

***In the Senate of the United States,***

*July 28, 2022.*

*Resolved,* That the bill from the House of Representatives (H.R. 7776) entitled “An Act to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike all after the enacting clause and insert the following:

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

2       (a) *SHORT TITLE.*—*This Act may be cited as the*  
3 *“Water Resources Development Act of 2022”.*

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

*Sec. 1. Short title; table of contents.*

*Sec. 2. Definition of Secretary.*

**TITLE I—GENERAL PROVISIONS**

*Sec. 101. Scope of feasibility studies.*

*Sec. 102. Shoreline and riverbank protection and restoration mission.*

*Sec. 103. Inland waterway projects.*

- Sec. 104. Protection and restoration of other Federal land along rivers and coasts.*
- Sec. 105. Policy and technical standards.*
- Sec. 106. Planning assistance to States.*
- Sec. 107. Floodplain management services.*
- Sec. 108. Workforce planning.*
- Sec. 109. Credit in lieu of reimbursement.*
- Sec. 110. Coastal cost calculations.*
- Sec. 111. Advance payment in lieu of reimbursement for certain Federal costs.*
- Sec. 112. Use of emergency funds.*
- Sec. 113. Research and development.*
- Sec. 114. Tribal and Economically Disadvantaged Communities Advisory Committee.*
- Sec. 115. Non-Federal Interest Advisory Committee.*
- Sec. 116. Underserved community harbor projects.*
- Sec. 117. Corps of Engineers Western Water Cooperative Committee.*
- Sec. 118. Updates to certain water control manuals.*
- Sec. 119. Sense of Congress on operations and maintenance of recreation sites.*
- Sec. 120. Relocation assistance.*
- Sec. 121. Reprogramming limits.*
- Sec. 122. Lease durations.*
- Sec. 123. Sense of Congress relating to post-disaster repairs.*
- Sec. 124. Payment of pay and allowances of certain officers from appropriation for improvements.*
- Sec. 125. Reforestation.*
- Sec. 126. Use of other Federal funds.*
- Sec. 127. National low-head dam inventory.*
- Sec. 128. Transfer of excess credit.*
- Sec. 129. National levee restoration.*
- Sec. 130. Inland waterways regional dredge pilot program.*
- Sec. 131. Funding to process permits.*
- Sec. 132. Non-Federal project implementation pilot program.*
- Sec. 133. Cost sharing for territories and Indian Tribes.*
- Sec. 134. Water supply conservation.*
- Sec. 135. Criteria for funding operation and maintenance of small, remote, and subsistence harbors.*
- Sec. 136. Protection of lighthouses.*
- Sec. 137. Expediting hydropower at Corps of Engineers facilities.*
- Sec. 138. Materials, services, and funds for repair, restoration, or rehabilitation of certain public recreation facilities.*
- Sec. 139. Dredged material management plans.*
- Sec. 140. Lease deviations.*
- Sec. 141. Columbia River Basin.*
- Sec. 142. Continuation of construction.*

## TITLE II—STUDIES AND REPORTS

- Sec. 201. Authorization of feasibility studies.*
- Sec. 202. Special rules.*
- Sec. 203. Expedited completion of studies.*
- Sec. 204. Studies for periodic nourishment.*
- Sec. 205. NEPA reporting.*
- Sec. 206. GAO audit of projects over budget or behind schedule.*
- Sec. 207. GAO study on project distribution.*
- Sec. 208. GAO audit of joint costs for operations and maintenance.*
- Sec. 209. GAO review of Corps of Engineers mitigation practices.*

- Sec. 210. *Sabine–Neches Waterway Navigation Improvement project, Texas.*  
 Sec. 211. *Great Lakes recreational boating.*  
 Sec. 212. *Central and Southern Florida.*  
 Sec. 213. *Investments for recreation areas.*  
 Sec. 214. *Western infrastructure study.*  
 Sec. 215. *Upper Mississippi River and Illinois Waterway System.*  
 Sec. 216. *West Virginia hydropower.*  
 Sec. 217. *Recreation and economic development at Corps facilities in Appalachia.*  
 Sec. 218. *Automated fee machines.*  
 Sec. 219. *Lake Champlain Canal, Vermont and New York.*  
 Sec. 220. *Report on concessionaire practices.*

**TITLE III—DEAUTHORIZATIONS, MODIFICATIONS, AND RELATED PROVISIONS**

- Sec. 301. *Additional assistance for critical projects.*  
 Sec. 302. *Southern West Virginia.*  
 Sec. 303. *Northern West Virginia.*  
 Sec. 304. *Local cooperation agreements, northern West Virginia.*  
 Sec. 305. *Special rule for certain beach nourishment projects.*  
 Sec. 306. *Coastal community flood control and other purposes.*  
 Sec. 307. *Modifications.*  
 Sec. 308. *Port Fourchon, Louisiana, dredged material disposal plan.*  
 Sec. 309. *Delaware shore protection and restoration.*  
 Sec. 310. *Great Lakes advance measures assistance.*  
 Sec. 311. *Rehabilitation of existing levees.*  
 Sec. 312. *Pilot program for certain communities.*  
 Sec. 313. *Rehabilitation of Corps of Engineers constructed pump stations.*  
 Sec. 314. *Chesapeake Bay environmental restoration and protection program.*  
 Sec. 315. *Evaluation of hydrologic changes in Souris River Basin.*  
 Sec. 316. *Memorandum of understanding relating to Baldhill Dam, North Dakota.*  
 Sec. 317. *Upper Mississippi River restoration program.*  
 Sec. 318. *Harmful algal bloom demonstration program.*  
 Sec. 319. *Colleton County, South Carolina.*  
 Sec. 320. *Arkansas River corridor, Oklahoma.*  
 Sec. 321. *Abandoned and inactive noncoal mine restoration.*  
 Sec. 322. *Asian carp prevention and control pilot program.*  
 Sec. 323. *Forms of assistance.*  
 Sec. 324. *Debris removal, New York Harbor, New York.*  
 Sec. 325. *Invasive species management.*  
 Sec. 326. *Wolf River Harbor, Tennessee.*  
 Sec. 327. *Missouri River mitigation, Missouri, Kansas, Iowa, and Nebraska.*  
 Sec. 328. *Invasive species management pilot program.*  
 Sec. 329. *Nueces County, Texas, conveyances.*  
 Sec. 330. *Mississippi Delta Headwaters, Mississippi.*  
 Sec. 331. *Ecosystem restoration, Hudson–Raritan Estuary, New York and New Jersey.*  
 Sec. 332. *Timely reimbursement.*  
 Sec. 333. *New Savannah Bluff Lock and Dam, Georgia and South Carolina.*  
 Sec. 334. *Lake Tahoe Basin restoration, Nevada and California.*  
 Sec. 335. *Additional assistance for Eastern Santa Clara Basin, California.*  
 Sec. 336. *Tribal partnership program.*  
 Sec. 337. *Surplus water contracts and water storage agreements.*  
 Sec. 338. *Copan Lake, Oklahoma.*

- Sec. 339. *Enhanced development program.*
- Sec. 340. *Ecosystem restoration coordination.*
- Sec. 341. *Acequias irrigation systems.*
- Sec. 342. *Rogers County, Oklahoma.*
- Sec. 343. *Water supply storage repair, rehabilitation, and replacement costs.*
- Sec. 344. *Non-Federal payment flexibility.*
- Sec. 345. *North Padre Island, Corpus Christi Bay, Texas.*
- Sec. 346. *Waiver of non-Federal share of damages related to certain contract claims.*
- Sec. 347. *Algiers Canal Levees, Louisiana.*
- Sec. 348. *Israel River ice control project, Lancaster, New Hampshire.*
- Sec. 349. *City of El Dorado, Kansas.*
- Sec. 350. *Upper Mississippi River protection.*
- Sec. 351. *Regional Corps of Engineers Office, Corpus Christi, Texas.*
- Sec. 352. *Pilot program for good neighbor authority on Corps of Engineers land.*
- Sec. 353. *Southeast Des Moines, Southwest Pleasant Hill, Iowa.*
- Sec. 354. *Middle Rio Grande flood protection, Bernalillo to Belen, New Mexico.*
- Sec. 355. *Comprehensive Everglades Restoration Plan, Florida.*
- Sec. 356. *Maintenance dredging permits.*
- Sec. 357. *Puget Sound nearshore ecosystem restoration, Washington.*
- Sec. 358. *Tribal assistance.*
- Sec. 359. *Recreational opportunities at certain projects.*
- Sec. 360. *Rehabilitation of Corps of Engineers constructed dams.*
- Sec. 361. *South Florida Ecosystem Restoration Task Force.*
- Sec. 362. *New Madrid County Harbor, Missouri.*
- Sec. 363. *Trinity River and tributaries, Texas.*
- Sec. 364. *Rend Lake, Carlyle Lake, and Lake Shelbyville, Illinois.*
- Sec. 365. *Federal assistance.*
- Sec. 366. *Land transfer and trust land for Choctaw Nation of Oklahoma.*
- Sec. 367. *Lake Barkley, Kentucky, land conveyance.*

#### TITLE IV—WATER RESOURCES INFRASTRUCTURE

- Sec. 401. *Project authorizations.*
- Sec. 402. *Storm damage prevention and reduction, coastal erosion, and ice and glacial damage, Alaska.*
- Sec. 403. *Expedited completion of projects.*
- Sec. 404. *Special rules.*
- Sec. 405. *Chattahoochee River program.*
- Sec. 406. *Lower Mississippi River Basin demonstration program.*
- Sec. 407. *Forecast-informed reservoir operations.*
- Sec. 408. *Mississippi River mat sinking unit.*
- Sec. 409. *Sense of Congress relating to Okatibbee Lake.*

### 1 **SEC. 2. DEFINITION OF SECRETARY.**

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

# 1 **TITLE I—GENERAL PROVISIONS**

## 2 **SEC. 101. SCOPE OF FEASIBILITY STUDIES.**

3 (a) *FLOOD AND COASTAL STORM RISK MANAGE-*  
4 *MENT.—In carrying out a feasibility study for a project*  
5 *for flood or coastal storm risk management, the Secretary,*  
6 *at the request of the non-Federal interest for the study, shall*  
7 *formulate alternatives to maximize net benefits from the re-*  
8 *duction of the comprehensive flood risk that is identified*  
9 *through a holistic evaluation of the isolated and compound*  
10 *effects of—*

11 (1) *a riverine discharge of any magnitude or fre-*  
12 *quency;*

13 (2) *inundation, wave attack, and erosion coin-*  
14 *ciding with a hurricane or coastal storm;*

15 (3) *a tide of any magnitude or frequency;*

16 (4) *a rainfall event of any magnitude or fre-*  
17 *quency;*

18 (5) *seasonal variation in water levels;*

19 (6) *groundwater emergence;*

20 (7) *sea level rise;*

21 (8) *subsidence; or*

22 (9) *any other driver of flood risk affecting the*  
23 *study area.*

24 (b) *WATER SUPPLY, WATER SUPPLY CONSERVATION,*  
25 *AND DROUGHT RISK REDUCTION.—In carrying out a feasi-*

1 bility study for any purpose, the Secretary, at the request  
2 of the non-Federal interest for the study, shall formulate  
3 alternatives—

4 (1) to maximize combined net benefits for the  
5 primary purpose of the study and for water supply,  
6 water supply conservation, and drought risk reduc-  
7 tion; or

8 (2) to include 1 or more measures for the pur-  
9 pose of water supply, water supply conservation, or  
10 drought risk reduction.

11 (c) *COST SHARING.*—All costs to carry out a feasibility  
12 study in accordance with this section shall be shared in ac-  
13 cordance with the cost share requirements otherwise appli-  
14 cable to the study.

15 **SEC. 102. SHORELINE AND RIVERBANK PROTECTION AND**  
16 **RESTORATION MISSION.**

17 (a) *DECLARATION OF POLICY.*—Congress declares  
18 that—

19 (1) consistent with the civil works mission of the  
20 Corps of Engineers, it is the policy of the United  
21 States to protect and restore the shorelines, river-  
22 banks, and streambanks of the United States from the  
23 damaging impacts of extreme weather events and  
24 other factors contributing to the vulnerability of  
25 coastal and riverine communities and ecosystems;

1           (2) *the Chief of Engineers shall give priority*  
2 *consideration to the protection and restoration of*  
3 *shorelines, riverbanks, and streambanks from erosion*  
4 *and other damaging impacts of extreme weather*  
5 *events in carrying out the civil works mission of the*  
6 *Corps of Engineers;*

7           (3) *to the maximum extent practicable, projects*  
8 *and measures for the protection and restoration of*  
9 *shorelines, riverbanks, and streambanks shall be for-*  
10 *mulated to increase the resilience of such shores and*  
11 *banks from the damaging impacts of extreme weather*  
12 *events and other factors contributing to the vulner-*  
13 *ability of coastal and riverine communities and eco-*  
14 *systems using measures described in section 1184(a)*  
15 *of the Water Resources Development Act of 2016 (33*  
16 *U.S.C. 2289a(a)); and*

17           (4) *to the maximum extent practicable, periodic*  
18 *nourishment shall be provided, in accordance with*  
19 *subsection (c) of the first section of the Act of August*  
20 *13, 1946 (60 Stat. 1056, chapter 960; 33 U.S.C.*  
21 *426e(c)), and subject to section 156 of the Water Re-*  
22 *sources Development Act of 1976 (42 U.S.C. 1962d-*  
23 *5f), for projects and measures carried out for the pur-*  
24 *pose of restoring and increasing the resilience of eco-*  
25 *systems to the same extent as periodic nourishment is*

1       *provided for projects and measures carried out for the*  
 2       *purpose of coastal storm risk management.*

3       **(b) SHORELINE AND RIVERINE PROTECTION AND RES-**  
 4       **TORATION.—**

5               **(1) IN GENERAL.—***Section 212 of the Water Re-*  
 6       *sources Development Act of 1999 (33 U.S.C. 2332) is*  
 7       *amended—*

8               **(A) in the section heading, by striking**  
 9       **“FLOOD MITIGATION AND RIVERINE RES-**  
 10       **TORATION PROGRAM” and inserting**  
 11       **“SHORELINE AND RIVERINE PROTECTION**  
 12       **AND RESTORATION”;**

13               **(B) by striking subsection (a) and inserting**  
 14       **the following:**

15       **“(a) IN GENERAL.—***The Secretary may carry out*  
 16       *projects—*

17               **“(1) to reduce flood and coastal storm hazards,**  
 18       **including shoreline erosion and riverbank and**  
 19       **streambank failures; or**

20               **“(2) to restore the natural functions and values**  
 21       **of rivers and shorelines throughout the United**  
 22       **States.”;**

23               **(C) in subsection (b)—**

24               **(i) by striking paragraph (1) and in-**  
 25       **serting the following:**



1           “(1) *AUTHORITY.*—

2                   “(A) *STUDIES.*—*The Secretary may carry*  
3                   *out studies to identify appropriate measures*  
4                   *for—*

5                           “(i) *the reduction of flood and coastal*  
6                           *storm hazards, including shoreline erosion*  
7                           *and riverbank and streambank failures; or*

8                                   “(ii) *the restoration of the natural*  
9                                   *functions and values of rivers and shore-*  
10                                   *lines.*

11                   “(B) *PROJECTS.*—*Subject to subsection*  
12                   *(f)(2), the Secretary may design and implement*  
13                   *projects described in subsection (a).”;*

14                           (i) *in paragraph (3), by striking*  
15                           *“flood damages” and inserting “flood and*  
16                           *coastal storm damages, including the use of*  
17                           *measures described in section 1184(a) of the*  
18                           *Water Resources Development Act of 2016*  
19                           *(33 U.S.C. 2289a(a))”;* and

20                                   (iii) *in paragraph (4)—*

21   (I) *by inserting “and coastal*  
22   *storm” after “flood”;*

23   (II) *by inserting “, shoreline,”*  
24   *after “riverine”;* and

1                   (III) by inserting “and coastal  
2                   barriers” after “floodplains”;

3                   (D) in subsection (c)—

4                   (i) by striking paragraph (1) and in-  
5                   serting the following:

6                   “(1) STUDIES.—

7                   “(A) IN GENERAL.—Subject to subpara-  
8                   graph (B), the non-Federal share of the cost of  
9                   a study under this section shall be—

10                   “(i) 50 percent; and

11                   “(ii) 10 percent, in the case of a study  
12                   benefitting an economically disadvantaged  
13                   community (as defined pursuant to section  
14                   160 of the Water Resources Development Act  
15                   of 2020 (33 U.S.C. 2201 note; Public Law  
16                   116–260)).

