary line of Pier 30–32; thence northerly  
15 along said parallel line and its northerly prolongation, to  
16 a point of intersection with a line parallel with, and distant  
17 10 feet northerly from, the existing northerly boundary of  
18 Pier 30–32; thence westerly along last said parallel line  
19 to its intersection with said Pierhead line; thence northerly  
20 along said Pierhead line, to the intersection of the easterly  
21 right of way line of Van Ness Avenue, formerly Marlette  
22 Street, prolongation to the Pierhead line.

23 “(b) REQUIREMENT THAT AREA BE IMPROVED.—  
24 The declaration of nonnavigability under subsection (a)  
25 applies only to those parts of the area described in sub-  
26 section (a) that are or will be bulkheaded, filled, or other-

1 wise occupied or covered by permanent structures and  
2 does not affect the applicability of any Federal statute or  
3 regulation that relates to filling of navigable waters or to  
4 other regulated activities within the area described in sub-  
5 section (a), including sections 9 and 10 of the Act of  
6 March 3, 1899 (33 U.S.C. 401, 403), section 404 of the  
7 Federal Water Pollution Control Act, and the National  
8 Environmental Policy Act of 1969.

9 “(c) INCLUSION OF EMBARCADERO HISTORIC DIS-  
10 TRICT.—Congress finds and declares that the area de-  
11 scribed in subsection (a) contains the seawall, piers, and  
12 wharves that comprise the Embarcadero Historic District  
13 listed on the National Register of Historic Places on May  
14 12, 2006.”.

15 (b) CONFORMING AMENDMENT.—Section 5052 of the  
16 Water Resources Development Act of 2007 (33 U.S.C.  
17 59h–1) is repealed.

18 **SEC. 315. WESTERN PACIFIC INTERCEPTOR CANAL, SAC-**  
19 **RAMENTO RIVER, CALIFORNIA.**

20 The portion of the project for flood protection on the  
21 Sacramento River, authorized by section 2 of the of March  
22 1, 1917 (chapter 144, 39 Stat. 949; 45 Stat. 539; 50 Stat.  
23 877; 55 Stat. 647; 80 Stat. 1422), consisting of the por-  
24 tion of the levee from GPS coordinate N2147673.584  
25 E6690904.187 to N2147908.413 E6689057.060 associ-

1 ated with the Western Pacific Interceptor Canal, is no  
2 longer authorized beginning on the date of the enactment  
3 of this Act.

4 **SEC. 316. RIO GRANDE ENVIRONMENTAL MANAGEMENT**  
5 **PROGRAM, COLORADO, NEW MEXICO, AND**  
6 **TEXAS.**

7 Section 5056(f) of the Water Resources Development  
8 Act of 2007 (Public Law 110–114, 121 Stat. 1213; 128  
9 Stat. 1314) is amended by striking “2019” and inserting  
10 “2029”.

11 **SEC. 317. NEW LONDON HARBOR WATERFRONT CHANNEL,**  
12 **CONNECTICUT.**

13 (a) IN GENERAL.—The portion of the project for  
14 navigation, New London Harbor, Connecticut, authorized  
15 by the first section of the Act of June 13, 1902 (chapter  
16 1079, 32 Stat. 333), described in subsection (b) is no  
17 longer authorized beginning on the date of enactment of  
18 this Act.

19 (b) AREA DESCRIBED.—The area referred to in sub-  
20 section (a) is generally the portion between and around  
21 the 2 piers at the State Pier in New London, specifically  
22 the area—

23 (1) beginning at a point N691263.78,  
24 E1181259.26;

1           (2) running N 35°01'50.75" W about 955.59  
2 feet to a point N692046.26, E1180710.74;

3           (3) running N 54°58'06.78" E about 100.00  
4 feet to a point N692103.66, E1180792.62;

5           (4) running S 35°01'50.75" E about 989.8 feet  
6 to a point N691293.17, E1181360.78; and

7           (5) running S 73°51'15.45" W about 105.69  
8 feet to the point described in paragraph (1).

9 **SEC. 318. WASHINGTON HARBOR, DISTRICT OF COLUMBIA.**

10         Beginning on the date of enactment of this Act, the  
11 project for navigation, Washington Harbor, District of Co-  
12 lumbia, authorized by the Act of August 30, 1935 (chapter  
13 831, 49 Stat. 1031), is modified to reduce, in part, the  
14 authorized dimensions of the project, such that the re-  
15 maining authorized dimensions are as follows:

16           (1) A 200 foot wide, 15 foot deep channel with  
17 a center line beginning at a point East 1,317,064.30  
18 and North 440,373.32, thence to a point East  
19 1,316,474.30 and North 440,028.31, thence to a  
20 point East 1,315,584.30 and North 439,388.30,  
21 thence to a point East 1,315,259.31 and North  
22 438,908.30.

23           (2) A transition area 200 foot wide to 300 foot  
24 wide, 15 foot deep, with a center line beginning at



1 a point East 1,315,259.31 and North 438,908.30 to  
2 a point East 1,315,044.31 and North 438,748.30.

3 (3) A 300 foot wide, 15 foot deep channel with  
4 a centerline beginning a point East 1,315,044.31  
5 and North 438,748.30, thence to a point East  
6 1,314,105.31 and North 438,124.79, thence to a  
7 point East 1,311,973.30 and North 438,807.78,  
8 thence to a point East 1,311,369.73 and North  
9 438,577.42, thence to a point East 1,311,015.73  
10 and North 438,197.57, thence to a point East  
11 1,309,713.47 and North 435,678.91.

12 (4) A transition area 300 foot wide to 400 foot  
13 wide, 15 foot deep to 24 foot deep, with a center line  
14 beginning at a point East 1,309,713.47 and North  
15 435,678.91 to a point East 1,307,709.33 and North  
16 434,488.25.

17 (5) A 400 foot wide, 24 foot deep channel with  
18 a centerline beginning at a point East 1,307,709.33  
19 and North 434,488.25, thence to a point East  
20 1,307,459.33 and North 434,173.25, thence to a  
21 point East 1,306,476.82 and North 1,306,476.82,  
22 thence to a point East 1,306,209.79 and North  
23 431,460.21, thence to a point at the end of the  
24 channel near Hains Point East 1,305,997.63 and  
25 North 429,978.31.

1 **SEC. 319. CENTRAL EVERGLADES, FLORIDA.**

2       The project for ecosystem restoration, Central Ever-  
3 glades, authorized by section 1401(4) of the Water Re-  
4 sources Development Act of 2016 (130 Stat. 1713), is  
5 modified to include the project for ecosystem restoration,  
6 Central and Southern Florida, Everglades Agricultural  
7 Area, authorized by section 1308 of the Water Resources  
8 Development Act of 2018 (132 Stat. 3819) and to author-  
9 ize the Secretary to carry out the project as so combined.

10 **SEC. 320. MIAMI RIVER, FLORIDA.**

11       The portion of the project for navigation, Miami  
12 River, Florida, authorized by the Act of July 3, 1930 (46  
13 Stat. 925; 59 Stat. 16; 74 Stat. 481; 100 Stat. 4257),  
14 beginning at the existing railroad bascule bridge and ex-  
15 tending approximately 1,000 linear feet upstream to an  
16 existing salinity barrier and flood control structure, is no  
17 longer authorized beginning on the date of enactment of  
18 this Act.

19 **SEC. 321. TAYLOR CREEK RESERVOIR AND LEVEE L-73**

20                   **(SECTION 1), UPPER ST. JOHNS RIVER BASIN,**  
21                   **FLORIDA.**

22       The portions of the project for flood control and other  
23 purposes, Central and Southern Florida, authorized by  
24 section 203 of the Flood Control Act of 1948 (62 Stat.  
25 1176), consisting of the Taylor Creek Reservoir and Levee  
26 L-73, Section 1, within the Upper St. Johns River Basin,

1 Florida, are no longer authorized beginning on the date  
2 of enactment of this Act.

3 **SEC. 322. SAN JUAN-CHAMA PROJECT; ABIQUIU DAM, NEW**  
4 **MEXICO.**

5 (a) ABIQUIU RESERVOIR.—Section 5(b) of Public  
6 Law 97–140 (43 U.S.C. 620a note) is amended by strik-  
7 ing “a total of two hundred thousand acre-feet”.

8 (b) WATER STORAGE AT ABIQUIU DAM, NEW MEX-  
9 ICO.—Section 1 of Public Law 100–522 (43 U.S.C. 620a  
10 note) is amended—

11 (1) by striking “200,000 acre-feet”;

12 (2) by inserting “and San Juan-Chama  
13 project” after “Rio Grande system”; and

14 (3) by striking “, in lieu of the water storage  
15 authorized by section 5 of Public Law 97–140, to  
16 the extent that contracting entities under section 5  
17 of Public Law 97–140 no longer require such stor-  
18 age”.