17                   “(B) FEDERAL INTEREST DETERMINA-  
18                   TION.—The first \$100,000 of the costs of a study  
19                   under this section shall be at full Federal ex-  
20                   pense.”;

21                   (ii) in paragraph (2)—

22                   (I) in the paragraph heading, by  
23                   striking “FLOOD CONTROL”; and

24                   (II) by striking subparagraph (A)  
25                   and inserting the following:

1           “(A) *IN GENERAL.*—*Design and construc-*  
2           *tion of a nonstructural measure or project, a*  
3           *measure or project described in section 1184(a)*  
4           *of the Water Resources Development Act of 2016*  
5           *(33 U.S.C. 2289a(a)), or for a measure or project*  
6           *for environmental restoration, shall be subject to*  
7           *cost sharing in accordance with section 103 of*  
8           *the Water Resources Development Act of 1986*  
9           *(33 U.S.C. 2213), except that the non-Federal*  
10           *share of the cost to design and construct a project*  
11           *benefitting an economically disadvantaged com-*  
12           *munity (as defined pursuant to section 160 of*  
13           *the Water Resources Development Act of 2020*  
14           *(33 U.S.C. 2201 note; Public Law 116–260))*  
15           *shall be 10 percent.”; and*

16                   *(iii) in paragraph (3)—*

17                           *(I) in the paragraph heading, by*  
18                           *striking “CONTROL” and inserting*  
19                           *“AND COASTAL STORM RISK MANAGE-*  
20                           *MENT”;*

21                           *(II) by striking “control” and in-*  
22                           *serting “and coastal storm risk man-*  
23                           *agement”;* and

24                           *(III) by striking “section 103(a)*  
25                           *of the Water Resources Development*

1           *Act of 1986 (33 U.S.C. 2213(a))” and*  
2           *inserting “section 103 of the Water Re-*  
3           *sources Development Act of 1986 (33*  
4           *U.S.C. 2213), except that the non-Fed-*  
5           *eral share of the cost to design and*  
6           *construct a project benefitting an eco-*  
7           *nomically disadvantaged community*  
8           *(as defined pursuant to section 160 of*  
9           *the Water Resources Development Act*  
10           *of 2020 (33 U.S.C. 2201 note; Public*  
11           *Law 116–260)) shall be 10 percent”;*

12           *(E) in subsection (d)—*

13                   *(i) by striking paragraph (2);*

14                   *(ii) by striking the subsection designa-*  
15           *tion and heading and all that follows*  
16           *through “Notwithstanding” in paragraph*  
17           *(1) in the matter preceding subparagraph*  
18           *(A) and inserting the following:*

19           *“(d) PROJECT JUSTIFICATION.—Notwithstanding”;*

20                   *(iii) by redesignating subparagraphs*  
21           *(A) through (C) as paragraphs (1) through*  
22           *(3), respectively, and indenting appro-*  
23           *priately; and*

24                   *(iv) in paragraph (1) (as so redesign-*  
25           *ated)—*

1                   (I) by inserting “or coastal  
2                   storm” after “flood”; and

3                   (II) by inserting “, including ero-  
4                   sion or riverbank or streambank fail-  
5                   ures” after “damages”;

6                   (F) in subsection (e)—

7                   (i) by redesignating paragraphs (1)  
8                   through (33) as subparagraphs (A) through  
9                   (GG), respectively, and indenting appro-  
10                  priately;

11                  (ii) in the matter preceding subpara-  
12                  graph (A) (as so redesignated), by striking  
13                  “In carrying out” and inserting the fol-  
14                  lowing:

15                  “(1) IN GENERAL.—In carrying out”; and

16                  (iii) by adding at the end the fol-  
17                  lowing:

18                  “(2) PRIORITY PROJECTS.—In carrying out this  
19                  section after the date of enactment of the Water Re-  
20                  sources Development Act of 2022, the Secretary shall  
21                  prioritize projects for the following locations:

22                  “(A) Delaware beaches and watersheds,  
23                  Delaware.

24                  “(B) Louisiana Coastal Area, Louisiana.

25                  “(C) Great Lakes Shores and Watersheds.

1           “(D) *Oregon Coastal Area, Oregon.*

2           “(E) *Upper Missouri River Basin.*

3           “(F) *Ohio River Tributaries and their wa-*  
4           *tersheds, West Virginia.*

5           “(G) *Chesapeake Bay watershed and Mary-*  
6           *land beaches, Maryland.*”;

7           (G) *by striking subsections (f), (g), and (i);*

8           (H) *by redesignating subsection (h) as sub-*  
9           *section (f); and*

10           (I) *in subsection (f) (as so redesignated), by*  
11           *striking paragraph (2) and inserting the fol-*  
12           *lowing:*

13           “(2) *PROJECTS REQUIRING SPECIFIC AUTHOR-*  
14           *IZATION.—The Secretary shall not carry out a project*  
15           *until Congress enacts a law authorizing the Secretary*  
16           *to carry out the project, if the Federal share of the*  
17           *cost to design and construct the project exceeds—*

18           “(A) *\$26,000,000, in the case of a project*  
19           *benefitting an economically disadvantaged com-*  
20           *munity (as defined pursuant to section 160 of*  
21           *the Water Resources Development Act of 2020*  
22           *(33 U.S.C. 2201 note; Public Law 116–260));*

23           “(B) *\$23,000,000, in the case of a project*  
24           *other than a project benefitting an economically*  
25           *disadvantaged community (as so defined) that—*

1                   “(i) is for purposes of environmental  
2                   restoration; or

3                   “(ii) derives not less than 50 percent of  
4                   the erosion, flood, or coastal storm risk re-  
5                   duction benefits from nonstructural meas-  
6                   ures or measures described in section  
7                   1184(a) of the Water Resources Development  
8                   Act of 2016 (33 U.S.C. 2289a(a)); or

9                   “(C) \$18,500,000, for a project other than a  
10                  project described in subparagraph (A) or (B).”.

11                  (2) *CLERICAL AMENDMENT.*—The table of con-  
12                  tents in section 1(b) of the Water Resources Develop-  
13                  ment Act of 1999 (113 Stat. 269) is amended by  
14                  striking the item relating to section 212 and inserting  
15                  the following:

                  “Sec. 212. Shoreline and riverine protection and restoration.”.

16                  (c) *EMERGENCY STREAMBANK AND SHORELINE PRO-*  
17                  *TECTION.*—Section 14 of the Flood Control Act of 1946 (33  
18                  U.S.C. 701r) is amended by striking “\$5,000,000” and in-  
19                  serting “\$10,000,000”.

20                  **SEC. 103. INLAND WATERWAY PROJECTS.**

21                  (a) *IN GENERAL.*—Section 102(a) of the Water Re-  
22                  sources Development Act of 1986 (33 U.S.C. 2212(a)) is  
23                  amended—





1       *development project that is specifically authorized by*  
2       *Congress;*

3             (2) *is included in a detailed project report (as*  
4       *defined in section 105(d) of the Water Resources De-*  
5       *velopment Act of 1986 (33 U.S.C. 2215(d)); or*

6             (3) *utilizes dredged material from a water re-*  
7       *sources development project beneficially.*

8       (b) *APPLICABILITY.—This section shall apply to a*  
9       *measure for which construction is initiated after the date*  
10       *of enactment of this Act.*

11       (c) *EXCLUSION.—In this section, the term “Federal*  
12       *land” does not include a military installation.*

13       (d) *SAVINGS PROVISIONS.—Nothing in this section*  
14       *precludes—*

15             (1) *a Federal agency with administrative juris-*  
16       *isdiction over Federal land from contributing funds for*  
17       *any portion of the cost of a measure described in sub-*  
18       *section (a) that benefits that land; or*

19             (2) *the Secretary, at the request of the non-Fed-*  
20       *eral interest for a study for a project for flood or*  
21       *coastal storm risk management, from using funds*  
22       *made available to the Secretary for water resources*  
23       *development investigations to formulate measures to*  
24       *reduce risk to a military installation, if the non-Fed-*  
25       *eral interest shares in the cost to formulate those*

1 *measures to the same extent that the non-Federal in-*  
2 *terest is required to share in the cost of the study.*

3 *(e) REPEAL.—*

4 *(1) IN GENERAL.—Section 1025 of the Water Re-*  
5 *sources Reform and Development Act of 2014 (33*  
6 *U.S.C. 2226) is repealed.*

7 *(2) CONFORMING AMENDMENT.—The table of*  
8 *contents in section 1(b) of the Water Resources Re-*  
9 *form and Development Act of 2014 (128 Stat. 1193)*  
10 *is amended by striking the item relating to section*  
11 *1025.*

12 **SEC. 105. POLICY AND TECHNICAL STANDARDS.**

13 *Consistent with the 5-year administrative publication*  
14 *life cycle of the Department of the Army, the Secretary shall*  
15 *revise, rescind, or certify as current, as applicable, each*  
16 *publication for the civil works programs of the Corps of En-*  
17 *gineers.*

18 **SEC. 106. PLANNING ASSISTANCE TO STATES.**

19 *(a) IN GENERAL.—Section 22 of the Water Resources*  
20 *Development Act of 1974 (42 U.S.C. 1962d–16) is amend-*  
21 *ed—*

22 *(1) in subsection (a)—*

23 *(A) in paragraph (3), by striking “section*  
24 *236 of title 10” and inserting “section 4141 of*  
25 *title 10”; and*

1                   (B) by adding at the end the following:

2                   “(4) *PRIORITIZATION.*—*To the maximum extent*  
3                   *practicable, the Secretary shall prioritize the provi-*  
4                   *sion of assistance under this subsection to address*  
5                   *both inland and coastal life safety risks.*”;

6                   (2) by redesignating subsections (b) through (f)  
7                   as subsections (c) through (g), respectively;

8                   (3) by inserting after subsection (a) the fol-  
9                   lowing:

10                  “(b) *OUTREACH.*—

11                  “(1) *IN GENERAL.*—*The Secretary is authorized*  
12                  *to carry out activities, at full Federal expense—*

13                         “(A) *to inform and educate States and*  
14                         *other non-Federal interests about the missions,*  
15                         *programs, policies, and procedures of the Corps*  
16                         *of Engineers; and*

17                         “(B) *to engage with States and other non-*  
18                         *Federal interests to identify specific opportuni-*  
19                         *ties to partner with the Corps of Engineers to*  
20                         *address water resources development needs.*

21                  “(2) *STAFF.*—*The Secretary shall designate staff*  
22                  *in each district office of the Corps of Engineers to*  
23                  *provide assistance under this subsection.*”;

24                  (4) in subsection (d) (as so redesignated), by  
25                  adding at the end the following:

1           “(3) *OUTREACH.*—*There is authorized to be ap-*  
 2           *propriated \$30,000,000 for each fiscal year to carry*  
 3           *out subsection (b).*”

4           “(4) *PRIORITIZATION.*—*To the maximum extent*  
 5           *practicable, the Secretary shall prioritize the provi-*  
 6           *sion of assistance under this section to economically*  
 7           *disadvantaged communities (as defined pursuant to*  
 8           *section 160 of the Water Resources Development Act*  
 9           *of 2020 (33 U.S.C. 2201 note; Public Law 116–*  
 10           *260)).”*”

11           (b)           *CONFORMING            AMENDMENT.*—*Section*  
 12           *3014(b)(3)(B) of the Water Resources Reform and Develop-*  
 13           *ment Act of 2014 (42 U.S.C. 4131(b)(3)(B)) is amended by*  
 14           *striking section “22(b) of the Water Resources Development*  
 15           *Act of 1974 (42 U.S.C. 1962d–16(b))” and inserting “sec-*  
 16           *tion 22(c) of the Water Resources Development Act of 1974*  
 17           *(42 U.S.C. 1962d–16(c))”.*”

18           **SEC. 107. FLOODPLAIN MANAGEMENT SERVICES.**

19           *Section 206 of the Flood Control Act of 1960 (33*  
 20           *U.S.C. 709a) is amended—*

21                   (1) *in subsection (a)—*

22                           (A) *in the second sentence, by striking*

23                                   “*Surveys and guides*” *and inserting the fol-*

24   *lowing:*

1           “(2) *SURVEYS AND GUIDES.*—*Surveys and*  
2 *guides*”;

3           *(B) in the first sentence—*

4                 *(i) by inserting “identification of areas*  
5 *subject to floods due to accumulated snags*  
6 *and other debris,” after “inundation by*  
7 *floods of various magnitudes and fre-*  
8 *quencies,”; and*

9                 *(ii) by striking “In recognition” and*  
10 *inserting the following:*

11           “(1) *IN GENERAL.*—*In recognition*”; and

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

13           “(3) *IDENTIFICATION OF ASSISTANCE.*—

14                 “(A) *IN GENERAL.*—*To the maximum ex-*  
15 *tent practicable, in providing assistance under*  
16 *this subsection, the Secretary shall identify and*  
17 *communicate to States and non-Federal interests*  
18 *specific opportunities to partner with the Corps*  
19 *of Engineers to address flood hazards.*

20                 “(B) *COORDINATION.*—*The Secretary shall*  
21 *coordinate activities under this paragraph with*  
22 *activities described in subsection (b) of section 22*  
23 *of the Water Resources Development Act of 1974*  
24 *(42 U.S.C. 1962d-16).”;*

1           (2) *by redesignating subsection (d) as subsection*  
2           *(e); and*

3           (3) *by inserting after subsection (c) the fol-*  
4           *lowing:*

5           “(d) *INSTITUTIONS OF HIGHER EDUCATION.—Not-*  
6           *withstanding section 4141 of title 10, United States Code,*  
7           *in carrying out this section, the Secretary may work with*  
8           *an institution of higher education, as determined appro-*  
9           *priate by the Secretary.”.*

10 **SEC. 108. WORKFORCE PLANNING.**

11           (a) *DEFINITION OF HISTORICALLY BLACK COLLEGE*  
12           *OR UNIVERSITY.—In this section, the term “historically*  
13           *Black college or university” has the meaning given the term*  
14           *“part B institution” in section 322 of the Higher Education*  
15           *Act of 1965 (20 U.S.C. 1061).*

16           (b) *AUTHORIZATION.—The Secretary is authorized to*  
17           *carry out activities, at full Federal expense—*

18                   (1) *to foster, enhance, and support science, tech-*  
19                   *nology, engineering, and math education and aware-*  
20                   *ness; and*

21                   (2) *to recruit individuals for careers at the Corps*  
22                   *of Engineers.*

23           (c) *PARTNERING ENTITIES.—In carrying out activi-*  
24           *ties under this section, the Secretary may enter into part-*  
25           *nerships with—*

1           (1) *public and nonprofit elementary and sec-*  
2           *ondary schools;*

3           (2) *community colleges;*

4           (3) *technical schools;*

5           (4) *colleges and universities, including histori-*  
6           *cally Black colleges and universities; and*

7           (5) *other institutions of learning.*

8           (d) *PRIORITIZATION.*—*The Secretary shall, to the*  
9           *maximum extent practicable, prioritize the recruitment of*  
10           *individuals under this section that are located in economi-*  
11           *cally disadvantaged communities (as defined pursuant to*  
12           *section 160 of the Water Resources Development Act of 2020*  
13           *(33 U.S.C. 2201 note; Public Law 116–260)).*

14           (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*  
15           *authorized to be appropriated to carry out this section*  
16           *\$20,000,000 for each of fiscal years 2023 through 2027.*

17           ***SEC. 109. CREDIT IN LIEU OF REIMBURSEMENT.***

18           (a) *IN GENERAL.*—*Section 1022 of the Water Re-*  
19           *sources Reform and Development Act of 2014 (33 U.S.C.*  
20           *2225) is amended—*

21           (1) *in subsection (a)—*

22                   (A) *by striking “or” before “an authorized*  
23                   *coastal navigation project”;*

24                   (B) *by inserting “or any other water re-*  
25                   *sources development project for which the Sec-*

1            *retary is authorized to reimburse the non-Fed-*  
2            *eral interest for the Federal share of construction*  
3            *or operation and maintenance,” before “the Sec-*  
4            *retary”;* and

5            (C) *by striking “of the project” and insert-*  
6            *ing “to construct, periodically nourish, or oper-*  
7            *ate and maintain the project”;*

8            (2) *in each of subsections (b) and (c), by striking*  
9            *“flood damage reduction and coastal navigation” each*  
10          *place it appears and inserting “water resources devel-*  
11          *opment”;* and

12          (3) *by adding at the end the following:*

13          “(d) *APPLICABILITY.—With respect to a project con-*  
14          *structed under section 204 of the Water Resources Develop-*  
15          *ment Act of 1986 (33 U.S.C. 2232), the Secretary shall exer-*  
16          *cise the authority under this section to apply credits and*  
17          *reimbursements related to the project in a manner con-*  
18          *sistent with the requirements of subsection (d) of that sec-*  
19          *tion.”.*

20          (b) *TREATMENT OF CREDIT BETWEEN PROJECTS.—*  
21          *Section 7007(d) of the Water Resources Development Act*  
22          *of 2007 (121 Stat. 1277; 128 Stat. 1226) is amended by*  
23          *inserting “, or may be applied to reduce the amounts re-*  
24          *quired to be paid by the non-Federal interest under the*  
25          *terms of the deferred payment agreements entered into be-*



1 *tween the Secretary and the non-Federal interest for the*  
2 *projects authorized by section 7012(a)(1)” before the period*  
3 *at the end.*

4 **SEC. 110. COASTAL COST CALCULATIONS.**

5 *Section 152(a) of the Water Resources Development*  
6 *Act of 2020 (33 U.S.C. 2213a(a)) is amended by inserting*  
7 *“or coastal storm risk management” after “flood risk man-*  
8 *agement”.*

9 **SEC. 111. ADVANCE PAYMENT IN LIEU OF REIMBURSEMENT**  
10 **FOR CERTAIN FEDERAL COSTS.**

11 *The Secretary is authorized to provide in advance to*  
12 *the non-Federal interest the Federal share of funds required*  
13 *for the acquisition of land, easements, and rights-of-way*  
14 *and the performance of relocations for a project or separable*  
15 *element—*

16 *(1) authorized to be constructed at full Federal*  
17 *expense;*

18 *(2) described in section 103(b)(2) of the Water*  
19 *Resources Development Act of 1986 (33 U.S.C.*  
20 *2213(b)(2)); or*

21 *(3) described in, or modified by an amendment*  
22 *made by, section 307(a) or 309(a), if at any time the*  
23 *cost to acquire the land, easements, and rights-of-way*  
24 *required for the project is projected to exceed the non-*  
25 *Federal share of the cost of the project.*

1 **SEC. 112. USE OF EMERGENCY FUNDS.**

2       Section 5(a) of the Act of August 18, 1941 (commonly  
3 known as the “Flood Control Act of 1941”) (55 Stat. 650,  
4 chapter 377; 33 U.S.C. 701n(a)), is amended—

5           (1) in paragraph (1), in the first sentence, by in-  
6 sserting “, increase resilience, increase effectiveness in  
7 preventing damages from inundation, wave attack, or  
8 erosion,” after “address major deficiencies”; and

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

10           “(6) **WORK CARRIED OUT BY A NON-FEDERAL**  
11 **SPONSOR.**—

12           “(A) **GENERAL RULE.**—The Secretary may  
13 authorize a non-Federal sponsor to plan, design,  
14 or construct repair or restoration work described  
15 in paragraph (1).

16           “(B) **REQUIREMENTS.**—

17           “(i) **IN GENERAL.**—To be eligible for a  
18 payment under subparagraph (C) for the  
19 Federal share of a planning, design, or con-  
20 struction activity for repair or restoration  
21 work described in paragraph (1), the non-  
22 Federal sponsor shall enter into a written  
23 agreement with the Secretary before car-  
24 rying out the activity.

25           “(ii) **COMPLIANCE WITH OTHER**  
26 **LAWS.**—The non-Federal sponsor shall

1           *carry out all activities under this para-*  
2           *graph in compliance with all laws and reg-*  
3           *ulations that would apply if the activities*  
4           *were carried out by the Secretary.*

5           “(C) *PAYMENT.*—

6                   “(i) *IN GENERAL.*—*The Secretary is*  
7                   *authorized to provide payment, in the form*  
8                   *of an advance or a reimbursement, to the*  
9                   *non-Federal sponsor for the Federal share of*  
10                   *the cost of a planning design, or construc-*  
11                   *tion activity for the repair or restoration*  
12                   *work described in paragraph (1).*

13                   “(ii) *ADDITIONAL AMOUNTS.*—*If the*  
14                   *Federal share of the cost of the activity*  
15                   *under this paragraph exceeds the amount*  
16                   *obligated by the Secretary under an agree-*  
17                   *ment under subparagraph (B), the advance*  
18                   *or reimbursement of such additional*  
19                   *amounts shall be at the discretion of the*  
20                   *Secretary.*

21           “(D) *ANNUAL LIMIT ON REIMBURSEMENTS*  
22           *NOT APPLICABLE.*—*Section 102 of the Energy*  
23           *and Water Development Appropriations Act,*  
24           *2006 (33 U.S.C. 2221), shall not apply to an*  
25           *agreement under subparagraph (B).”.*

1 **SEC. 113. RESEARCH AND DEVELOPMENT.**

2 (a) *IN GENERAL.*—Section 7 of the Water Resources  
3 Development Act of 1988 (33 U.S.C. 2313) is amended—

4 (1) in the section heading, by striking “**COL-**  
5 **LABORATIVE**”;

6 (2) in subsection (b), by redesignating para-  
7 graphs (1) and (2) as subparagraphs (A) and (B), re-  
8 spectively, and indenting appropriately;

9 (3) by striking subsection (e);

10 (4) by redesignating subsections (b), (c), (d), and  
11 (f) as paragraphs (2), (3), (4), and (5), respectively,  
12 and indenting appropriately;

13 (5) in subsection (a), by striking “of the Army  
14 Corps of Engineers, the Secretary is authorized to uti-  
15 lize Army” and inserting the following: “of the Corps  
16 of Engineers, the Secretary is authorized to engage in  
17 basic research, applied research, advanced research,  
18 and development projects, including such projects that  
19 are—

20 “(1) authorized by Congress; or

21 “(2) included in an Act making appropriations  
22 for the Corps of Engineers.

23 “(b) **COLLABORATIVE RESEARCH AND DEVELOP-**  
24 **MENT.**—

25 “(1) *IN GENERAL.*—In carrying out subsection  
26 (a), the Secretary is authorized to utilize”;

1           (6) *in subsection (b) (as so redesignated)—*

2                   (A) *in paragraph (2)(B) (as so redesign-*  
3 *ated), by striking “this section” and inserting*  
4 *“this subsection”;*

5                   (B) *in paragraph (3) (as so redesignated),*  
6 *in the first sentence, by striking “this section”*  
7 *each place it appears and inserting “this sub-*  
8 *section”;*

9                   (C) *in paragraph (4) (as so redesignated),*  
10 *by striking “subsection (c)” and inserting “para-*  
11 *graph (3)”;* and

12                   (D) *in paragraph (5) (as so redesignated),*  
13 *by striking “this section” and inserting “this*  
14 *subsection;”;* and

15           (7) *by adding at the end the following:*

16           “(c) *OTHER TRANSACTIONS.—*

17                   “(1) *AUTHORITY.—The Secretary may enter into*  
18 *transactions (other than contracts, cooperative agree-*  
19 *ments, and grants) in order to carry out this section.*

20                   “(2) *EDUCATION AND TRAINING.—The Secretary*  
21 *shall—*

22                           “(A) *ensure that management, technical,*  
23 *and contracting personnel of the Corps of Engi-*  
24 *neers involved in the award or administration of*  
25 *transactions under this section or other innova-*

1           *tive forms of contracting are afforded opportuni-*  
2           *ties for adequate education and training; and*

3           “(B) *establish minimum levels and require-*  
4           *ments for continuous and experiential learning*  
5           *for such personnel, including levels and require-*  
6           *ments for acquisition certification programs.*

7           “(3) *NOTIFICATION.—The Secretary shall pro-*  
8           *vide to the Committee on Environment and Public*  
9           *Works of the Senate and the Committee on Transpor-*  
10          *tation and Infrastructure of the House of Representa-*  
11          *tives notice of a transaction under this subsection not*  
12          *less than 30 days before entering into the transaction.*

13          “(4) *REPORT.—Not later than 3 years and not*  
14          *later than 7 years after the date of enactment of the*  
15          *Water Resources Development Act of 2022, the Sec-*  
16          *retary shall submit to the Committee on Environment*  
17          *and Public Works of the Senate and the Committee on*  
18          *Transportation and Infrastructure of the House of*  
19          *Representatives a report on the use of the authority*  
20          *under paragraph (1).*

21          “(d) *REPORT.—*

22          “(1) *IN GENERAL.—For fiscal year 2025, and*  
23          *annually thereafter, in conjunction with the annual*  
24          *budget submission of the President to Congress under*  
25          *section 1105(a) of title 31, United States Code, the*

1        *Secretary shall submit to the Committee on Environ-*  
2        *ment and Public Works of the Senate and the Com-*  
3        *mittee on Transportation and Infrastructure of the*  
4        *House of Representatives a report on projects carried*  
5        *out under subsection (a).*

6                *“(2) CONTENTS.—A report under paragraph (1)*  
7        *shall include—*

8                        *“(A) a description of each ongoing and new*  
9        *project, including—*

10                                *“(i) the estimated total cost;*

11                                *“(ii) the amount of Federal expendi-*  
12        *tures;*

13                                *“(iii) the amount of expenditures by a*  
14        *non-Federal entity as described in sub-*  
15        *section (b)(1), if applicable;*

16                                *“(iv) the estimated timeline for comple-*  
17        *tion;*

18                                *“(v) the requesting district of the Corps*  
19        *of Engineers, if applicable; and*

20                                *“(vi) how the project is consistent with*  
21        *subsection (a); and*

22                                *“(B) any additional information that the*  
23        *Secretary determines to be appropriate.*

24                *“(e) COST SHARING.—*

1           “(1) *IN GENERAL.*—*Except as provided in sub-*  
2           *section (b)(3) and paragraph (2), a project carried*  
3           *out under this section shall be at full Federal expense.*

4           “(2) *TREATMENT.*—*Nothing in this subsection*  
5           *waives applicable cost-share requirements for a water*  
6           *resources development project or feasibility study (as*  
7           *defined in section 105(d) of the Water Resources De-*  
8           *velopment Act of 1986 (33 U.S.C. 2215(d)).*