19 (c) WATER STORAGE.—The Secretary shall—

20 (1) store up to elevation 6230.00 NGVD29 at  
21 Abiquiu Dam, New Mexico, to the extent that the  
22 necessary real property interests have been acquired  
23 by any entity requesting such storage; and

24 (2) amend the March 20, 1986, contract be-  
25 tween the United States of America and the Albu-

1       querque Bernalillo County Water Utility Authority  
2       (assigned by the City of Albuquerque, New Mexico  
3       to the Albuquerque Bernalillo County Water Utility  
4       Authority) for water storage space in Abiquiu Res-  
5       ervoir to allow for storage by the Albuquerque  
6       Bernalillo County Water Utility Authority of San  
7       Juan-Chama project water or native Rio Grande sys-  
8       tem water up to elevation 6230.00 NGVD29.

9       (d) STORAGE AGREEMENTS WITH USERS OTHER  
10      THAN THE ALBUQUERQUE BERNALILLO COUNTY WATER  
11      UTILITY AUTHORITY.—The Secretary shall—

12             (1) retain or enter into new agreements with  
13             entities for a proportionate allocation of 29,100  
14             acre-feet of storage space pursuant to section 5 of  
15             Public Law 97–140; and

16             (2) amend or enter into new storage agree-  
17             ments for storage of San Juan-Chama project water  
18             or native Rio Grande system water up to the space  
19             allocated for each entity’s proportionate share of  
20             San Juan-Chama water.

21       (e) OPERATIONS DOCUMENTS.—The Secretary shall  
22       amend or revise any existing operations documents, in-  
23       cluding the Water Control Manual or operations plan for  
24       Abiquiu Reservoir, as necessary to meet the requirements  
25       of this section.

1 (f) LIMITATIONS.—In carrying out this section, the  
2 following limitations shall apply:

3 (1) The storage of native Rio Grande system  
4 water shall be subject to the provisions of the Rio  
5 Grande Compact and the resolutions of the Rio  
6 Grande Compact Commission.

7 (2) The storage of native Rio Grande system  
8 water shall only be authorized to the extent that the  
9 necessary water ownership and storage rights have  
10 been acquired by the entity requesting such storage.

11 (3) The storage of native Rio Grande system  
12 water or San-Juan Chama project water shall not  
13 interfere with the authorized purposes of the  
14 Abiquiu Dam and Reservoir project.

15 (4) Each user of storage space, regardless of  
16 source of water, shall pay for any increase in costs  
17 attributable to storage of that user's water.

18 **SEC. 323. PAWCATUCK RIVER, LITTLE NARRAGANSETT BAY**  
19 **AND WATCH HILL COVE, RHODE ISLAND AND**  
20 **CONNECTICUT.**

21 Beginning on the date of enactment of this Act, that  
22 portion of the project for navigation, Pawcatuck River,  
23 Little Narragansett Bay and Watch Hill Cove, Rhode Is-  
24 land and Connecticut, authorized by section 2 of the Act  
25 of March 2, 1945 (chapter 19, 59 Stat. 13), consisting

1 of a 10-foot deep, 16-acre anchorage area in Watch Hill  
2 Cove is no longer authorized.

3 **SEC. 324. HARRIS COUNTY, TEXAS.**

4 Section 575 of the Water Resources Development Act  
5 of 1996 (110 Stat. 3789) is repealed.

6 **SEC. 325. CAP SANTE WATERWAY, WASHINGTON.**

7 Beginning on the date of enactment of this Act, the  
8 project for navigation, Cap Sante Waterway and Naviga-  
9 tion Channel, Skagit County, Washington, authorized by  
10 the Act of March 2, 1919 (chapter 95, 40 Stat. 1285),  
11 is modified to deauthorize the portion of the project con-  
12 sisting of an approximately 334,434 foot area of the Fed-  
13 eral channel within Anacortes Harbor inside and directly  
14 adjacent to the Federal breakwater and training wall  
15 structure, starting at a point with coordinates  
16 N557015.552, E1210819.619, thence running S88  
17 13'2.06"E approximately 200 feet to a point with coordi-  
18 nates N557009.330, E1211019.522, thence running S01  
19 46'58.08"W approximately 578 feet to a point with co-  
20 ordinates N556431.405, E1211001.534, thence running  
21 S49 49'50.23"W approximately 69 feet to a point with  
22 coordinates N556387.076, E1210949.002, thence running  
23 S51 53'0.25"E approximately 35 feet to a point with co-  
24 ordinates N556365.662, E1210976.316, thence running  
25 S49 38'58.48"W approximately 112 feet to a point with

1 coordinates N556292.989, E1210890.775, thence running  
2 N88 13'1.87"W approximately 109 feet to a point with  
3 coordinates N556296.367, E1210782.226, thence running  
4 S46 46'58.97"W approximately 141 feet to a point with  
5 coordinates N556199.527, E1210679.164, thence running  
6 N88 13'1.77"W approximately 700 feet to a point with  
7 coordinates N556221.305, E1209979.502, thence running  
8 N01 46'58.08"E approximately 250 feet to a point with  
9 coordinates N556471.184, E1209987.280, thence running  
10 S88 13'1.77"E approximately 815 feet to a point with co-  
11 ordinates N556445.828, E1210801.886, thence running  
12 N01 46'58.08"E approximately 570 feet to the point of  
13 origin.

14 **SEC. 326. ADDITIONAL ASSISTANCE FOR CRITICAL**  
15 **PROJECTS.**

16 (a) **CONSISTENCY WITH REPORTS.**—Congress finds  
17 that the project modifications described in this section are  
18 in accordance with the reports submitted to Congress by  
19 the Secretary under section 7001 of the Water Resources  
20 Reform and Development Act of 2014 (33 U.S.C. 2282d),  
21 titled “Report to Congress on Future Water Resources  
22 Development”, or have otherwise been reviewed by Con-  
23 gress.

24 (b) **MODIFICATIONS.**—

1           (1) SACRAMENTO AREA, CALIFORNIA.—Section  
2           219(f)(23) of the Water Resources Development Act  
3           of 1992 (106 Stat. 4835; 113 Stat. 336; 117 Stat.  
4           1840) is amended to read as follows:

5           “(23) SACRAMENTO AREA, CALIFORNIA.—  
6           \$45,000,000 for regional water conservation, recy-  
7           cling, reliability, and resiliency projects in Placer, El  
8           Dorado, and Sacramento Counties and the San  
9           Juan Suburban Water District, California.”.

10          (2) SOUTH PERRIS, CALIFORNIA.—Section  
11          219(f)(52) of the Water Resources Development Act  
12          of 1992 (106 Stat. 4835; 113 Stat. 336; 114 Stat.  
13          2763A–220) is amended by striking “\$25,000,000”  
14          and inserting “\$50,000,000”.

15          (3) SOUTHERN AND EASTERN KENTUCKY.—  
16          Section 531 of the Water Resources Development  
17          Act of 1996 (110 Stat. 3773; 113 Stat. 348; 117  
18          Stat. 142; 121 Stat. 1226) is amended—

19                 (A) in subsection (g), by inserting “Boyd,  
20                 Carter, Elliott, Lincoln,” after “Lee,”; and

21                 (B) in subsection (h), by striking  
22                 “\$40,000,000” and inserting “\$80,000,000”.

23          (4) DESOTO COUNTY, MISSISSIPPI.—Section  
24          219(f)(30) of the Water Resources Development Act  
25          of 1992 (106 Stat. 4835; 113 Stat. 336; 114 Stat.



1 2763A–220; 119 Stat. 282; 119 Stat. 2257; 122  
2 Stat. 1623) is amended by striking “\$75,000,000”  
3 and inserting “\$130,000,000”.

4 (5) JACKSON COUNTY, MISSISSIPPI.—Section  
5 219(e)(1) of the Water Resources Development Act  
6 of 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat.  
7 1494; 121 Stat. 1258) is amended by striking  
8 “\$32,500,000” and inserting “\$57,500,000”.

9 (6) ST. LOUIS, MISSOURI.—Section 219(f)(32)  
10 of the Water Resources Development Act of 1992  
11 (106 Stat. 4835; 113 Stat. 337; 121 Stat. 1233) is  
12 amended by striking “\$35,000,000” and inserting  
13 “\$70,000,000”.

14 (7) MIDWEST CITY, OKLAHOMA.—Section  
15 219(f)(231) of the Water Resources Development  
16 Act of 1992 (106 Stat. 4835; 113 Stat. 336; 121  
17 Stat. 1266) is amended by striking “\$2,000,000”  
18 and inserting “\$5,000,000”.

19 (8) SOUTH CENTRAL PENNSYLVANIA.—Section  
20 313 of the Water Resources Development Act of  
21 1992 (106 Stat. 4845; 109 Stat. 407; 110 Stat.  
22 3723; 113 Stat. 310; 117 Stat. 142; 121 Stat.  
23 1146) is amended—

1 (A) in subsection (g)(1), by striking  
2 “\$200,000,000” and inserting “\$400,000,000”;  
3 and

4 (B) in subsection (h)(2), by inserting  
5 “Beaver, Jefferson,” after “Washington,”.

6 (9) LAKES MARION AND MOULTRIE, SOUTH  
7 CAROLINA.—Section 219(f)(25) of the Water Re-  
8 sources Development Act of 1992 (106 Stat. 4835;  
9 113 Stat. 336; 114 Stat. 2763A–220; 117 Stat.  
10 1838; 130 Stat. 1677; 132 Stat. 3818) is amended  
11 by striking “\$89,550,000” and inserting  
12 “\$110,000,000”.

13 (10) EL PASO COUNTY, TEXAS.—Section  
14 219(f)(269) of the Water Resources Development  
15 Act of 1992 (106 Stat. 4835; 113 Stat. 336; 121  
16 Stat. 1268) is amended by striking “\$25,000,000”  
17 and inserting “\$75,000,000”.

18 (11) WESTERN RURAL WATER.—Section 595 of  
19 the Water Resources Development Act of 1999 (113  
20 Stat. 383; 117 Stat. 139; 117 Stat. 142; 117 Stat.  
21 1836; 118 Stat. 440; 121 Stat. 1219; 123 Stat.  
22 2851; 128 Stat. 1316; 130 Stat. 1681) is amend-  
23 ed—

24 (A) by striking the section heading and in-  
25 serting “**WESTERN RURAL WATER.**”;

1 (B) in subsections (b) and (c), by inserting  
2 “Arizona,” before “Idaho” each place it ap-  
3 pears; and

4 (C) in subsection (i), by striking “for the  
5 period beginning with fiscal year 2001,  
6 \$435,000,000, to remain available until ex-  
7 pended.” and inserting the following: “, to re-  
8 main available until expended—

9 “(1) for the period beginning with fiscal year  
10 2001, \$435,000,000 for Idaho, Montana, rural Ne-  
11 vada, New Mexico, rural Utah, and Wyoming; and  
12 “(2) \$150,000,000 for Arizona.”.

13 (12) CENTRAL WEST VIRGINIA.—Section 571(h)  
14 of the Water Resources Development Act of 1999  
15 (113 Stat. 371; 121 Stat. 1257) is amended by  
16 striking “\$20,000,000” and inserting  
17 “\$40,000,000”.

18 (13) SOUTHERN WEST VIRGINIA.—Section  
19 340(g) of the Water Resources Development Act of  
20 1992 (106 Stat. 4856; 110 Stat. 3727; 113 Stat.  
21 320) is amended by striking “\$40,000,000” and in-  
22 serting “\$120,000,000”.

23 (c) LOWELL CREEK TUNNEL, SEWARD, ALASKA.—  
24 Section 5032(a)(2) of the Water Resources Development

1 Act of 2007 (Public Law 110–114, 121 Stat. 1205) is  
2 amended by striking “15” and inserting “20”.

3 **SEC. 327. PROJECT MODIFICATION AUTHORIZATIONS.**

4 (a) WATER SUPPLY.—The following project modifica-  
5 tions for water supply, as identified in the report entitled  
6 “Report to Congress on Future Water Resources Develop-  
7 ment” dated February 2019, and submitted to Congress  
8 on June 3, 2019, pursuant to section 7001 of the Water  
9 Resources Reform and Development Act of 2014 (33  
10 U.S.C. 2282d) or otherwise reviewed by Congress, are au-  
11 thorized to be carried out by the Secretary substantially  
12 in accordance with the recommendations, included in such  
13 report pursuant to section 301(c) of the Water Supply Act  
14 of 1958 (43 U.S.C. 390b(e)):

15 (1) The project modification for the State of  
16 Missouri, Clarence Cannon Dam and Mark Twain  
17 Lake Project Salt River, Missouri.

18 (2) The project modification for the City of  
19 Plattsburg, Smithville Lake, Missouri.

20 (3) The project modification for the City of  
21 Smithville, Smithville Lake, Missouri.

22 (b) FLOOD RISK MANAGEMENT.—The following  
23 project modifications for flood risk management, as identi-  
24 fied in a report entitled “Report to Congress on Future  
25 Water Resources Development”, and submitted to Con-

1 gress pursuant to section 7001 of the Water Resources  
2 Reform and Development Act of 2014 (33 U.S.C. 2282d)  
3 or otherwise reviewed by Congress, are authorized to be  
4 carried out by the Secretary:

5           (1) Modification of the project for flood risk  
6 management, lower Mississippi River, authorized by  
7 the Act of May 15, 1928 (chapter 569, 45 Stat.  
8 534), to incorporate the Wolf River Backwater and  
9 Nonconnah Creek levee systems into the project, au-  
10 thorized by section 5 of the Act of June 22, 1936  
11 (chapter 688, 49 Stat. 1575; 50 Stat. 881), subject  
12 to the determination of the Secretary that such sys-  
13 tems meet all requirements applicable to such  
14 project.

15           (2) Modification of the project for flood risk  
16 management, Red River below Denison Dam, Arkan-  
17 sas, Louisiana, and Texas, authorized by the Act of  
18 June 28, 1938 (chapter 795, 52 Stat. 1219) to in-  
19 corporate the Cherokee Park Levee into the project,  
20 subject to the determination of the Secretary that  
21 such levee meets all requirements applicable to such  
22 project.

23 **SEC. 328. APPLICATION OF CREDIT.**

24           Section 7007(d) of the Water Resources Development  
25 Act of 2007 (121 Stat.1277; 128 Stat. 1226) is amended

1 by inserting “, or may be applied to reduce the amounts  
2 required to be paid by the non-Federal interest under the  
3 terms of the deferred payment agreements entered into  
4 between the Secretary and the non-Federal interest for the  
5 projects authorized by section 7012(a)(1)” before the pe-  
6 riod at the end.

7 **SEC. 329. PROJECT REAUTHORIZATIONS.**

8 (a) IN GENERAL.—

9 (1) MUDDY RIVER, MASSACHUSETTS.—The sep-  
10 arable elements for ecosystem restoration of the  
11 project for flood damage reduction and environ-  
12 mental restoration, Muddy River, Brookline and  
13 Boston, Massachusetts, authorized by section 522 of  
14 the Water Resources Development Act of 2000 (114  
15 Stat. 2656), and deauthorized pursuant to section  
16 6001 of the Water Resources Reform and Develop-  
17 ment Act of 2014 (128 Stat. 1345), are authorized  
18 to be carried out by the Secretary, subject to sub-  
19 section (b).

20 (2) EAST CHESTER CREEK, NEW YORK.—Not-  
21 withstanding section 1001 of the Water Resources  
22 Development Act of 1986 (33 U.S.C. 579a), the  
23 project for navigation, East Chester Creek, New  
24 York, authorized by section 101 of the River and  
25 Harbor Act of 1950 (64 Stat. 164; 100 Stat. 4181),

1 and deauthorized pursuant to section 1001 of the  
2 Water Resources Development Act of 1986 (33  
3 U.S.C. 579(a)), is authorized to be carried out by  
4 the Secretary, subject to subsection (b).

5 (3) CHRISTIANSTED HARBOR, UNITED STATES  
6 VIRGIN ISLANDS.—Notwithstanding section 1002 of  
7 the Water Resources Development Act of 1986 (100  
8 Stat. 4221), the portion of the project for naviga-  
9 tion, Christiansted Harbor, St. Croix, United States  
10 Virgin Islands, authorized by section 101 of the  
11 River and Harbor Act of 1950 (64 Stat. 167), and  
12 deauthorized under section 1002 of the Water Re-  
13 sources Development Act of 1986 (100 Stat. 4221)  
14 is authorized to be carried out by the Secretary, sub-  
15 ject to subsection (b).