9           “(f) *SAVINGS CLAUSE.*—*Nothing in this section limits*  
10          *the ability of the Secretary to carry out a project requested*  
11          *by a district of the Corps of Engineers in support of a water*  
12          *resources development project or feasibility study (as de-*  
13          *finied in section 105(d) of the Water Resources Development*  
14          *Act of 1986 (33 U.S.C. 2215(d)).*

15          “(g) *RESEARCH AND DEVELOPMENT ACCOUNT.*—

16                 “(1) *IN GENERAL.*—*There is established a Re-*  
17                 *search and Development account of the Corps of Engi-*  
18                 *neers for the purposes of carrying out this section.*

19                 “(2) *AUTHORIZATION OF APPROPRIATIONS.*—  
20                 *There is authorized to be appropriated to the Re-*  
21                 *search and Development account established by para-*  
22                 *graph (1) \$85,000,000 for each of fiscal years 2023*  
23                 *through 2027.”.*

24          “(b) *FORECASTING MODELS FOR THE GREAT LAKES.*—



1           (1) *AUTHORIZATION.*—*There is authorized to be*  
2           *appropriated to the Secretary \$10,000,000 to complete*  
3           *and maintain a model suite to forecast water levels,*  
4           *account for water level variability, and account for*  
5           *the impacts of extreme weather events and other nat-*  
6           *ural disasters in the Great Lakes.*

7           (2) *SAVINGS PROVISION.*—*Nothing in this sub-*  
8           *section precludes the Secretary from using funds*  
9           *made available under the Great Lakes Restoration*  
10          *Initiative established by section 118(c)(7) of the Fed-*  
11          *eral Water Pollution Control Act (33 U.S.C.*  
12          *1268(c)(7)) for activities described in paragraph (1)*  
13          *for the Great Lakes, if funds are not appropriated for*  
14          *such activities.*

15          (c) *MONITORING AND ASSESSMENT PROGRAM FOR SA-*  
16          *LINE LAKES IN THE GREAT BASIN.*—

17               (1) *IN GENERAL.*—*The Secretary is authorized to*  
18               *carry out a program (referred to in this subsection as*  
19               *the “program”) to monitor and assess the hydrology*  
20               *of saline lake ecosystems in the Great Basin, includ-*  
21               *ing the Great Salt Lake, to inform and support Fed-*  
22               *eral and non-Federal management and conservation*  
23               *activities to benefit those ecosystems.*

24               (2) *COORDINATION.*—*The Secretary shall coordi-*  
25               *nate implementation of the program with relevant—*

1           (A) *Federal and State agencies;*

2           (B) *Indian Tribes;*

3           (C) *local governments; and*

4           (D) *nonprofit organizations.*

5           (3) *CONTRACTS, GRANTS, AND COOPERATIVE*  
6 *AGREEMENTS.—The Secretary is authorized to enter*  
7 *into contracts, grant agreements, and cooperative*  
8 *agreements with institutions of higher education and*  
9 *with entities described in paragraph (2) to implement*  
10 *the program.*

11           (4) *UPDATE.—Not later than 1 year after the*  
12 *date of enactment of this Act, the Secretary shall sub-*  
13 *mit to Congress an update on the progress of the Sec-*  
14 *retary in carrying out the program.*

15           (5) *ADDITIONAL INFORMATION.—In carrying out*  
16 *the program, the Secretary may use available studies,*  
17 *information, literature, or data on the Great Basin*  
18 *region published by relevant Federal, State, or local*  
19 *entities.*

20           (6) *AUTHORIZATION OF APPROPRIATIONS.—*  
21 *There is authorized to be appropriated to carry out*  
22 *this subsection \$10,000,000.*

23           (d) *CLERICAL AMENDMENT.—The table of contents*  
24 *contained in section 1(b) of the Water Resources Develop-*

1 *ment Act of 1988 (102 Stat. 4012) is amended by striking*  
 2 *the item relating to section 7 and inserting the following:*

“Sec. 7. *Research and development.*”.

3 **SEC. 114. TRIBAL AND ECONOMICALLY DISADVANTAGED**  
 4 **COMMUNITIES ADVISORY COMMITTEE.**

5 (a) *DEFINITIONS.—In this section:*

6 (1) *COMMITTEE.—The term “Committee” means*  
 7 *the Tribal and Economically Disadvantaged Commu-*  
 8 *nities Advisory Committee established under sub-*  
 9 *section (b).*

10 (2) *ECONOMICALLY DISADVANTAGED COMMU-*  
 11 *NITY.—The term “economically disadvantaged com-*  
 12 *munity” has the meaning given the term pursuant to*  
 13 *section 160 of the Water Resources Development Act*  
 14 *of 2020 (33 U.S.C. 2201 note; Public Law 116–260).*

15 (3) *INDIAN TRIBE.—The term “Indian Tribe”*  
 16 *has the meaning given the term in section 4 of the In-*  
 17 *Indian Self-Determination and Education Assistance*  
 18 *Act (25 U.S.C. 5304).*

19 (b) *ESTABLISHMENT.—Not later than 90 days after*  
 20 *the date of enactment of this Act, the Secretary shall estab-*  
 21 *lish a committee, to be known as the “Tribal and Economi-*  
 22 *cally Disadvantaged Communities Advisory Committee”, to*  
 23 *develop and make recommendations to the Secretary and*  
 24 *the Chief of Engineers on activities and actions that should*  
 25 *be undertaken by the Corps of Engineers to ensure more*

1 *effective delivery of water resources development projects,*  
2 *programs, and other assistance to economically disadvan-*  
3 *tagged communities and Indian Tribes.*

4       (c) *MEMBERSHIP.*—*The Committee shall be composed*  
5 *of members, appointed by the Secretary, who have the req-*  
6 *uisite experiential or technical knowledge needed to address*  
7 *issues related to the water resources needs and challenges*  
8 *of economically disadvantaged communities and Indian*  
9 *Tribes, including—*

10           (1) *5 individuals representing organizations*  
11 *with expertise in environmental policy, rural water*  
12 *resources, economically disadvantaged communities,*  
13 *Tribal rights, or civil rights; and*

14           (2) *5 individuals, each representing a non-Fed-*  
15 *eral interest for a Corps of Engineers project.*

16       (d) *DUTIES.*—

17           (1) *RECOMMENDATIONS.*—*The Committee shall*  
18 *provide advice and make recommendations to the Sec-*  
19 *retary and the Chief of Engineers to assist the Corps*  
20 *of Engineers in—*

21           (A) *efficiently and effectively delivering so-*  
22 *lutions to water resources development projects*  
23 *needs and challenges for economically disadvan-*  
24 *tagged communities and Indian Tribes;*

1           (B) *integrating consideration of economi-*  
2           *cally disadvantaged communities and Indian*  
3           *Tribes, where applicable, in the development of*  
4           *water resources development projects and pro-*  
5           *grams of the Corps of Engineers; and*

6           (C) *improving the capability and capacity*  
7           *of the workforce of the Corps of Engineers to as-*  
8           *sist economically disadvantaged communities*  
9           *and Indian Tribes.*

10          (2) *MEETINGS.—The Committee shall meet as*  
11          *appropriate to develop and make recommendations*  
12          *under paragraph (1).*

13          (3) *REPORT.—Recommendations provided under*  
14          *paragraph (1) shall be—*

15               (A) *included in a report submitted to the*  
16               *Committee on Environment and Public Works of*  
17               *the Senate and the Committee on Transportation*  
18               *and Infrastructure of the House of Representa-*  
19               *tives; and*

20               (B) *be made publicly available, including*  
21               *on a publicly available website.*

22          (e) *INDEPENDENT JUDGMENT.—Any recommendation*  
23          *made by the Committee to the Secretary and the Chief of*  
24          *Engineers under subsection (d)(1) shall reflect the inde-*  
25          *pendent judgment of the Committee.*

1 (f) *ADMINISTRATION.*—

2 (1) *COMPENSATION.*—*Except as provided in*  
3 *paragraph (2), the members of the Committee shall*  
4 *serve without compensation.*

5 (2) *TRAVEL EXPENSES.*—*The members of the*  
6 *Committee shall be allowed travel expenses, including*  
7 *per diem in lieu of subsistence, at rates authorized for*  
8 *employees of agencies under subchapter I of chapter*  
9 *57 of title 5, United States Code, while away from*  
10 *their homes or regular places of business in the per-*  
11 *formance of services for the Committee.*

12 (3) *TREATMENT.*—*The members of the Com-*  
13 *mittee shall not be considered to be Federal employees,*  
14 *and the meetings and reports of the Committee shall*  
15 *not be considered a major Federal action under the*  
16 *National Environmental Policy Act of 1969 (42*  
17 *U.S.C. 4321 et seq.).*

18 (4) *APPLICABILITY OF FACA.*—*The Federal Advi-*  
19 *sory Committee Act (5 U.S.C. App.) shall apply to*  
20 *the Committee.*

21 **SEC. 115. NON-FEDERAL INTEREST ADVISORY COMMITTEE.**

22 (a) *IN GENERAL.*—*Not later than 90 days after the*  
23 *date of enactment of this Act, the Secretary shall establish*  
24 *a committee, to be known as the “Non-Federal Interest Ad-*  
25 *visory Committee” (referred to in this section as the “Com-*

1 *mittee”), to develop and make recommendations to the Sec-*  
2 *retary and the Chief of Engineers on activities and actions*  
3 *that should be undertaken by the Corps of Engineers to en-*  
4 *sure more effective and efficient delivery of water resources*  
5 *development projects, programs, and other assistance.*

6 (b) *MEMBERSHIP.*—

7 (1) *IN GENERAL.*—*The Committee shall be com-*  
8 *posed of the members described in paragraph (2), who*  
9 *shall—*

10 (A) *be appointed by the Secretary; and*

11 (B) *have the requisite experiential or tech-*  
12 *nical knowledge needed to address issues related*  
13 *to water resources needs and challenges.*

14 (2) *REPRESENTATIVES.*—*The members of the*  
15 *Committee shall include the following:*

16 (A) *A representative of each of the fol-*  
17 *lowing:*

18 (i) *A non-Federal interest for a project*  
19 *for navigation for an inland harbor.*

20 (ii) *A non-Federal interest for a*  
21 *project for navigation for a harbor.*

22 (iii) *A non-Federal interest for a*  
23 *project for flood risk management.*

24 (iv) *A non-Federal interest for a*  
25 *project for coastal storm risk management.*

1                   (v) *A non-Federal interest for a project*  
2                   *for aquatic ecosystem restoration.*

3                   (B) *A representative of each of the fol-*  
4                   *lowing:*

5                   (i) *A non-Federal stakeholder with re-*  
6                   *spect to inland waterborne transportation.*

7                   (ii) *A non-Federal stakeholder with re-*  
8                   *spect to water supply.*

9                   (iii) *A non-Federal stakeholder with*  
10                   *respect to recreation.*

11                   (iv) *A non-Federal stakeholder with re-*  
12                   *spect to hydropower.*

13                   (v) *A non-Federal stakeholder with re-*  
14                   *spect to emergency preparedness, including*  
15                   *coastal protection.*

16                   (C) *A representative of each of the following:*

17                   (i) *An organization with expertise in*  
18                   *conservation.*

19                   (ii) *An organization with expertise in*  
20                   *environmental policy.*

21                   (iii) *An organization with expertise in*  
22                   *rural water resources.*

23                   (c) *DUTIES.—*

24                   (1) *RECOMMENDATIONS.—The Committee shall*  
25                   *provide advice and make recommendations to the Sec-*



1        *retary and the Chief of Engineers to assist the Corps*  
2        *of Engineers in—*

3                *(A) efficiently and effectively delivering*  
4                *water resources development projects;*

5                *(B) improving the capability and capacity*  
6                *of the workforce of the Corps of Engineers to de-*  
7                *liver projects and other assistance;*

8                *(C) improving the capacity and effectiveness*  
9                *of Corps of Engineers consultation and liaison*  
10                *roles in communicating water resources needs*  
11                *and solutions, including regionally-specific rec-*  
12                *ommendations; and*

13                *(D) strengthening partnerships with non-*  
14                *Federal interests to advance water resources solu-*  
15                *tions.*

16                *(2) MEETINGS.—The Committee shall meet as*  
17                *appropriate to develop and make recommendations*  
18                *under paragraph (1).*

19                *(3) REPORT.—Recommendations provided under*  
20                *paragraph (1) shall be—*

21                *(A) included in a report submitted to the*  
22                *Committee on Environment and Public Works of*  
23                *the Senate and the Committee on Transportation*  
24                *and Infrastructure of the House of Representa-*  
25                *tives; and*

1                   (B) made publicly available, including on a  
2                   publicly available website.

3           (d) *INDEPENDENT JUDGMENT.*—Any recommendation  
4 made by the Committee to the Secretary and the Chief of  
5 Engineers under subsection (c)(1) shall reflect the inde-  
6 pendent judgment of the Committee.

7           (e) *ADMINISTRATION.*—

8                   (1) *IN GENERAL.*—The Committee shall be sub-  
9 ject to the Federal Advisory Committee Act (5 U.S.C.  
10 App.).

11                   (2) *COMPENSATION.*—Except as provided in  
12 paragraph (3), the members of the Committee shall  
13 serve without compensation.

14                   (3) *TRAVEL EXPENSES.*—The members of the  
15 Committee shall be allowed travel expenses, including  
16 per diem in lieu of subsistence, at rates authorized for  
17 employees of agencies under subchapter I of chapter  
18 57 of title 5, United States Code, while away from  
19 their homes or regular places of business in the per-  
20 formance of services for the Committee.