16 (4) CHARLOTTE HARBOR, UNITED STATES VIR-  
17 GIN ISLANDS.—Notwithstanding section 1002 of the  
18 Water Resources Development Act of 1986 (100  
19 Stat. 4221), the portion of the project for naviga-  
20 tion, Charlotte Amalie (St. Thomas) Harbor, St.  
21 Thomas, United States Virgin Islands, authorized by  
22 the Act of August 26, 1937 (chapter 832, 50 Stat.  
23 850), and deauthorized under section 1002 of the  
24 Water Resources Development Act of 1986 (100

1 Stat. 4221) is authorized to be carried out by the  
2 Secretary, subject to subsection (b).

3 (b) REPORT TO CONGRESS.—The Secretary shall  
4 complete and submit to the Committee on Transportation  
5 and Infrastructure of the House of Representatives and  
6 the Committee on Environment and Public Works of the  
7 Senate a post-authorization change report (as such term  
8 is defined in section 1132(d) of the Water Resources De-  
9 velopment Act of 2016 (33 U.S.C. 2282e(d)) prior to car-  
10 rying out a project identified in subsection (a).

11 **SEC. 330. CONVEYANCES.**

12 (a) GENERALLY APPLICABLE PROVISIONS.—

13 (1) SURVEY TO OBTAIN LEGAL DESCRIPTION.—

14 The exact acreage and the legal description of any  
15 real property to be conveyed under this section shall  
16 be determined by a survey that is satisfactory to the  
17 Secretary.

18 (2) APPLICABILITY OF PROPERTY SCREENING  
19 PROVISIONS.—Section 2696 of title 10, United  
20 States Code, shall not apply to any conveyance  
21 under this section.

22 (3) COSTS OF CONVEYANCE.—An entity to  
23 which a conveyance is made under this section shall  
24 be responsible for all reasonable and necessary costs,



1 including real estate transaction and environmental  
2 documentation costs, associated with the conveyance.

3 (4) LIABILITY.—An entity to which a convey-  
4 ance is made under this section shall hold the  
5 United States harmless from any liability with re-  
6 spect to activities carried out, on or after the date  
7 of the conveyance, on the real property conveyed.  
8 The United States shall remain responsible for any  
9 liability with respect to activities carried out, before  
10 such date, on the real property conveyed.

11 (5) ADDITIONAL TERMS AND CONDITIONS.—  
12 The Secretary may require that any conveyance  
13 under this section be subject to such additional  
14 terms and conditions as the Secretary considers nec-  
15 essary and appropriate to protect the interests of the  
16 United States.

17 (b) EUFAULA, ALABAMA.—

18 (1) CONVEYANCE AUTHORIZED.—The Secretary  
19 shall convey to the City of Eufaula, Alabama, all  
20 right, title, and interest of the United States in and  
21 to the real property described in the Department of  
22 the Army Lease No. DACW01-2-17-0747, con-  
23 taining 56.76 acres, more or less, and being a part  
24 of Tracts L-1268 (26.12 acres), L-1273 (13.71  
25 acres), L-1278 (6.75 acres), and L1279 (10.36

1        acres) of the Walter F. George Lock and Dam and  
2        Lake project.

3            (2) DEED.—The Secretary shall convey the  
4        property under this subsection by quitclaim deed  
5        under such terms and conditions as the Secretary  
6        determines appropriate to protect the interests of  
7        the United States.

8            (3) CONSIDERATION.—The City of Eufaula,  
9        Alabama, shall pay to the Secretary an amount that  
10       is not less than the fair market value of the property  
11       conveyed under this subsection, as determined by the  
12       Secretary.

13        (c) MONTGOMERY, ALABAMA.—

14            (1) CONVEYANCE AUTHORIZED.—The Secretary  
15        shall convey to the City of Montgomery, Alabama,  
16        all right, title, and interest of the United States in  
17        and to the real property described in paragraph (2).

18            (2) PROPERTY.—The property to be conveyed is  
19        the 62.38 acres of land and water under the primary  
20        jurisdiction of the Secretary in the R.E. “Bob”  
21        Woodruff Project Area that is covered by lease num-  
22        ber DACW01-1-05-0037, including the parcels and  
23        structure known as “Powder Magazine”.

24            (3) DEED.—The Secretary shall convey the  
25        property under this subsection by quitclaim deed

1 under such terms and conditions as the Secretary  
2 determines appropriate to protect the interests of  
3 the United States, to include retaining the right to  
4 inundate with water any land transferred under this  
5 subsection.

6 (4) CONSIDERATION.—The City of Mont-  
7 gomery, Alabama, shall pay to the Secretary an  
8 amount that is not less than the fair market value  
9 of the property conveyed under this subsection, as  
10 determined by the Secretary.

11 (d) OHIO RIVER LOCK AND DAM NUMBER 52,  
12 MASSAC COUNTY, ILLINOIS.—

13 (1) CONVEYANCE AUTHORIZED.—The Secretary  
14 shall convey to the Massac-Metropolis Port District,  
15 Illinois, all right, title, and interest of the United  
16 States in and to any real property located north of  
17 the south bank of the Ohio River in Massac County,  
18 Illinois, that is associated with the Ohio River Lock  
19 and Dam 52.

20 (2) DEED.—The Secretary shall convey the  
21 property under this subsection by quitclaim deed  
22 under such terms and conditions as the Secretary  
23 determines appropriate to protect the interests of  
24 the United States.

1           (3) CONSIDERATION.—The Massac-Metropolis  
2 Port District, Illinois, shall pay to the Secretary an  
3 amount that is not less than fair market value of the  
4 property conveyed under this subsection, as deter-  
5 mined by the Secretary.

6           (e) CLINTON, MISSOURI.—

7           (1) CONVEYANCE AUTHORIZED.—The Secretary  
8 shall convey to the City of Clinton, Missouri, without  
9 consideration, all right, title, and interest of the  
10 United States in and to the real property described  
11 in paragraph (2).

12           (2) PROPERTY.—The property to be conveyed is  
13 a tract of land situated in the S  $\frac{1}{2}$  of Section 12  
14 and the N  $\frac{1}{2}$  of Section 13, Township 41 North,  
15 Range 26 West of the Fifth Principal Meridian,  
16 Henry County, Missouri, more particularly described  
17 as follows: Beginning at the point of intersection of  
18 the north line of said S  $\frac{1}{2}$  of Section 12 and the  
19 easterly right-of-way of State Highway No. 13;  
20 thence easterly along the north line of said S  $\frac{1}{2}$  to  
21 the northeast corner of the W  $\frac{1}{2}$  NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  SW  
22  $\frac{1}{4}$  of said Section 12; thence southerly along the  
23 east line of said W  $\frac{1}{2}$  NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  to the  
24 southeast corner thereof; thence easterly along the  
25 north line of the S  $\frac{1}{2}$  NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of said Section

1 12 to the southwest corner of the W  $\frac{1}{2}$  NW  $\frac{1}{4}$  NW  
2  $\frac{1}{4}$  SE  $\frac{1}{4}$  of said Section 12; thence in a northeast-  
3 erly direction to the northeast corner of said W  $\frac{1}{2}$   
4 NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  ; thence easterly along the  
5 north line of said S  $\frac{1}{2}$  to the westerly right-of-way  
6 of the County Road; thence in a southeasterly and  
7 southerly direction along the westerly right-of-way of  
8 said County Road approximately 2500 feet to the  
9 center of Deer Creek; thence in a southwesterly di-  
10 rection along the center of said Deer Creek, approxi-  
11 mately 3900 feet to the south line of said N  $\frac{1}{2}$  of  
12 Section 13; thence westerly along the south line of  
13 said N  $\frac{1}{2}$  to the easterly right-of-way line of the St.  
14 Louis-San Francisco Railroad; thence in a north-  
15 westerly direction along the easterly right-of-way of  
16 said railroad to the easterly right-of-way of said  
17 State Highway No. 13; thence in a northeasterly di-  
18 rection along the easterly right-of-way of said State  
19 Highway No. 13 to the point of the beginning; and  
20 including a roadway easement for ingress and  
21 egress, described as a strip of land 80 feet in width,  
22 lying 40 feet on each side of the following described  
23 line, the initial extremities of the following described  
24 strip being extended or reduced as required to ex-  
25 actly adjoin the boundary lines which they meet, sit-