21                   (4) *TREATMENT.*—The members of the Com-  
22 mittee shall not be considered to be Federal employees  
23 and the meetings and reports of the Committee shall  
24 not be considered a major Federal action under the

1       *National Environmental Policy Act of 1969 (42*  
2       *U.S.C. 4321 et seq.).*

3       **SEC. 116. UNDERSERVED COMMUNITY HARBOR PROJECTS.**

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

5               *(1) PROJECT.—The term “project” means a sin-*  
6       *gle cycle of dredging of an underserved community*  
7       *harbor and the associated placement of dredged mate-*  
8       *rial at a beneficial use placement site or disposal site.*

9               *(2) UNDERSERVED COMMUNITY HARBOR.—The*  
10       *term “underserved community harbor” means an*  
11       *emerging harbor (as defined in section 210(f) of the*  
12       *Water Resources Development Act of 1986 (33 U.S.C.*  
13       *2238(f)) for which—*

14                       *(A) no Federal funds have been obligated for*  
15       *maintenance dredging in the current fiscal year*  
16       *or in any of the 4 preceding fiscal years; and*

17                       *(B) State and local investments in infra-*  
18       *structure have been made during the preceding 4*  
19       *fiscal years.*

20       *(b) IN GENERAL.—The Secretary may carry out*  
21       *projects to dredge underserved community harbors for pur-*  
22       *poses of sustaining water-dependent commercial and rec-*  
23       *reational activities at such harbors.*

24       *(c) JUSTIFICATION.—The Secretary may carry out a*  
25       *project under this section if the Secretary determines that*

1 *the cost of the project is reasonable in relation to the sum*  
2 *of—*

3 *(1) the local or regional economic benefits; and*

4 *(2)(A) the environmental benefits, including the*  
5 *benefits to the aquatic environment to be derived from*  
6 *the creation of wetland and control of shoreline ero-*  
7 *sion; or*

8 *(B) other social effects, including protection*  
9 *against loss of life and contributions to local or re-*  
10 *gional cultural heritage.*

11 *(d) COST SHARE.—The non-Federal share of the cost*  
12 *of a project carried out under this section shall be deter-*  
13 *mined in accordance with—*

14 *(1) subsection (a), (b), (c), or (d), as applicable,*  
15 *of section 103 of the Water Resources Development*  
16 *Act of 1986 (33 U.S.C. 2213), for any portion of the*  
17 *cost of the project allocated to flood or coastal storm*  
18 *risk management, ecosystem restoration, or recreation;*  
19 *and*

20 *(2) section 101(b)(1) of the Water Resources De-*  
21 *velopment Act of 1986 (33 U.S.C. 2211(b)(1)), for the*  
22 *portion of the cost of the project other than a portion*  
23 *described in paragraph (1).*

24 *(e) CLARIFICATION.—The Secretary shall not require*  
25 *the non-Federal interest for a project carried out under this*

1 *section to perform additional operation and maintenance*  
2 *activities at the beneficial use placement site or the disposal*  
3 *site for such project.*

4 (f) *FEDERAL PARTICIPATION LIMIT.*—*The Federal*  
5 *share of the cost of a project under this section shall not*  
6 *exceed \$10,000,000.*

7 (g) *AUTHORIZATION OF APPROPRIATIONS.*—

8 (1) *IN GENERAL.*—*There is authorized to be ap-*  
9 *propriated to carry out this section \$50,000,000 for*  
10 *each of fiscal years 2023 through 2026.*

11 (2) *SPECIAL RULE.*—*Not less than 35 percent of*  
12 *the amounts made available to carry out this section*  
13 *for each fiscal year shall be used for projects that in-*  
14 *clude the beneficial use of dredged material.*

15 (h) *SAVINGS PROVISION.*—*Carrying out a project*  
16 *under this section shall not affect the eligibility of an under-*  
17 *served community harbor for Federal operation and main-*  
18 *tenance funding otherwise authorized for the underserved*  
19 *community harbor.*

20 **SEC. 117. CORPS OF ENGINEERS WESTERN WATER COOPER-**  
21 **ATIVE COMMITTEE.**

22 (a) *FINDINGS.*—*Congress finds that—*

23 (1) *a bipartisan coalition of 19 Western Senators*  
24 *wrote to the Office of Management and Budget on*  
25 *September 17, 2019, in opposition to the proposed*

1 *rulemaking entitled “Use of U.S. Army Corps of En-*  
2 *gineers Reservoir Projects for Domestic, Municipal &*  
3 *Industrial Water Supply” (81 Fed. Reg. 91556 (De-*  
4 *cember 16, 2016)), describing the rule as counter to*  
5 *existing law and court precedent;*

6 (2) *on January 21, 2020, the proposed rule-*  
7 *making described in paragraph (1) was withdrawn;*  
8 *and*

9 (3) *the Corps of Engineers should consult with*  
10 *Western States to ensure, to the maximum extent*  
11 *practicable, that operation of flood control projects in*  
12 *prior appropriation States is consistent with the*  
13 *principles of the first section of the Act of December*  
14 *22, 1944 (commonly known as the “Flood Control Act*  
15 *of 1944”)* (58 Stat. 887, chapter 665; 33 U.S.C. 701–  
16 *1) and section 301 of the Water Supply Act of 1958*  
17 *(43 U.S.C. 390b).*

18 (b) *ESTABLISHMENT.—*

19 (1) *IN GENERAL.—Not later than 90 days after*  
20 *the date of enactment of this Act, the Secretary shall*  
21 *establish a Western Water Cooperative Committee (re-*  
22 *ferred to in this section as the “Cooperative Com-*  
23 *mittee”).*

24 (2) *PURPOSE.—The purpose of the Cooperative*  
25 *Committee is to ensure that Corps of Engineers flood*

1       *control projects in Western States are operated con-*  
2       *sistent with congressional directives by identifying*  
3       *opportunities to avoid or minimize conflicts between*  
4       *operation of Corps of Engineers projects and State*  
5       *water rights and water laws.*

6               (3) *MEMBERSHIP.*—

7                       (A) *IN GENERAL.*—*The Cooperative Com-*  
8                       *mittee shall be composed of—*

9                               (i) *the Assistant Secretary of the Army*  
10                               *for Civil Works (or a designee);*

11                               (ii) *the Chief of Engineers (or a des-*  
12                               *ignee);*

13                               (iii) *1 representative from each of the*  
14                               *States of Alaska, Arizona, California, Colo-*  
15                               *rado, Idaho, Kansas, Montana, Nebraska,*  
16                               *Nevada, New Mexico, North Dakota, Okla-*  
17                               *homa, Oregon, South Dakota, Texas, Utah,*  
18                               *Washington, and Wyoming, who may serve*  
19                               *on the Western States Water Council, to be*  
20                               *appointed by the Governor of each State;*

21                               (iv) *1 representative with legal experi-*  
22                               *ence from each of the States of Alaska, Ari-*  
23                               *zona, California, Colorado, Idaho, Kansas,*  
24                               *Montana, Nebraska, Nevada, New Mexico,*  
25                               *North Dakota, Oklahoma, Oregon, South*

1           *Dakota, Texas, Utah, Washington, and Wy-*  
2           *oming, to be appointed by the Attorney*  
3           *General of each State; and*

4                     *(v) 1 employee from each of the im-*  
5                     *acted regional offices of the Bureau of In-*  
6                     *dian Affairs.*

7           (4) *MEETINGS.—*

8                     (A) *IN GENERAL.—The Cooperative Com-*  
9                     *mittee shall meet not less than once each year in*  
10                    *a State represented on the Cooperative Com-*  
11                    *mittee.*

12                    (B) *AVAILABLE TO PUBLIC.—Each meeting*  
13                    *of the Cooperative Committee shall be open and*  
14                    *accessible to the public.*

15                    (C) *NOTIFICATION.—The Cooperative Com-*  
16                    *mittee shall publish in the Federal Register ade-*  
17                    *quate advance notice of a meeting of the Cooper-*  
18                    *ative Committee.*

19           (5) *DUTIES.—The Cooperative Committee shall*  
20           *develop and make recommendations to avoid or mini-*  
21           *mize conflicts between the operation of Corps of Engi-*  
22           *neers projects and State water rights and water laws,*  
23           *which may include recommendations for legislation or*  
24           *the promulgation of policy or regulations.*

25           (6) *STATUS UPDATES.—*



1           (A) *IN GENERAL.*—*On an annual basis, the*  
2           *Secretary shall provide to the Committee on En-*  
3           *vironment and Public Works of the Senate and*  
4           *the Committee on Transportation and Infra-*  
5           *structure of the House of Representatives a writ-*  
6           *ten report that includes—*

7                     (i) *a summary of the contents of meet-*  
8                     *ings of the Cooperative Committee; and*

9                     (ii) *a description of any recommenda-*  
10                    *tions made by the Cooperative Committee*  
11                    *under paragraph (5), including actions*  
12                    *taken by the Secretary in response to such*  
13                    *recommendations.*

14           (B) *COMMENT.*—

15                    (i) *IN GENERAL.*—*Not later than 45*  
16                    *days following the conclusion of a meeting*  
17                    *of the Cooperative Committee, the Secretary*  
18                    *shall provide to members of the Cooperative*  
19                    *Committee an opportunity to comment on*  
20                    *the contents of the meeting and any rec-*  
21                    *ommendations.*

22                    (ii) *INCLUSION.*—*Comments provided*  
23                    *under clause (i) shall be included in the re-*  
24                    *port provided under subparagraph (A).*

25           (7) *COMPENSATION.*—



1 **SEC. 119. SENSE OF CONGRESS ON OPERATIONS AND MAIN-**  
2 **TENANCE OF RECREATION SITES.**

3 *It is the sense of Congress that the Secretary, as part*  
4 *of the annual work plan, should distribute amounts pro-*  
5 *vided for the operations and maintenance of recreation sites*  
6 *of the Corps of Engineers so that each site receives an*  
7 *amount that is not less than 80 percent of the recreation*  
8 *fees generated by such site in a given year.*

9 **SEC. 120. RELOCATION ASSISTANCE.**

10 *In the case of a water resources development project*  
11 *using nonstructural measures for the elevation or modifica-*  
12 *tion of a dwelling that is the primary residence of an*  
13 *owner-occupant and that requires the owner-occupant to re-*  
14 *locate temporarily from the dwelling during the period of*  
15 *construction, the Secretary may include in the value of the*  
16 *land, easements, and rights-of-way required for the project*  
17 *or measure the documented reasonable living expenses, ex-*  
18 *cluding food and personal transportation, incurred by the*  
19 *owner-occupant during the period of relocation.*

20 **SEC. 121. REPROGRAMMING LIMITS.**

21 *(a) OPERATIONS AND MAINTENANCE.—In reprogram-*  
22 *ming funds made available to the Secretary for operations*  
23 *and maintenance—*

24 *(1) the Secretary may not reprogram more than*  
25 *25 percent of the base amount up to a limit of—*

1           (A) \$8,500,000 for a project, study, or activ-  
2           ity with a base level over \$1,000,000; and

3           (B) \$250,000 for a project, study, or activ-  
4           ity with a base level of \$1,000,000 or less; and

5           (2) \$250,000 may be reprogrammed for any con-  
6           tinuing study or activity of the Secretary that did not  
7           receive an appropriation.

8           (b) INVESTIGATIONS.—In reprogramming funds made  
9           available to the Secretary for investigations—

10           (1) the Secretary may not reprogram more than  
11           \$150,000 for a project, study, or activity with a base  
12           level over \$100,000; and

13           (2) \$150,000 may be reprogrammed for any con-  
14           tinuing study or activity of the Secretary that did not  
15           receive an appropriation for existing obligations and  
16           concomitant administrative expenses.

17 **SEC. 122. LEASE DURATIONS.**

18           The Secretary shall issue guidance on, in the case of  
19           a leasing decision pursuant to section 2667 of title 10,  
20           United States Code, or section 4 of the Act of December 22,  
21           1944 (commonly known as the “Flood Control Act of 1944”)  
22           (58 Stat. 889, chapter 665; 16 U.S.C. 460d), instances in  
23           which a lease duration in excess of 25 years is appropriate.

1 **SEC. 123. SENSE OF CONGRESS RELATING TO POST-DIS-**  
 2 **ASTER REPAIRS.**

3 *It is the sense of Congress that in permitting and fund-*  
 4 *ing post-disaster repairs, the Secretary should, to the max-*  
 5 *imum extent practicable, repair assets—*

6 *(1) to project design levels; or*

7 *(2) if the original project design is outdated, to*  
 8 *above project design levels.*

9 **SEC. 124. PAYMENT OF PAY AND ALLOWANCES OF CERTAIN**  
 10 **OFFICERS FROM APPROPRIATION FOR IM-**  
 11 **PROVEMENTS.**

12 *Section 36 of the Act of August 10, 1956 (70A Stat.*  
 13 *634, chapter 1041; 33 U.S.C. 583a), is amended—*

14 *(1) by striking “Regular officers of the Corps of*  
 15 *Engineers of the Army, and reserve officers of the*  
 16 *Army who are assigned to the Corps of Engineers,”*  
 17 *and inserting the following:*

18 *“(a) IN GENERAL.—The personnel described in sub-*  
 19 *section (b)”;* and

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

21 *“(b) PERSONNEL DESCRIBED.—The personnel referred*  
 22 *to in subsection (a) are the following:*

23 *“(1) Regular officers of the Corps of Engineers of*  
 24 *the Army.*

25 *“(2) The following members of the Army who are*  
 26 *assigned to the Corps of Engineers:*

1           “(A) Reserve component officers.

2           “(B) Warrant officers (whether regular or  
3           reserve component).

4           “(C) Enlisted members (whether regular or  
5           reserve component).”.

6 **SEC. 125. REFORESTATION.**

7           *The Secretary is encouraged to consider measures to*  
8 *restore swamps and other wetland forests in studies for*  
9 *water resources development projects for ecosystem restora-*  
10 *tion and flood and coastal storm risk management.*

11 **SEC. 126. USE OF OTHER FEDERAL FUNDS.**

12           *Section 2007 of the Water Resources Development Act*  
13 *of 2007 (33 U.S.C. 2222) is amended—*

14           (1) *by striking “water resources study or*  
15 *project” and inserting “water resources development*  
16 *study or project, including a study or project under*  
17 *a continuing authority program (as defined in section*  
18 *7001(c)(1)(D) of the Water Resources Reform and De-*  
19 *velopment Act of 2014 (33 U.S.C. 2282d(c)(1)(D)),”;*  
20 *and*

21           (2) *by striking “the Federal agency that provides*  
22 *the funds determines that the funds are authorized to*  
23 *be used to carry out the study or project” and insert-*  
24 *ing “the funds appropriated to the Federal agency are*

1       *for a purpose that is similar or complementary to the*  
2       *purpose of the study or project”.*

3   **SEC. 127. NATIONAL LOW-HEAD DAM INVENTORY.**

4       *The National Dam Safety Program Act (33 U.S.C. 467*  
5   *et seq.) is amended by adding at the end the following:*

6   **“SEC. 15. NATIONAL LOW-HEAD DAM INVENTORY.**

7       “(a) *DEFINITIONS.—In this section:*

8               “(1) *INVENTORY.—The term ‘inventory’ means*  
9       *the national low-head dam inventory developed under*  
10      *subsection (b)(1).*

11              “(2) *LOW-HEAD DAM.—The term ‘low-head dam’*  
12      *means a river-wide dam that generally spans a*  
13      *stream channel, blocking the waterway and creating*  
14      *a backup of water behind the dam, with a drop off*  
15      *over the wall of not less than 6 inches and not more*  
16      *than 25 feet.*

17              “(3) *SECRETARY.—The term ‘Secretary’ means*  
18      *the Secretary of the Army.*

19       “(b) *NATIONAL LOW-HEAD DAM INVENTORY.—*

20              “(1) *IN GENERAL.—Not later than 18 months*  
21      *after the date of enactment of this section, the Sec-*  
22      *retary, in consultation with the heads of appropriate*  
23      *Federal and State agencies, shall—*

24                      “(A) *develop an inventory of low-head dams*  
25              *in the United States that includes—*

1           “(i) the location, ownership, descrip-  
2           tion, current use, condition, height, and  
3           length of each low-head dam;

4           “(ii) any information on public safety  
5           conditions at each low-head dam;

6           “(iii) public safety information on the  
7           dangers of low-head dams;

8           “(iv) a directory of financial and tech-  
9           nical assistance resources available to re-  
10          duce safety hazards and fish passage bar-  
11          riers at low-head dams; and

12          “(v) any other relevant information  
13          concerning low-head dams; and

14          “(B) submit the inventory to the Committee  
15          on Environment and Public Works of the Senate  
16          and the Committee on Transportation and Infra-  
17          structure of the House of Representatives.