1 uated in the S ½ of Section 12, Township 41 North  
2 Range 26 West of the Fifth Principal Meridian,  
3 Henry County, Missouri, more particularly described  
4 as follows: Commencing at the center of said Section  
5 12, thence S1°24'56"W, 1265.52 feet to a point,  
6 thence N88°29'02"W, 483.97 feet to the point of  
7 beginning of the strip of land herein described;  
8 thence in a northeasterly direction along a curve to  
9 the right, said curve having an initial tangent bear-  
10 ing of N3°44'41"E, a radius of 238.73 feet and an  
11 interior angle of 61°29'26", an arc distance of  
12 256.21 feet to a point; thence N65°14'07"E 218.58  
13 feet to a point; thence in a northeasterly direction  
14 along a curve to the left, having a radius of 674.07  
15 feet and an interior angle of 36°00'01", an arc dis-  
16 tance of 423.53 feet to a point; thence  
17 N29°14'07"E, 417.87 feet to a point; thence north-  
18 easterly along a curve to the right, having a radius  
19 of 818.51 feet and an interior angle of 14°30'01",  
20 an arc distance of 207.15 feet to a point; thence  
21 N43°44'07"E, 57.00 feet to the southerly right-of-  
22 way line of a county road, containing 2,948 acres,  
23 more or less; Excluding therefrom a tract of land  
24 situated in the S ½ of said Section 12, said Town-  
25 ship and Range, described as commencing at the

1 center of said Section 12; thence  $S1^{\circ}24'56''W$ ,  
2 1265.52 feet to the point of beginning of the tract  
3 of land herein described; thence  $N88^{\circ}29'02''W$ ,  
4 1122.50 feet; thence  $S1^{\circ}43'26''W$ , 872.62 feet;  
5 thence  $S88^{\circ}29'02''E$ , 1337.36 feet; thence  
6  $N1^{\circ}43'26''E$ , 872.62 feet; thence  $N88^{\circ}29'02''W$ ,  
7 214.86 feet to the point of beginning, containing  
8 26.79 acres, more or less. The above described tract  
9 contains, in the aggregate, 177.69 acres, more or  
10 less.

11 (3) DEED.—The Secretary shall convey the  
12 property under this subsection by quitclaim deed  
13 under such terms and conditions as the Secretary  
14 determines appropriate to protect the interests of  
15 the United States.

16 (4) REVERSION.—If the Secretary determines  
17 that the property conveyed under this subsection is  
18 not being used for a public purpose, all right, title,  
19 and interest in and to the property shall revert, at  
20 the discretion of the Secretary, to the United States.

21 (f) CITY OF CLINTON, OLD ORCHARD ADDITION,  
22 MISSOURI.—

23 (1) CONVEYANCE AUTHORIZED.—The Secretary  
24 shall convey to the City of Clinton, Missouri, all

1 right, title, and interest of the United States in and  
2 to the real property described in paragraph (2).

3 (2) PROPERTY.—The property to be conveyed is  
4 Lot 28 in Old Orchard Addition, a subdivision of the  
5 City of Clinton, Henry County, Missouri, containing  
6 0.36 acres, more or less, including any improve-  
7 ments thereon.

8 (3) DEED.—The Secretary shall convey the  
9 property under this subsection by quitclaim deed  
10 under such terms and conditions as the Secretary  
11 determines appropriate to protect the interests of  
12 the United States, including such reservations,  
13 terms, and conditions as the Secretary determines  
14 necessary to allow the United States to operate and  
15 maintain the Harry S. Truman Reservoir Project.

16 (4) CONSIDERATION.—The City of Clinton,  
17 Missouri, shall pay to the Secretary an amount that  
18 is not less than the fair market value of the property  
19 conveyed under this subsection, as determined by the  
20 Secretary.

21 (g) TRI-COUNTY LEVEE DISTRICT, MISSOURI.—

22 (1) CONVEYANCE AUTHORIZED.—The Secretary  
23 shall convey to the Tri-County Levee District, Mis-  
24 souri, all right, title, and interest of the United



1 States in and to the real property described in para-  
2 graph (2).

3 (2) PROPERTY.—The property to be conveyed is  
4 the part of Sections 1 and 12 Township 45 North  
5 Range 6 West of the 5th P.M. in Montgomery Coun-  
6 ty, Missouri, described as follows: A tract of land  
7 being 60' wide and lying South and East of and ad-  
8 joining the centerline of the existing levee and being  
9 described as follows: Commencing at the NW corner  
10 of Section 12, thence S 87° 52' 35'' E 587.4',  
11 thence S 01° 29' 25'' W 453.68' to the point of the  
12 beginning; said point being in the center of the levee,  
13 thence with the centerline of the levee N 77° 01' 30''  
14 E 164.92', thence N 74° 26' 55'' E 250.0', thence  
15 N 72° 27' 55'' E 270.0', thence N 69° 06' 10'' E  
16 300.0', thence N 66° 42' 15'' E 500.0', thence N  
17 64° 14' 30'' E 270.0', thence N 61° 09' 10'' E  
18 800.0', thence N 60° 58' 15'' E 1724.45', thence  
19 leaving the centerline S 01° 10' 35'' W 69.43',  
20 thence parallel with the above described centerline S  
21 60° 58' 15'' W 1689.62', thence S 61° 09' 10'' W  
22 801.71', thence S 64° 14' 30'' W 272.91', thence S  
23 66° 42' 15'' W 502.55', thence S 69° 06' 10'' W  
24 303.02', thence S 72° 27' 55'' W 272.8', thence S  
25 74° 26' 55'' W 252.39', thence S 77° 01' 30'' W

1 181.75', thence leaving the South side of the levee  
2 N 01° 26' 25" E 61.96' to the point of beginning  
3 and containing 5.89 acres more or less.

4 (3) DEED.—The Secretary shall convey the  
5 property under this subsection by quitclaim deed  
6 under such terms and conditions as the Secretary  
7 determines appropriate to protect the interests of  
8 the United States.

9 (4) CONSIDERATION.—The Tri-County Levee  
10 District, Missouri, shall pay to the Secretary an  
11 amount that is not less than the fair market value  
12 of the property conveyed under this subsection, as  
13 determined by the Secretary.

14 (h) JUDGE JOSEPH BARKER, JR., HOUSE, OHIO.—

15 (1) NON-FEDERAL ENTITY.—In this subsection,  
16 the term “non-Federal entity” means the Friends of  
17 Joseph Barker, Jr., House, a nonprofit organization  
18 in the State of Ohio.

19 (2) CONVEYANCE AUTHORIZED.—

20 (A) IN GENERAL.—Subject to paragraph  
21 (6), the Secretary shall convey to the non-Fed-  
22 eral entity, without consideration, all right,  
23 title, and interest of the United States in and  
24 to the property described in paragraph (3)(A).

1 (B) EASEMENT.—Upon conveyance of the  
2 property under subparagraph (A), the Secretary  
3 shall provide to the non-Federal entity, without  
4 consideration, an easement over the property  
5 described in paragraph (3)(B) for access to the  
6 conveyed property for as long as the non-Fed-  
7 eral entity is in legal possession of the conveyed  
8 property.

9 (3) DESCRIPTIONS OF PROPERTY.—

10 (A) IN GENERAL.—The property referred  
11 to in paragraph (2)(A) is the following (as in  
12 existence on the date of enactment of this Act):

13 (i) JUDGE JOSEPH BARKER, JR.,  
14 HOUSE.—The tract of land situated in the  
15 State of Ohio, Washington County, on the  
16 Ohio River, and being particularly bounded  
17 and described as follows: Beginning at a  
18 point located on the southern right-of-way  
19 line of Ohio Route 7, a new corner to the  
20 land now or formerly owned by the United  
21 States of America; thence, leaving the  
22 right-of-way of said Route 7 and severing  
23 the land of said United States of America  
24 parallel to and approximately 10 feet eas-  
25 terly of the toe of the existing dredge dis-

1 posal berm, southeasterly approximately  
2 326 feet to a point prior to the current  
3 Corps of Engineers access to the dredging  
4 spoil area; thence, northeasterly approxi-  
5 mately 480 feet paralleling the top of the  
6 slope to the riverbank side of the house  
7 and approximately 25 feet northerly there-  
8 from; thence, northwest approximately 302  
9 feet to a point in the southern right-of-way  
10 of Ohio Route 7; thence with the right-of-  
11 way of said Route 7, southwesterly ap-  
12 proximately 485 feet to the point of begin-  
13 ning, containing approximately 3.51 acres.

14 (ii) ROAD TRACT.—The tract of land  
15 situated in the State of Ohio, Washington  
16 County, on the Ohio River, and being par-  
17 ticularly bounded and described as follows:  
18 Beginning at a point located on the south-  
19 ern right-of-way line of Ohio Route 7, a  
20 new corner to the land now or formerly  
21 owned by the United States of America;  
22 thence, leaving the right-of-way of said  
23 Route 7 and severing the land of said  
24 United States of America and with the  
25 House Parcel southeasterly 25 feet; thence,

1 northeast, running parallel to said Route 7  
2 right-of-way, approximately 994 feet to a  
3 point of deflection; thence northeasterly  
4 368 feet to a point beyond the existing  
5 fence corner; thence, east 140 feet to the  
6 edge of the existing Willow Island access  
7 road; thence with said access road, north-  
8 westerly approximately 62 feet to a point  
9 in the southern right-of-way of Ohio Route  
10 7; thence with the right-of-way of said  
11 Route 7, southwesterly approximately  
12 1,491 feet to the point of beginning, con-  
13 taining approximately 1 acre.

14 (B) EASEMENT.—The property referred to  
15 in paragraph (2)(B) is the following: The tract  
16 of land situated in the State of Ohio, Wash-  
17 ington County, on the Ohio River, and being  
18 particularly bounded and described as follows:  
19 Beginning at a point at the intersection of the  
20 southern right-of-way of Ohio Route 7 and the  
21 northeast side of the existing Willow Island ac-  
22 cess road, a new corner to the land now or for-  
23 merly owned by the United States of America;  
24 thence, southwest, running with said Route 7  
25 right-of-way, approximately 30 feet to a point

1 on the southwest side of the existing access  
2 road, and corner to the road tract; thence with  
3 said access road and the line of the road parcel,  
4 southeasterly approximately 62 feet to a point;  
5 thence leaving the road parcel and crossing the  
6 existing access road northeasterly approxi-  
7 mately 30 feet to a point located on the north-  
8 east side of the existing access road; thence,  
9 northwesterly approximately 62 feet, to the  
10 point of beginning, containing approximately  
11 0.04 acre.

12 (4) DEED.—The Secretary shall convey the  
13 property under this subsection by quitclaim deed  
14 under such terms and conditions as the Secretary  
15 determines appropriate to protect the interests of  
16 the United States.

17 (5) REVERSION.—If the Secretary determines  
18 that the property conveyed under this subsection is  
19 not being used by the non-Federal entity for a public  
20 purpose, all right, title, and interest in and to the  
21 property shall revert, at the discretion of the Sec-  
22 retary, to the United States.

23 (6) REQUIREMENTS.—

24 (A) IMPROVEMENTS.—The Secretary shall  
25 make such improvements and alterations to the

1 property described in paragraph (3)(A)(i) as  
2 the Secretary, in consultation with the non-Fed-  
3 eral entity and relevant stakeholders, deter-  
4 mines to be appropriate to facilitate conveyance  
5 of the property and provision of the easement  
6 under this subsection, subject to the condition  
7 that the total cost of those improvements and  
8 alterations undertaken by the Secretary shall be  
9 not more than \$120,000.

10 (B) ENVIRONMENTAL ASSESSMENT.—Be-  
11 fore making a conveyance under paragraph (2),  
12 the Secretary shall—

13 (i) conduct, with respect to the prop-  
14 erty to be conveyed, an assessment of the  
15 environmental condition of the property,  
16 including an investigation of any potential  
17 hazardous, toxic, or radioactive waste  
18 present on such property; and

19 (ii) submit to the non-Federal entity a  
20 report describing the results of such as-  
21 sessment.

22 (C) REFUSAL BY NON-FEDERAL ENTITY.—

23 (i) IN GENERAL.—Upon review by the  
24 non-Federal entity of the report under sub-  
25 paragraph (B), the non-Federal entity may

1 elect to refuse the conveyance under this  
2 subsection.

3 (ii) ELECTION.—An election under  
4 clause (i)—

5 (I) shall be at the sole discretion  
6 of the non-Federal entity; and

7 (II) shall be made by the non-  
8 Federal entity by not later than the  
9 date that is 30 days after the date of  
10 submission of the report under sub-  
11 paragraph (B)(ii).

12 (D) DREDGED MATERIAL PLACEMENT AC-  
13 TIVITIES.—The Secretary shall—

14 (i) notify and coordinate with the non-  
15 Federal entity and relevant stakeholders  
16 before carrying out any dredged material  
17 placement activities associated with the  
18 property described in paragraph (3)(A)  
19 after the date on which such property is  
20 conveyed under this subsection; and

21 (ii) in carrying out a dredged material  
22 placement activity under clause (i), act in  
23 accordance with Engineer Manual EM  
24 1110–2–5025 (or a subsequent version of  
25 that manual).



1           (7) RESERVATION OF RIGHTS.—The Secretary  
2           may reserve and retain from any conveyance under  
3           this subsection a right-of-way or any other right that  
4           the Secretary determines to be necessary for the op-  
5           eration and maintenance of the authorized Federal  
6           channel along the Ohio River.

7           (8) TREATMENT.—Conveyance to the non-Fed-  
8           eral entity under this subsection of property de-  
9           scribed in paragraph (3)(A)(i) shall satisfy all obli-  
10          gations of the Secretary with respect to such prop-  
11          erty under—

12                   (A) section 306101 of title 54, United  
13                   States Code; and

14                   (B) section 306108 of title 54, United  
15                   States Code, with respect to the effects on the  
16                   property of dredged material placement activi-  
17                   ties carried out by the Secretary after the date  
18                   of the conveyances.

19           (9) INAPPLICABILITY.—Subtitle I of title 40,  
20           and chapter 4 of title 41, United States Code shall  
21           not apply to any conveyance or easement provided  
22           under this subsection.

23           (i) LEABURG FISH HATCHERY, LANE COUNTY, OR-  
24           EGON.—

1           (1) CONVEYANCE AUTHORIZED.—Subject to the  
2 provisions of this subsection, the Secretary shall con-  
3 vey, without consideration, to the State of Oregon,  
4 acting through the Oregon Department of Fish and  
5 Wildlife, all right, title, and interest of the United  
6 States in and to the real property comprising the  
7 Leaburg Fish Hatchery, consisting of approximately  
8 21.55 acres, identified as tracts Q-1500, Q-1501E,  
9 and 300E-1 and described in Department of the  
10 Army Lease No. DACW57-1-18-0009, together  
11 with any improvements on the property.

12           (2) WATER RIGHTS.—The Secretary may trans-  
13 fer to the State of Oregon, acting through the Or-  
14 egon Department of Fish and Wildlife, any water  
15 rights held by the United States that are appur-  
16 tenant to the property conveyed under this sub-  
17 section.

18           (3) DEED.—The Secretary shall convey the  
19 property under this subsection by quitclaim deed  
20 under such terms and conditions as the Secretary  
21 determines appropriate to protect the interests of  
22 the United States, including a condition that all of  
23 the property conveyed under this subsection be used  
24 and maintained by the State of Oregon for the pur-  
25 pose of operating a fish hatchery in perpetuity.

1           (4) REVERSION.—If the Secretary determines  
2           that the property conveyed under this subsection is  
3           not being used or maintained by the State of Oregon  
4           for the purpose of operating a fish hatchery in per-  
5           petuity, all or any portion of the property, including  
6           any water rights transferred under this subsection,  
7           shall, at the option of the Secretary, revert to the  
8           United States.

9           (5) SAVINGS CLAUSE.—If the State of Oregon  
10          does not accept the conveyance under this sub-  
11          section, the Secretary may dispose of the property,  
12          including appurtenant water rights, under sub-  
13          chapter III of chapter 5 of title 40, United States  
14          Code.

15          (j) WILLAMETTE FALLS LOCKS, WILLAMETTE  
16 RIVER, OREGON.—

17           (1) DEFINITIONS.—In this section:

18           (A) REAL ESTATE APPENDIX.—The term  
19           “real estate appendix” means Appendix A of  
20           the document published by the District Com-  
21           mander of the Portland District of the Corps of  
22           Engineers, titled “Willamette Falls Locks Wil-  
23           lamette River Oregon Section 216 Disposition  
24           Study with Integrated Environmental Assess-  
25           ment”.

1 (B) RECEIVING ENTITY.—The term “re-  
2 ceiving entity” means an entity identified by the  
3 State of Oregon, in consultation with the Wil-  
4 lamette Falls Locks Commission, to receive the  
5 conveyance under paragraph (2).

6 (C) WILLAMETTE FALLS LOCKS  
7 PROJECT.—The term “Willamette Falls Locks  
8 project” means the project for navigation, Wil-  
9 lamette Falls Locks, Willamette River, Oregon,  
10 authorized by the Act of June 25, 1910 (36  
11 Stat. 664, chapter 382).

12 (D) WILLAMETTE FALLS LOCKS RE-  
13 PORT.—The term “Willamette Falls Locks re-  
14 port” means the memorandum of the Director  
15 of Civil Works with the subject “Willamette  
16 Falls Locks (WFL), Willamette River Oregon  
17 Section 216 Disposition Study with Integrated  
18 Environmental Assessment (Study)”, dated  
19 July 11, 2019.