18          “(2) DATA.—In carrying out this subsection, the  
19          Secretary shall—

20                 “(A) coordinate with Federal and State  
21                 agencies and other relevant entities; and

22                 “(B) use data provided to the Secretary by  
23                 those agencies.

24          “(3) UPDATES.—The Secretary, in consultation  
25          with appropriate Federal and State agencies, shall



1       *maintain and periodically publish updates to the in-*  
2       *ventory.*

3       “(c) *AUTHORIZATION OF APPROPRIATIONS.—There is*  
4       *authorized to be appropriated to the Secretary to carry out*  
5       *this section \$30,000,000.*

6       “(d) *CLARIFICATION.—Nothing in this section provides*  
7       *authority to the Secretary to carry out an activity, with*  
8       *respect to a low-head dam, that is not explicitly authorized*  
9       *under this section.”.*

10    **SEC. 128. TRANSFER OF EXCESS CREDIT.**

11       *Section 1020 of the Water Resources Reform and De-*  
12       *velopment Act of 2014 (33 U.S.C. 2223) is amended—*

13               *(1) in subsection (a), by adding at the end the*  
14       *following:*

15               “(3) *STUDIES AND PROJECTS WITH MULTIPLE*  
16       *NON-FEDERAL INTERESTS.—A credit described in*  
17       *paragraph (1) for a study or project with multiple*  
18       *non-Federal interests may be applied to the required*  
19       *non-Federal cost share for a study or project of any*  
20       *of those non-Federal interests, subject to the condition*  
21       *that each non-Federal interest for the study or project*  
22       *for which the credit described in paragraph (1) is*  
23       *provided concurs in writing.”;*

24               *(2) in subsection (b), by adding at the end the*  
25       *following:*

1           “(3) *CONDITIONAL APPROVAL OF EXCESS CRED-*  
2           *IT.—The Secretary may approve credit in excess of*  
3           *the non-Federal share for a study or project prior to*  
4           *the identification of each authorized study or project*  
5           *to which the excess credit will be applied, subject to*  
6           *the condition that the non-Federal interest agrees to*  
7           *submit for approval by the Secretary an amendment*  
8           *to the comprehensive plan prepared under paragraph*  
9           *(2) that identifies each authorized study or project in*  
10           *advance of execution of the feasibility cost sharing*  
11           *agreement or project partnership agreement for that*  
12           *authorized study or project.”;*

13           (3) *by striking subsection (d); and*

14           (4) *by redesignating subsection (e) as subsection*  
15           *(d).*

16 **SEC. 129. NATIONAL LEVEE RESTORATION.**

17           (a) *DEFINITION OF REHABILITATION.—Section*  
18           *9002(13) of the Water Resources Development Act of 2007*  
19           *(33 U.S.C. 3301(13)) is amended—*

20           (1) *by inserting “, or improvement” after “re-*  
21           *moval”;* and

22           (2) *by inserting “, increase resiliency to extreme*  
23           *weather events,” after “flood risk”.*

1       (b) *LEVEE REHABILITATION ASSISTANCE PROGRAM.*—  
 2 *Section 9005(h) of the Water Resources Development Act*  
 3 *of 2007 (33 U.S.C. 3303a(h)) is amended—*

4           (1) *in paragraph (7), by striking “\$10,000,000”*  
 5 *and inserting “\$25,000,000”; and*

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

7           “(11) *PRIORITIZATION.*—*To the maximum extent*  
 8 *practicable, the Secretary shall prioritize the provi-*  
 9 *sion of assistance under this subsection to economi-*  
 10 *cally disadvantaged communities (as defined pursu-*  
 11 *ant to section 160 of the Water Resources Develop-*  
 12 *ment Act of 2020 (33 U.S.C. 2201 note; Public Law*  
 13 *116–260)).”.*

14 **SEC. 130. INLAND WATERWAYS REGIONAL DREDGE PILOT**  
 15 **PROGRAM.**

16       *Section 1111 of the America’s Water Infrastructure*  
 17 *Act of 2018 (33 U.S.C. 2326 note; Public Law 115–270)*  
 18 *is amended by adding at the end the following:*

19       “(e) *INLAND WATERWAYS REGIONAL DREDGE PILOT*  
 20 *PROGRAM.*—

21           “(1) *IN GENERAL.*—*The Secretary is authorized*  
 22 *to establish a pilot program (referred to in this sub-*  
 23 *section as the ‘pilot program’) to conduct a multiyear*  
 24 *dredging demonstration program to award contracts*

1       *with a duration of up to 5 years for projects on in-*  
2       *land waterways.*

3               “(2) *PURPOSES.—The purposes of the pilot pro-*  
4       *gram shall be—*

5                       “(A) *to increase the reliability, availability,*  
6                       *and efficiency of federally-owned and federally-*  
7                       *operated inland waterways projects;*

8                       “(B) *to decrease operational risks across the*  
9                       *inland waterways system; and*

10                      “(C) *to provide cost-savings by combining*  
11                      *work across multiple projects across different ac-*  
12                      *counts of the Corps of Engineers.*

13               “(3) *DEMONSTRATION.—*

14                      “(A) *IN GENERAL.—The Secretary shall, to*  
15                      *the maximum extent practicable, award con-*  
16                      *tracts for projects on inland waterways that*  
17                      *combine work across the Construction and Oper-*  
18                      *ation and Maintenance accounts of the Corps of*  
19                      *Engineers.*

20                      “(B) *PROJECTS.— In awarding contracts*  
21                      *under subparagraph (A), the Secretary shall con-*  
22                      *sider projects that—*

23                               “(i) *improve navigation reliability on*  
24                               *inland waterways that are accessible year-*  
25                               *round;*

1                   “(ii) increase freight capacity on in-  
2                   land waterways; and

3                   “(iii) have the potential to enhance the  
4                   availability of containerized cargo on in-  
5                   land waterways.

6                   “(4) SAVINGS CLAUSE.—Nothing in this sub-  
7                   section affects the responsibility of the Secretary with  
8                   respect to the construction and operations and main-  
9                   tenance of projects on the inland waterways system.

10                  “(5) REPORT TO CONGRESS.—Not later than 1  
11                  year after the date on which the first contract is  
12                  awarded pursuant to the pilot program, the Secretary  
13                  shall submit to the Committee on Environment and  
14                  Public Works of the Senate and the Committee on  
15                  Transportation and Infrastructure of the House of  
16                  Representatives a report that evaluates, with respect  
17                  to the pilot program and any contracts awarded  
18                  under the pilot program—

19                         “(A) cost effectiveness;

20                         “(B) reliability and performance;

21                         “(C) cost savings attributable to mobiliza-  
22                         tion and demobilization of dredge equipment;  
23                         and

24                         “(D) response times to address navigational  
25                         impediments.

1           “(6) *SUNSET.*—*The authority of the Secretary to*  
2           *enter into contracts pursuant to the pilot program*  
3           *shall expire on the date that is 10 years after the date*  
4           *of enactment of this Act.*”.

5   **SEC. 131. FUNDING TO PROCESS PERMITS.**

6           *Section 214(a)(2) of the Water Resources Development*  
7   *Act of 2000 (33 U.S.C. 2352(a)(2)) is amended—*

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

10                   “(A) *IN GENERAL.*—*The Secretary*”; and

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

12                           “(B) *MULTI-USER MITIGATION BANK IN-*  
13                           *STRUMENT PROCESSING.*—

14                                   “(i) *IN GENERAL.*—*An activity carried*  
15                                   *out by the Secretary to expedite evaluation*  
16                                   *of a permit described in subparagraph (A)*  
17                                   *may include the evaluation of an instru-*  
18                                   *ment for a mitigation bank if—*

19   “(I) *the non-Federal public entity,*  
20   *public-utility company, natural gas*  
21   *company, or railroad carrier applying*  
22   *for the permit described in that sub-*  
23   *paragraph is the sponsor of the mitiga-*  
24   *tion bank; and*

1                   “(II) *expediting evaluation of the*  
2                   *instrument is necessary to expedite*  
3                   *evaluation of the permit described in*  
4                   *that subparagraph.*

5                   “(ii) *USE OF CREDITS.—The use of*  
6                   *credits generated by the mitigation bank es-*  
7                   *tablished using expedited processing under*  
8                   *clause (i) shall be limited to current and fu-*  
9                   *ture projects and activities of the entity,*  
10                  *company, or carrier described in subclause*  
11                  *(I) of that clause for a public purpose, ex-*  
12                  *cept that in the case of a non-Federal public*  
13                  *entity, not more than 25 percent of the cred-*  
14                  *its may be sold to other public and private*  
15                  *entities.”.*

16 **SEC. 132. NON-FEDERAL PROJECT IMPLEMENTATION PILOT**  
17 **PROGRAM.**

18                  *Section 1043(b) of the Water Resources Reform and*  
19 *Development Act of 2014 (33 U.S.C. 2201 note; Public Law*  
20 *113–121) is amended—*

21                   (1) *in paragraph (3), by inserting “or discrete*  
22                   *segment” after “separable element” each place it ap-*  
23                   *pears; and*

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

1           “(10) *DEFINITION OF DISCRETE SEGMENT.*—*In*  
 2           *this subsection, the term ‘discrete segment’ means a*  
 3           *physical portion of a project or separable element that*  
 4           *the non-Federal interest can operate and maintain,*  
 5           *independently and without creating a hazard, in ad-*  
 6           *vance of final completion of the water resources devel-*  
 7           *opment project, or separable element thereof.’”.*

8   **SEC. 133. COST SHARING FOR TERRITORIES AND INDIAN**  
 9   **TRIBES.**

10           *Section 1156 of the Water Resources Development Act*  
 11           *of 1986 (33 U.S.C. 2310) is amended by adding at the end*  
 12           *the following:*

13           “(c) *APPLICATION TO STUDIES.*—

14                           “(1) *INCLUSION.*—*For purposes of this section,*  
 15           *the term ‘study’ includes watershed assessments.*

16                           “(2) *APPLICATION.*—*The Secretary shall apply*  
 17           *the waiver amount described in subsection (a) to re-*  
 18           *duce only the non-Federal share of study costs.’”.*

19   **SEC. 134. WATER SUPPLY CONSERVATION.**

20           *Section 1116 of the WIIN Act (130 Stat. 1639) is*  
 21           *amended—*

22                           (1) *in subsection (a), in the matter preceding*  
 23           *paragraph (1), by striking “during the 1-year period*  
 24           *ending on the date of enactment of this Act” and in-*  
 25           *serting “for at least 2 years during the 10-year period*



1 preceding a request from a non-Federal interest for  
2 assistance under this section”; and

3 (2) in subsection (b)(4), by inserting “, includ-  
4 ing measures utilizing a natural feature or nature-  
5 based feature (as those terms are defined in section  
6 1184(a)) to reduce drought risk” after “water sup-  
7 ply”.

8 **SEC. 135. CRITERIA FOR FUNDING OPERATION AND MAIN-**  
9 **TENANCE OF SMALL, REMOTE, AND SUBSIST-**  
10 **ENCE HARBORS.**

11 (a) *IN GENERAL.*—Not later than 180 days after the  
12 date of enactment of this Act, the Secretary shall develop  
13 specific criteria for the annual evaluation and ranking of  
14 maintenance dredging requirements for small, remote, and  
15 subsistence harbors, taking into account the criteria pro-  
16 vided in the joint explanatory statement of managers ac-  
17 companying division D of the Consolidated Appropriations  
18 Act, 2021 (Public Law 116–260; 134 Stat. 1352).

19 (b) *INCLUSION IN GUIDANCE.*—The Secretary shall in-  
20 clude the criteria developed under subsection (a) in the an-  
21 nual Civil Works Direct Program Development Policy  
22 Guidance of the Secretary.

23 (c) *REPORT TO CONGRESS.*—For fiscal year 2024, and  
24 biennially thereafter, in conjunction with the annual budget  
25 submission of the President under section 1105(a) of title

1 31, United States Code, the Secretary shall submit to the  
2 Committees on Environment and Public Works and Appro-  
3 priations of the Senate and the Committees on Transpor-  
4 tation and Infrastructure and Appropriations of the House  
5 of Representatives a report that identifies the ranking of  
6 projects in accordance with the criteria developed under  
7 subsection (a).

8 **SEC. 136. PROTECTION OF LIGHTHOUSES.**

9 Section 14 of the Flood Control Act of 1946 (33 U.S.C.  
10 701r) is amended by inserting “lighthouses, including those  
11 lighthouses with historical value,” after “schools,”.

12 **SEC. 137. EXPEDITING HYDROPOWER AT CORPS OF ENGI-  
13 NEERS FACILITIES.**

14 Section 1008 of the Water Resources Reform and De-  
15 velopment Act of 2014 (33 U.S.C. 2321b) is amended—

16 (1) in subsection (b)(1), by inserting “and to  
17 meet the requirements of subsection (b)” after  
18 “projects”;

19 (2) by redesignating subsections (b) and (c) as  
20 subsections (c) and (d), respectively; and

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

23 “(b) **IMPLEMENTATION OF POLICY.**—The Secretary  
24 shall—

1           “(1) ensure that the policy described in sub-  
2           section (a) is implemented nationwide in an efficient,  
3           consistent, and coordinated manner; and

4           “(2) assess opportunities—

5                   “(A) to increase the development of hydro-  
6                   electric power at existing hydroelectric water re-  
7                   sources development projects of the Corps of En-  
8                   gineers; and

9                   “(B) to develop new hydroelectric power at  
10                  nonpowered water resources development projects  
11                  of the Corps of Engineers.”.