20 (2) CONVEYANCE AUTHORIZED.—The Secretary  
21 is authorized to convey to the receiving entity, with-  
22 out consideration, all right, title, and interest of the  
23 United States in and to any land in which the Fed-  
24 eral Government has a property interest for the Wil-  
25 lamette Falls Locks project, together with any im-

1        improvements on the land, subject to the requirements  
2        of this subsection and in accordance with the Wil-  
3        lamette Falls Locks report.

4            (3) DEED.—The Secretary shall convey the  
5        property under this subsection by quitclaim deed  
6        under such terms and conditions as the Secretary  
7        determines appropriate to protect the interests of  
8        the United States.

9            (4) SUBJECT TO EXISTING EASEMENTS AND  
10       OTHER INTERESTS.—The conveyance of property  
11       under paragraph (2) shall be subject to all existing  
12       deed reservations, easements, rights-of-way, and  
13       leases that are in effect as of the date of the convey-  
14       ance.

15           (5) REVERSION.—If the Secretary determines  
16       that the property conveyed under this subsection  
17       cease to be held in public ownership, all right, title,  
18       and interest in and to the property shall revert, at  
19       the discretion of the Secretary, to the United States.

20           (6) REQUIREMENTS BEFORE CONVEYANCE.—

21            (A) PERPETUAL ROAD EASEMENT.—Be-  
22       fore a making the conveyance under paragraph  
23       (2), the Secretary shall acquire a perpetual  
24       road easement from an adjacent property owner  
25       for use of an access road, which easement shall

1 convey with the property conveyed under such  
2 paragraph.

3 (B) ENVIRONMENTAL COMPLIANCE.—Be-  
4 fore making the conveyance under paragraph  
5 (2), in accordance with the real estate appendix,  
6 the Secretary shall complete a Phase 1 Envi-  
7 ronmental Site Assessment pursuant to the  
8 Comprehensive Environmental Response, Com-  
9 pensation, and Liability Act of 1980 (42 U.S.C.  
10 9601 et seq.).

11 (C) HISTORIC PRESERVATION.—The Sec-  
12 retary may enter into a memorandum of agree-  
13 ment with the Oregon State Historic Preserva-  
14 tion Office and the Advisory Council on His-  
15 toric Preservation that identifies actions the  
16 Secretary shall take before making the convey-  
17 ance under paragraph (2).

18 (D) REPAIRS.—Before making the convey-  
19 ance under paragraph (2), the Secretary shall  
20 carry out repairs to address primary seismic  
21 and safety risks in accordance with the rec-  
22 ommendations approved in the Willamette Falls  
23 Locks report.

24 (7) DEAUTHORIZATION.—Beginning on the  
25 date on which the Secretary makes the conveyance

1 under paragraph (2), the Willamette Falls Locks  
2 project is no longer authorized.

3 **SEC. 331. REPEALS.**

4 (a) Section 1001 of the Water Resources Develop-  
5 ment Act of 1986 (33 U.S.C. 579a) is amended—

6 (1) in subsection (b), by striking paragraph (2)  
7 and redesignating paragraph (3) as paragraph (2);  
8 and

9 (2) by striking subsection (c).

10 (b) Section 6003 of the Water Resources Reform and  
11 Development Act of 2014 (33 U.S.C. 579c) is repealed.

12 (c) Section 1301 of the Water Resources Develop-  
13 ment Act of 2016 (33 U.S.C. 579d) is repealed.

14 (d) Section 1302 of the Water Resources Develop-  
15 ment Act of 2016 (33 U.S.C. 579c–1) is repealed.

16 (e) Section 1301 of the Water Resources Develop-  
17 ment Act of 2018 (33 U.S.C. 579d–1) is repealed.

18 (f) Section 1302 of the Water Resources Develop-  
19 ment Act of 2018 (33 U.S.C. 579c–2) is repealed.

20 **TITLE IV—WATER RESOURCES**  
21 **INFRASTRUCTURE**

22 **SEC. 401. PROJECT AUTHORIZATIONS.**

23 The following projects for water resources develop-  
24 ment and conservation and other purposes, as identified  
25 in the reports titled “Report to Congress on Future Water

1 Resources Development” submitted to Congress pursuant  
 2 to section 7001 of the Water Resources Reform and Devel-  
 3 opment Act of 2014 (33 U.S.C. 2282d) or otherwise re-  
 4 viewed by Congress, are authorized to be carried out by  
 5 the Secretary substantially in accordance with the plans,  
 6 and subject to the conditions, described in the respective  
 7 reports or decision documents designated in this section:

8 (1) NAVIGATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. AK	Port of Nome Modifications	May 29, 2020	Federal: \$368,173,000 Non-Federal: \$122,746,000 Total: \$490,919,000
2. AK	Unalaska (Dutch Harbor) Chan- nels	February 7, 2020	Federal: \$26,202,750 Non-Federal: \$8,734,250 Total: \$34,937,000
3. CT	New Haven Har- bor Navigation Improvement Project	May 7, 2020	Federal: \$53,489,000 Non-Federal: \$18,822,000 Total: \$72,311,000
4. NY, NJ	New York and New Jersey Harbor Anchor- ages	April 23, 2020	Federal: \$18,940,000 Non-Federal: \$6,310,000 Total: \$25,250,000
5. TX	Gulf Intracoastal Waterway, Brazos River Floodgates and Colorado River Locks	October 23, 2019	Total: \$409,777,000, to be derived ½ from the gen- eral fund of the Treasury and ½ from the Inland Waterways Trust Fund.



<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
6. TX	Houston Ship Channel Expansion Channel Improvement Project, Harris, Chambers, and Galveston Counties	April 23, 2020	Federal: \$462,803,000 Non-Federal: \$414,045,000 Total: \$876,848,000
7. TX	Matagorda Ship Channel Improvement Project, Port Lavaca	November 15, 2019	Federal: \$138,660,000 Non-Federal: \$79,664,000 Total: \$218,324,000

1 (2) FLOOD RISK MANAGEMENT.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. AZ	Little Colorado River at Winslow, Navajo County	December 14, 2018	Federal: \$52,462,000 Non-Federal: \$28,249,000 Total: \$80,711,000
2. CA	Westminster, East Garden Grove, California Flood Risk Management	July 9, 2020	Federal: \$314,506,000 Non-Federal: \$910,092,000 Total: \$1,224,598,000
3. CT, NY	Westchester County Streams, Byram River Basin, Fairfield County, Connecticut, and Westchester County, New York	May 7, 2020	Federal: \$14,702,500 Non-Federal: \$14,702,500 Total: \$29,405,000
4. ND	Souris River Basin Flood Risk Management	April 16, 2019	Federal: \$58,041,750 Non-Federal: \$31,253,250 Total: \$89,295,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
5. NJ	Peckman River Basin	April 29, 2020	Federal: \$95,022,000 Non-Federal: \$51,166,000 Total: \$146,188,000
6. NM	Middle Rio Grande Flood Protection, Bernalillo to Belen	March 13, 2020	Federal: \$190,538,000 Non-Federal: \$102,598,000 Total: \$293,136,000
7. OK	Tulsa and West-Tulsa Levee System, Tulsa County	April 23, 2020	Federal: \$86,780,000 Non-Federal: \$46,728,000 Total: \$133,508,000

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

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. DE	Delaware Beneficial Use of Dredged Material for the Delaware River	March 6, 2020	Initial Federal: \$53,220,000 Initial Non-Federal: \$28,660,000 Total: \$81,880,000 Renourishment Federal: \$116,380,000 Renourishment Non-Federal: \$116,380,000 Renourishment Total: \$232,760,000
2. NJ	New Jersey Beneficial Use of Dredged Material for the Delaware River	April 8, 2020	Initial Federal: \$80,780,000 Initial Non-Federal: \$43,500,000 Total: \$124,280,000 Renourishment Federal: \$82,140,000 Renourishment Non-Federal: \$82,140,000 Renourishment Total: \$164,280,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
3. NJ	Rahway River Basin, New Jersey Coastal Storm Risk Management	June 9, 2020	Federal: \$46,754,000 Non-Federal: \$25,175,000 Total: \$71,929,000
4. NY	East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, Atlantic Coast of New York	August 22, 2019	Initial Federal: \$604,203,000 Initial Non-Federal: \$0 Total: \$604,203,000 Renourishment Federal: \$189,763,000 Renourishment Non-Federal: \$189,763,000 Renourishment Total: \$379,526,000
5. NY	Hashamomuck Cove Coastal Storm Risk Management	December 9, 2019	Initial Federal: \$11,549,000 Initial Non-Federal: \$6,218,000 Total: \$17,767,000 Renourishment Federal: \$23,481,500 Renourishment Non-Federal: \$23,481,500 Renourishment Total: \$46,963,000
6. RI	Pawcatuck River Coastal Storm Risk Management Project	December 19, 2018	Federal: \$37,848,000 Non-Federal: \$20,379,000 Total: \$58,227,000
7. VA	Norfolk Coastal Storm Risk Management	February 5, 2019	Federal: \$909,040,000 Non-Federal: \$489,480,000 Total: \$1,398,520,000