12 **SEC. 138. MATERIALS, SERVICES, AND FUNDS FOR REPAIR,**  
13                   **RESTORATION, OR REHABILITATION OF CER-**  
14                   **TAIN PUBLIC RECREATION FACILITIES.**

15           (a) *DEFINITION OF ELIGIBLE PUBLIC RECREATION*  
16 *FACILITY.*—*In this section, the term “eligible public recre-*  
17 *ation facility” means a facility at a reservoir operated by*  
18 *the Corps of Engineers that—*

19                   (1) *was constructed to enable public use of and*  
20                   *access to the reservoir; and*

21                   (2) *requires repair, restoration, or rehabilitation*  
22                   *to function.*

23           (b) *AUTHORIZATION.*—*During a period of low water*  
24 *at an eligible public recreation facility, the Secretary is au-*  
25 *thorized—*

1           (1) *to accept and use materials, services, and*  
2           *funds from a non-Federal interest to repair, restore,*  
3           *or rehabilitate the facility; and*

4           (2) *to reimburse the non-Federal interest for the*  
5           *Federal share of the materials, services, or funds.*

6           (c) *REQUIREMENT.*—*The Secretary may not reimburse*  
7           *a non-Federal interest for the use of materials or services*  
8           *accepted under this section unless the materials or serv-*  
9           *ices—*

10           (1) *meet the specifications of the Secretary; and*

11           (2) *comply with all applicable laws and regula-*  
12           *tions that would apply if the materials and services*  
13           *were acquired by the Secretary, including subchapter*  
14           *IV of chapter 31 and chapter 37 of title 40, United*  
15           *States Code, section 8302 of title 41, United States*  
16           *Code, and the National Environmental Policy Act of*  
17           *1969 (42 U.S.C. 4321 et seq.).*

18           (d) *AGREEMENT.*—*Before the acceptance of materials,*  
19           *services, or funds under this section, the Secretary and the*  
20           *non-Federal interest shall enter into an agreement that—*

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

1 *the fault or negligence of the United States or its con-*  
2 *tractors;*

3 (2) *requires that the non-Federal interest shall*  
4 *certify that the materials or services comply with all*  
5 *applicable laws and regulations under subsection (c);*  
6 *and*

7 (3) *includes any other term or condition re-*  
8 *quired by the Secretary.*

9 **SEC. 139. DREDGED MATERIAL MANAGEMENT PLANS.**

10 (a) *IN GENERAL.*—*The Secretary shall prioritize im-*  
11 *plementation of section 125(c) of the Water Resources Devel-*  
12 *opment Act of 2020 (33 U.S.C. 2326h) at federally author-*  
13 *ized harbors in the State of Ohio.*

14 (b) *REQUIREMENTS.*—*Each dredged material manage-*  
15 *ment plan prepared by the Secretary under section 125(c)*  
16 *of the Water Resources Development Act of 2020 (33 U.S.C.*  
17 *2326h) for a federally authorized harbor in the State of*  
18 *Ohio shall—*

19 (1) *include, in the baseline conditions, a prohibi-*  
20 *tion on use of funding for open-lake disposal of*  
21 *dredged material consistent with section 105 of the*  
22 *Energy and Water Development and Related Agencies*  
23 *Appropriations Act, 2022 (Public Law 117–103; 136*  
24 *Stat. 217) ; and*

1           (2) *maximize beneficial use of dredged material*  
2           *under the base plan and under section 204(d) of the*  
3           *Water Resources Development Act of 1992 (33 U.S.C.*  
4           *2326(d)).*

5           (c) *SAVINGS PROVISION.—This section does not—*

6           (1) *impose a prohibition on use of funding for*  
7           *open-lake disposal of dredged material; or*

8           (2) *require the development or implementation of*  
9           *a dredged material management plan in accordance*  
10          *with subsection (b) if use of funding for open-lake dis-*  
11          *posal is not otherwise prohibited by law.*

12   **SEC. 140. LEASE DEVIATIONS.**

13          *The Secretary shall fully implement the requirements*  
14          *of section 153 of the Water Resources Development Act of*  
15          *2020 (134 Stat. 2658).*

16   **SEC. 141. COLUMBIA RIVER BASIN.**

17          (a) *STUDY OF FLOOD RISK MANAGEMENT ACTIVI-*  
18          *TIES.—*

19               (1) *IN GENERAL.—Using funds made available*  
20               *to carry out this section, the Secretary is authorized,*  
21               *at Federal expense, to carry out a study to determine*  
22               *the feasibility of a project for flood risk management*  
23               *and related purposes in the Columbia River basin*  
24               *and to report to the Committee on Transportation*  
25               *and Infrastructure of the House of Representatives*

1       *and the Committee on Environment and Public*  
2       *Works of the Senate with recommendations thereon,*  
3       *including recommendations for a project to poten-*  
4       *tially reduce the reliance on Canada for flood risk*  
5       *management in the basin.*

6               (2) *COORDINATION.*—*The Secretary shall carry*  
7       *out the activities described in this subsection in co-*  
8       *ordination with other Federal and State agencies and*  
9       *Indian Tribes.*

10       (b) *FUNDS FOR COLUMBIA RIVER TREATY OBLIGA-*  
11       *TIONS.*—

12               (1) *IN GENERAL.*—*The Secretary is authorized to*  
13       *expend funds appropriated for the purpose of satis-*  
14       *fying United States obligations under the Columbia*  
15       *River Treaty to compensate Canada for operating Ca-*  
16       *nadian storage on behalf of the United States under*  
17       *such Treaty.*

18               (2) *NOTIFICATION.*—*If the U.S. entity calls upon*  
19       *Canada to operate Canadian reservoir storage for*  
20       *flood risk management on behalf of the United States,*  
21       *which operation may incur an obligation to com-*  
22       *pensate Canada under the Columbia River Treaty—*

23                       (A) *the Secretary shall submit to the Com-*  
24                       *mittees on Transportation and Infrastructure*  
25                       *and Appropriations of the House of Representa-*

1            *tives and the Committees on Environment and*  
2            *Public Works and Appropriations of the Senate,*  
3            *by not later than 30 days after the initiation of*  
4            *the call, a written notice of the action and a jus-*  
5            *tification, including a description of the cir-*  
6            *cumstances necessitating the call;*

7            *(B) upon a determination by the United*  
8            *States of the amount of compensation that shall*  
9            *be paid to Canada, the Secretary shall submit to*  
10           *the Committees on Transportation and Infra-*  
11           *structure and Appropriations of the House of*  
12           *Representatives and the Committees on Environ-*  
13           *ment and Public Works and Appropriations of*  
14           *the Senate a written notice specifying such*  
15           *amount and an explanation of how such amount*  
16           *was derived, which notification shall not delay*  
17           *or impede the flood risk management mission of*  
18           *the U.S. entity; and*

19           *(C) the Secretary shall make no payment to*  
20           *Canada for the call under the Columbia River*  
21           *Treaty until such time as funds appropriated for*  
22           *the purpose of compensating Canada under such*  
23           *Treaty are available.*

24           *(c) DEFINITIONS.—In this section:*



1           (1) *COLUMBIA RIVER BASIN.*—*The term “Colum-*  
2           *bia River basin” means the entire United States por-*  
3           *tion of the Columbia River watershed.*

4           (2) *COLUMBIA RIVER TREATY.*—*The term “Co-*  
5           *lumbia River Treaty” means the Treaty relating to*  
6           *cooperative development of the water resources of the*  
7           *Columbia River Basin, signed at Washington Janu-*  
8           *ary 17, 1961, and entered into force September 16,*  
9           *1964.*

10          (3) *U.S. ENTITY.*—*The term “U.S. entity” means*  
11          *the entity designated by the United States under Arti-*  
12          *cle XIV of the Columbia River Treaty.*

13 **SEC. 142. CONTINUATION OF CONSTRUCTION.**

14          (a) *IN GENERAL.*—*The Secretary shall not include the*  
15          *amount of Federal obligations incurred and non-Federal*  
16          *contributions provided for an authorized water resources*  
17          *development project during the period beginning on the date*  
18          *of enactment of this Act and ending on September 30, 2025,*  
19          *for purposes of determining if the cost of the project exceeds*  
20          *the maximum cost of the project under section 902 of the*  
21          *Water Resources Development Act of 1986 (33 U.S.C. 2280).*

22          (b) *CONTINUATION OF CONSTRUCTION.*—

23                  (1) *IN GENERAL.*—*The Secretary shall not, solely*  
24                  *on the basis of section 902 of the Water Resources De-*  
25                  *velopment Act of 1986 (33 U.S.C. 2280)—*

1           (A) defer the initiation or continuation of  
2           construction of a water resources development  
3           project during the period described in subsection  
4           (a); or

5           (B) terminate a contract for design or con-  
6           struction of a water resources development  
7           project entered into during the period described  
8           in subsection (a) after expiration of that period.

9           (2) *RESUMPTION OF CONSTRUCTION.*—The Sec-  
10          retary shall resume construction of any water re-  
11          sources development project for which construction  
12          was deferred on the basis of section 902 of the Water  
13          Resources Development Act of 1986 (33 U.S.C. 2280)  
14          during the period beginning on October 1, 2021, and  
15          ending on the date of enactment of this Act.

16          (c) *STATUTORY CONSTRUCTION.*—Nothing in this sec-  
17          tion waives the obligation of the Secretary to submit to the  
18          Committee on Environment and Public Works of the Senate  
19          and the Committee on Transportation and Infrastructure  
20          of the House of Representatives a post-authorization change  
21          report recommending an increase in the authorized cost of  
22          a project if the project otherwise would exceed the maximum  
23          cost of the project under section 902 of the Water Resources  
24          Development Act of 1986 (33 U.S.C. 2280).

1                   **TITLE II—STUDIES AND**  
2                   **REPORTS**

3 **SEC. 201. AUTHORIZATION OF FEASIBILITY STUDIES.**

4           (a) *IN GENERAL.*—*The Secretary is authorized to in-*  
5 *vestigate the feasibility of the following projects:*

6                   (1) *Project for ecosystem restoration, Mill Creek*  
7 *Levee and Walla Walla River, Oregon.*

8                   (2) *Project for flood risk management and eco-*  
9 *system restoration, Tittabawassee River, Chippewa*  
10 *River, Pine River, and Tobacco River, Michigan.*

11                  (3) *Project for flood risk management, Southeast*  
12 *Michigan.*

13                  (4) *Project for flood risk management, McMicken*  
14 *Dam, Arizona.*

15                  (5) *Project for flood risk management, Ellicott*  
16 *City and Howard County, Maryland.*

17                  (6) *Project for flood risk management, Ten Mile*  
18 *River, North Attleboro, Massachusetts.*

19                  (7) *Project for flood risk management and water*  
20 *supply, Fox-Wolf Basin, Wisconsin.*

21                  (8) *Project for flood risk management and eco-*  
22 *system restoration, Thatchbed Island, Essex, Con-*  
23 *necticut.*

24                  (9) *Project for flood and coastal storm risk man-*  
25 *agement, Cape Fear River Basin, North Carolina.*

1           (10) *Project for flood risk management, Lower*  
2 *Clear Creek and Dickinson Bayou, Texas.*

3           (11) *Project for flood risk management and eco-*  
4 *system restoration, the Resacas, Hidalgo and Cam-*  
5 *eron Counties, Texas.*

6           (12) *Project for flood risk management, includ-*  
7 *ing levee improvement, Papillion Creek, Nebraska.*

8           (13) *Project for flood risk management, Offutt*  
9 *Ditch Pump Station, Nebraska.*

10          (14) *Project for flood risk management, naviga-*  
11 *tion, and ecosystem restoration, Mohawk River Basin,*  
12 *New York.*

13          (15) *Project for coastal storm risk management,*  
14 *Waikiki Beach, Hawaii.*

15          (16) *Project for ecosystem restoration and coastal*  
16 *storm risk management, Cumberland and Sea Is-*  
17 *lands, Georgia.*

18          (17) *Project for flood risk management, Wailupe*  
19 *Stream watershed, Hawaii.*

20          (18) *Project for flood and coastal storm risk*  
21 *management, Hawaii County, Hawaii.*

22          (19) *Project for coastal storm risk management,*  
23 *Maui County, Hawaii.*

24          (20) *Project for flood risk management, Sarpy*  
25 *County, Nebraska.*

1           (21) *Project for aquatic ecosystem restoration,*  
2           *including habitat for endangered salmon, Columbia*  
3           *River Basin.*

4           (22) *Project for ecosystem restoration, flood risk*  
5           *management, and recreation, Newport, Kentucky.*

6           (23) *Project for flood risk management and*  
7           *water supply, Jenkins, Kentucky.*

8           (24) *Project for flood risk management, includ-*  
9           *ing riverbank stabilization, Columbus, Kentucky.*

10          (25) *Project for flood and coastal storm risk*  
11          *management, navigation, and ecosystem restoration,*  
12          *South Shore, Long Island, New York.*

13          (26) *Project for flood risk management, coastal*  
14          *storm risk management, navigation, ecosystem res-*  
15          *toration, and water supply, Blind Brook, New York.*

16          (27) *Project for navigation, Cumberland River,*  
17          *Kentucky.*

18          (28) *Project for ecosystem restoration and water*  
19          *supply, Great Salt Lake, Utah.*

20          (b) *PROJECT MODIFICATIONS.—The Secretary is au-*  
21          *thorized to investigate the feasibility of the following modi-*  
22          *fications to the following projects:*

23               (1) *Modifications to the project for navigation,*  
24               *South Haven Harbor, Michigan, for turning basin*  
25               *improvements.*

1           (2) *Modifications to the project for navigation,*  
2           *Rollinson Channel and channel from Hatteras Inlet*  
3           *to Hatteras, North Carolina, authorized by section*  
4           *101 of the River and Harbor Act of 1962 (76 Stat.*  
5           *1174), to incorporate the ocean bar.*

6           (3) *Modifications to the project for flood control,*  
7           *Saint Francis River Basin, Missouri and Arkansas,*  
8           *authorized by section 204 of the Flood Control Act of*  
9           *1950 (64 Stat. 172, chapter 188), to provide flood risk*  
10          *management for the tributaries and drainage of*  
11          *Straight Slough, Craighead, Poinsett, and Cross*  
12          *Counties, Arkansas.*