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

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. CO	South Platte River and Tributaries, Adams and Denver Counties	July 29, 2019	Federal: \$334,412,000 Non-Federal: \$200,406,000 Total: \$534,818,000
2. NY	Fire Island Inlet to Montauk Point, New York Reformulation	July 9, 2020	Initial Federal: \$1,541,981,000 Initial Non-Federal: \$0 Total: \$1,541,981,000 Renourishment Federal: \$742,926,500 Renourishment Non-Federal: \$742,926,500 Renourishment Total: \$1,485,853,000

1

## (5) ECOSYSTEM RESTORATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. CA	Delta Islands and Levees	December 18, 2018	Federal: \$16,746,395 Non-Federal: \$9,016,736 Total: \$25,763,131
2. CA	Yuba River Ecosystem Restoration	June 20, 2019	Federal: \$65,014,326 Non-Federal: \$35,008,268 Total: \$100,022,594
3. FL	Comprehensive Everglades Restoration Plan, Loxahatchee River Watershed Restoration Project, Martin and Palm Beach Counties	April 8, 2020	Federal: \$372,232,000 Non-Federal: \$368,528,000 Total: \$740,760,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
4. IL	The Great Lakes and Mississippi River Interbasin Study - Brandon Road, Will County	May 23, 2019	Federal: \$690,643,200 Non-Federal: \$172,660,800 Total: \$863,304,000
5. IL	South Fork of the South Branch of the Chicago River, Bubbly Creek, Ecosystem Restoration	July 9, 2020	Federal: \$11,657,000 Non-Federal: \$6,277,000 Total: \$17,934,000
6. MD	Anacostia Watershed Restoration, Prince George's County	December 19, 2018	Federal: \$23,171,000 Non-Federal: \$12,476,000 Total: \$35,647,000
7. MO	St. Louis Riverfront-Meramec River Basin Ecosystem Restoration	November 1, 2019	Federal: \$60,124,000 Non-Federal: \$32,375,000 Total: \$92,499,000
8. NM	Rio Grande, Environmental Management Program, Sandia Pueblo to Isleta Pueblo, New Mexico Ecosystem Restoration	August 5, 2019	Federal: \$16,163,000 Non-Federal: \$8,703,000 Total: \$24,866,000
9. NY, NJ	Hudson-Raritan Estuary Ecosystem Restoration	May 26, 2020	Federal: \$265,320,000 Non-Federal: \$142,864,000 Total: \$408,184,000
10. TX	Jefferson County Ecosystem Restoration	September 12, 2019	Federal: \$37,615,000 Non-Federal: \$20,254,000 Total: \$57,869,000

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

1 (7) MODIFICATIONS AND OTHER PROJECTS.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Decision Document</b>	<b>D. Estimated Costs</b>
1. KY	Kentucky Lock	June 9, 2020	Total: \$1,152,769,000 (to be derived ½ from the general fund of the Treasury and ½ from the Inland Waterways Trust Fund)
2. NC	Carolina Beach Integrated Beach Renourishment	June 16, 2020	Federal: \$24,205,000 Non-Federal: \$24,205,000 Total: \$48,410,000
3. NC	Wrightsville Beach	July 2, 2020	Federal: \$53,788,000 Non-Federal: \$22,329,000 Total: \$76,117,000 Renourishment Federal: \$14,553,000 Renourishment Non-Federal: \$14,553,000 Renourishment Total: \$29,106,000
4. TX	Corpus Christi Ship Channel, Deepening and Widening and Barge Shelves	May 4, 2020	Federal: \$403,000,000 Non-Federal: \$273,010,000 Total: \$676,010,000

2 **SEC. 402. SPECIAL RULES.**

3 (a) GREAT LAKES AND MISSISSIPPI RIVER  
4 INTERBASIN PROJECT, BRANDON ROAD, WILL COUNTY,  
5 ILLINOIS.—The Secretary shall carry out the project for  
6 ecosystem restoration, Great Lakes and Mississippi River

1 Interbasin project, Brandon Road, Will County, Illinois,  
2 authorized by section 401 of this Act, substantially in ac-  
3 cordance with the terms and conditions described in the  
4 Report of the Chief of Engineers, dated May 23, 2019,  
5 with the following modifications:

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

8 (2) The Secretary may include the addition or  
9 substitution of technologies or measures not de-  
10 scribed in the report, as the Secretary determines to  
11 be advisable.

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

19 (1) The Secretary shall meet the obligations of  
20 the Corps of Engineers under the Endangered Spe-  
21 cies Act of 1973 by complying with the June 2019  
22 NMFS Willamette Basin Review Study Biological  
23 Opinion Reasonable and Prudent Alternative until  
24 such time, if any, as it is modified or replaced, in  
25 whole or in part, through the consultation process

1 under section 7(a) of the Endangered Species Act of  
2 1973.

3 (2) The Secretary may reallocate not more than  
4 10 percent of overall storage in the joint conserva-  
5 tion pool, as authorized by this Act and without fur-  
6 ther Congressional action, if such reallocation is con-  
7 sistent with the ongoing consultation under section  
8 7(a) of the Endangered Species Act of 1973 related  
9 to Willamette Valley System operations.

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

15 (c) CANO MARTIN PENA, SAN JUAN, PUERTO  
16 RICO.—Section 5127 of the Water Resources Develop-  
17 ment Act of 2007 (121 Stat. 1242) is amended by striking  
18 “\$150,000,000” and inserting “\$232,430,000”.

19 **SEC. 403. AUTHORIZATION OF PROJECTS BASED ON FEASI-**  
20 **BILITY STUDIES PREPARED BY NON-FED-**  
21 **ERAL INTERESTS.**

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



1           (1) FORT PIERCE, ST. LUCIE COUNTY, FLOR-  
2           IDA.—The project for hurricane and storm damage  
3           reduction, Fort Pierce, St. Lucie County, Florida, as  
4           described in the review assessment of the Secretary,  
5           titled “Review Assessment of St. Lucie County,  
6           Florida Fort Pierce Shore Protection Project Section  
7           203 Integrated Feasibility Study and Environmental  
8           Assessment (June 2018)” and dated July 2018, at  
9           a total cost of \$33,107,639, and at an estimated  
10          total cost of \$97,958,972 for periodic nourishment  
11          over the 50-year life of the project.

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

22          (3) HOUMA NAVIGATION CANAL, LOUISIANA.—  
23          The project for navigation, Houma Navigation  
24          Canal, Louisiana, as described in the review assess-  
25          ment of the Secretary, titled “Review Assessment of

1 Houma Navigation Canal Deepening Project Section  
2 203 Integrated Feasibility Report and DRAFT En-  
3 vironmental Impact Statement (June 2018)” and  
4 dated July 2018, at a total cost of \$253,458,000.

5 (4) CHACON CREEK, TEXAS.—The project for  
6 flood risk management, ecosystem restoration, and  
7 other purposes, Chacon Creek, Texas, as described  
8 in the review assessment of the Secretary, titled  
9 “Review Assessment of Chacon Creek, Texas Section  
10 203 Integrated Feasibility Report and DRAFT En-  
11 vironmental Assessment (August 2018)” and dated  
12 September 2018, at a total cost of \$51,973,000.

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

15 (1) substantially in accordance with the applica-  
16 ble review assessment for the project submitted by  
17 the Secretary under section 203(c) of the Water Re-  
18 sources Development Act of 1986, as identified in  
19 subsection (a) of this section, and subject to such  
20 modifications or conditions as the Secretary con-  
21 siders appropriate and identifies in a final assess-  
22 ment that addresses the concerns, recommendations,  
23 and conditions identified by the Secretary in the ap-  
24 plicable review assessment; and

1           (2) after the Secretary transmits to the Com-  
2           mittee on Transportation and Infrastructure of the  
3           House of Representatives and the Committee on En-  
4           vironment and Public Works of the Senate such  
5           final assessment.

6           (c) TECHNICAL CORRECTION.—Section 203(c)(1) of  
7           the Water Resources Development Act of 1986 (33 U.S.C.  
8           2231(c)(1)) is amended, in the matter preceding subpara-  
9           graph (A), by striking “a report” and inserting “an as-  
10          sessment”.

○