13          (4) *Modifications to the project for flood risk*  
14          *management, Cedar River, Cedar Rapids, Iowa, au-*  
15          *thorized by section 7002(2) of the Water Resources*  
16          *Reform and Development Act of 2014 (128 Stat.*  
17          *1366), consistent with the City of Cedar Rapids,*  
18          *Iowa, Cedar River Flood Control System Master*  
19          *Plan.*

20          (5) *Modifications to the project for navigation,*  
21          *Savannah Harbor, Georgia, without evaluation of ad-*  
22          *ditional deepening.*

23          (6) *Modifications to the project for navigation,*  
24          *Honolulu Harbor, Hawaii, for navigation improve-*  
25          *ments and coastal storm risk management.*

1           (7) *Modifications to the project for navigation,*  
2           *Port of Ogdensburg, New York, including deepening.*

3           (8) *Modifications to the Huntington Local Pro-*  
4           *tection Project, Huntington, West Virginia.*

5 **SEC. 202. SPECIAL RULES.**

6           (a) *The studies authorized by paragraphs (12) and*  
7           *(13) of section 201(a) shall be considered a continuation*  
8           *of the study that resulted in the Chief's Report for the*  
9           *project for Papillion Creek and Tributaries Lakes, Ne-*  
10           *braska, signed January 24, 2022.*

11           (b) *The study authorized by section 201(a)(17) shall*  
12           *be considered a resumption and a continuation of the gen-*  
13           *eral reevaluation initiated on December 30, 2003.*

14           (c) *In carrying out the study authorized by section*  
15           *201(a)(21), the Secretary shall only formulate measures*  
16           *and alternatives to be consistent with the authorized pur-*  
17           *poses of existing Federal projects while also maintaining*  
18           *the benefits of such projects.*

19           (d) *In carrying out the study authorized by section*  
20           *201(a)(25), the Secretary shall study the South Shore of*  
21           *Long Island, New York, as a whole system, including inlets*  
22           *that are Federal channels.*

23           (e) *The studies authorized by section 201(b) shall be*  
24           *considered new phase investigations afforded the same treat-*  
25           *ment as a general reevaluation.*

1 **SEC. 203. EXPEDITED COMPLETION OF STUDIES.**

2 (a) *FEASIBILITY REPORTS.*—*The Secretary shall expedite the completion of a feasibility study for each of the*  
3 *following projects, and if the Secretary determines that the*  
4 *project is justified in a completed report, may proceed di-*  
5 *rectly to preconstruction planning, engineering, and design*  
6 *of the project:*

8 (1) *Modifications to the project for flood risk*  
9 *management, North Adams, Massachusetts, authorized*  
10 *by section 5 of the Act of June 22, 1936 (commonly*  
11 *known as the “Flood Control Act of 1936”) (49 Stat.*  
12 *1572, chapter 688; 33 U.S.C. 701h), and section 3 of*  
13 *the Act of August 18, 1941 (commonly known as the*  
14 *“Flood Control Act of 1941”) (55 Stat. 639, chapter*  
15 *377), for flood risk management and ecosystem res-*  
16 *toration.*

17 (2) *Project for coastal storm risk management,*  
18 *Charleston Peninsula, South Carolina.*

19 (3) *Project for flood and coastal storm risk man-*  
20 *agement and ecosystem restoration, Boston North*  
21 *Shore, Revere, Saugus, Lynn, Maiden, and Everett,*  
22 *Massachusetts.*

23 (4) *Project for flood risk management, De Soto*  
24 *County, Mississippi.*

25 (5) *Project for coastal storm risk management,*  
26 *Chicago shoreline, Illinois.*



1           (6) *Project for flood risk management, Cave*  
2           *Buttes Dam, Arizona.*

3           (7) *Project for flood and coastal storm risk man-*  
4           *agement, Chelsea, Massachusetts, authorized by a*  
5           *study resolution of the Committee on Public Works of*  
6           *the Senate dated September 12, 1969.*

7           (8) *Project for ecosystem restoration, Herring*  
8           *River Estuary, Barnstable County, Massachusetts,*  
9           *authorized by a study resolution of the Committee on*  
10          *Transportation and Infrastructure of the House of*  
11          *Representatives dated July 23, 1997.*

12          (9) *Project for coastal storm risk management,*  
13          *ecosystem restoration, and navigation, Nauset Barrier*  
14          *Beach and inlet system, Chatham, Massachusetts, au-*  
15          *thorized by a study resolution of the Committee on*  
16          *Public Works of the Senate dated September 12, 1969.*

17          (10) *Project for flood risk management, East*  
18          *Hartford Levee System, Connecticut.*

19          (11) *Project for flood risk management, Rahway,*  
20          *New Jersey, authorized by section 336 of the Water*  
21          *Resources Development Act of 2020 (134 Stat. 2712).*

22          (12) *Project for coastal storm risk management,*  
23          *Sea Bright to Manasquan, New Jersey.*

24          (13) *Project for coastal storm risk management,*  
25          *Raritan Bay and Sandy Hook Bay, New Jersey.*

1           (14) *Project for coastal storm risk management,*  
2           *St. Tammany Parish, Louisiana.*

3           (15) *Project for ecosystem restoration, Fox River,*  
4           *Illinois, authorized by section 519 of the Water Re-*  
5           *sources Development Act of 2000 (114 Stat. 2653).*

6           (16) *Project for ecosystem restoration, Chicago*  
7           *River, Illinois.*

8           (17) *Project for ecosystem restoration, Lake*  
9           *Okeechobee, Florida.*

10          (18) *Project for ecosystem restoration, Western*  
11          *Everglades, Florida.*

12          (19) *Modifications to the project for navigation,*  
13          *Hilo Harbor, Hawaii.*

14          (20) *Project for flood risk management,*  
15          *Kanawha River Basin, West Virginia, Virginia,*  
16          *North Carolina.*

17          (21) *Modifications to the project for navigation,*  
18          *Auke Bay, Alaska.*

19          (b) *POST-AUTHORIZATION CHANGE REPORTS.—The*  
20          *Secretary shall expedite completion of a post-authorization*  
21          *change report for the following projects:*

22               (1) *Project for ecosystem restoration, Tres Rios,*  
23               *Arizona, authorized by section 101(b)(4) of the Water*  
24               *Resources Development Act of 2000 (114 Stat. 2577).*

1           (2) *Project for coastal storm risk management,*  
2           *Surf City and North Topsail Beach, North Carolina,*  
3           *authorized by section 7002(3) of the Water Resources*  
4           *Reform and Development Act of 2014 (128 Stat.*  
5           *1367).*

6           (3) *Anchorage F modifications to the project for*  
7           *navigation, Norfolk Harbor and Channels, Virginia,*  
8           *authorized by section 201 of the Water Resources De-*  
9           *velopment Act of 1986 (100 Stat. 4090) and modified*  
10          *by section 1403(a) of the Water Resources Develop-*  
11          *ment Act of 2018 (132 Stat. 3840).*

12          (4) *Project for navigation, Port Everglades, Flor-*  
13          *ida, authorized by section 1401(1) of the Water Re-*  
14          *sources Development Act of 2016 (130 Stat. 1709).*

15          (c) *WATERSHED AND RIVER BASIN ASSESSMENTS.—*  
16          *The Secretary shall expedite the completion of the following*  
17          *assessments under section 729 of the Water Resources Devel-*  
18          *opment Act of 1986 (33 U.S.C. 2267a):*

19               (1) *Great Lakes Coastal Resiliency Study, Illi-*  
20               *nois, Indiana, Michigan, Minnesota, New York, Ohio,*  
21               *Pennsylvania, and Wisconsin.*

22               (2) *Ouachita-Black Rivers, Arkansas and Lou-*  
23               *isiana.*

24               (3) *Project for watershed assessment, Hawaii*  
25               *County, Hawaii.*

1       (d) *DISPOSITION STUDY.*—*The Secretary shall expedite the completion of the disposition study for the Los Angeles County Drainage Area under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a).*

5       (e) *ADDITIONAL DIRECTION.*—*The post-authorization change report for the project described in subsection (b)(3) shall be completed not later than December 31, 2023.*

8       **SEC. 204. STUDIES FOR PERIODIC NOURISHMENT.**

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

12               (1) *in subsection (b)—*

13                       (A) *in paragraph (1), by striking “15” and inserting “50”; and*

15                       (B) *in paragraph (2), by striking “15”;*

16               (2) *in subsection (e)—*

17                       (A) *by striking “10-year period” and inserting “16-year period”; and*

19                       (B) *by striking “6 years” and inserting “12 years”; and*

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

22               “(f) *TREATMENT OF STUDIES.*—*A study carried out under subsection (b) shall be considered a new phase investigation afforded the same treatment as a general reevaluation.*”.

1           (b) *INDIAN RIVER INLET SAND BYPASS PLANT.*—For  
2 purposes of the project for coastal storm risk management,  
3 Delaware Coast Protection, Delaware (commonly known as  
4 the “Indian River Inlet Sand Bypass Plant”), authorized  
5 by section 869 of the Water Resources Development Act of  
6 1986 (100 Stat. 4182), a study carried out under section  
7 156(b) of the Water Resources Development Act of 1976 (42  
8 U.S.C. 1962d–5f(b)) shall consider as an alternative for  
9 periodic nourishment continued reimbursement of the Fed-  
10 eral share of the cost to the non-Federal interest for the  
11 project to operate and maintain a sand bypass plant.

12 **SEC. 205. NEPA REPORTING.**

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

14               (1) *CATEGORICAL EXCLUSION.*—The term “cat-  
15 egorical exclusion” has the meaning given the term in  
16 section 1508.1 of title 40, Code of Federal Regulations  
17 (or a successor regulation).

18               (2) *ENVIRONMENTAL ASSESSMENT.*—The term  
19 “environmental assessment” has the meaning given  
20 the term in section 1508.1 of title 40, Code of Federal  
21 Regulations (or a successor regulation).

22               (3) *ENVIRONMENTAL IMPACT STATEMENT.*—The  
23 term “environmental impact statement” means a de-  
24 tailed written statement required under section

1       102(2)(C) of the National Environmental Policy Act  
2       of 1969 (42 U.S.C. 4332(2)(C)).

3           (4) *FINDING OF NO SIGNIFICANT IMPACT.*—The  
4       term “finding of no significant impact” has the  
5       meaning given the term in section 1508.1 of title 40,  
6       Code of Federal Regulations (or a successor regula-  
7       tion).

8           (5) *NEPA PROCESS.*—

9           (A) *IN GENERAL.*—The term “NEPA proc-  
10       ess” has the meaning given the term in section  
11       1508.1 of title 40, Code of Federal Regulations  
12       (or a successor regulation).

13          (B) *PERIOD.*—For purposes of subpara-  
14       graph (A), the NEPA process—

15           (i) begins on the date on which the  
16       Secretary initiates a project study; and

17           (ii) ends on the date on which the Sec-  
18       retary issues, with respect to the project  
19       study—

20           (I) a record of decision, including,  
21       if necessary, a revised record of deci-  
22       sion;

23           (II) a finding of no significant  
24       impact; or

1                   (III) a categorical exclusion under  
2                   title I of the National Environmental  
3                   Policy Act of 1969 (42 U.S.C. 4331 et  
4                   seq.).

5                   (6) *PROJECT STUDY*.—The term “project study”  
6                   means a feasibility study for a project carried out  
7                   pursuant to section 905 of the Water Resources Devel-  
8                   opment Act of 1986 (33 U.S.C. 2282) for which a cat-  
9                   egorical exclusion, an environmental assessment, or  
10                  an environmental impact statement is required pur-  
11                  suant to the National Environmental Policy Act of  
12                  1969 (42 U.S.C. 4321 et seq.).

13                  (b) *REPORTS*.—

14                   (1) *NEPA DATA*.—

15                   (A) *IN GENERAL*.—The Secretary shall  
16                   carry out a process to track, and annually sub-  
17                   mit to the Committee on Environment and Pub-  
18                   lic Works of the Senate and the Committee on  
19                   Transportation and Infrastructure of the House  
20                   of Representatives a report containing, the infor-  
21                   mation described in subparagraph (B).

22                   (B) *INFORMATION DESCRIBED*.—The infor-  
23                   mation referred to in subparagraph (A) is, with  
24                   respect to the Corps of Engineers—

1           (i) the number of project studies for  
2           which a categorical exclusion was used dur-  
3           ing the reporting period;

4           (ii) the number of project studies for  
5           which the decision to use a categorical ex-  
6           clusion, to prepare an environmental assess-  
7           ment, or to prepare an environmental im-  
8           pact statement is pending on the date on  
9           which the report is submitted;

10          (iii) the number of project studies for  
11          which an environmental assessment was  
12          issued during the reporting period, broken  
13          down by whether a finding of no significant  
14          impact, if applicable, was based on mitiga-  
15          tion;

16          (iv) the length of time the Corps of En-  
17          gineers took to complete each environmental  
18          assessment described in clause (iii);

19          (v) the number of project studies pend-  
20          ing on the date on which the report is sub-  
21          mitted for which an environmental assess-  
22          ment is being drafted;

23          (vi) the number of project studies for  
24          which an environmental impact statement  
25          was issued during the reporting period;



1                   (vii) the length of time the Corps of  
2                   Engineers took to complete each environ-  
3                   mental impact statement described in clause  
4                   (vi); and

5                   (viii) the number of project studies  
6                   pending on the date on which the report is  
7                   submitted for which an environmental im-  
8                   pact statement is being drafted.

9                   (2) *PUBLIC ACCESS TO NEPA REPORTS.*—The  
10                  Secretary shall make publicly available each annual  
11                  report required under paragraph (1).

12 **SEC. 206. GAO AUDIT OF PROJECTS OVER BUDGET OR BE-**  
13 **HIND SCHEDULE.**

14                  (a) *IN GENERAL.*—Not later than 1 year after the date  
15                  of enactment of this Act, the Comptroller General of the  
16                  United States shall conduct a review of the factors and con-  
17                  ditions for each ongoing water resources development  
18                  project carried out by the Secretary for which—

19                         (1) the current estimated total project cost of the  
20                         project exceeds the original estimated total project cost  
21                         of the project by not less than \$50,000,000; or

22                         (2) the current estimated completion date of the  
23                         project exceeds the original estimated completion date  
24                         of the project by not less than 5 years.

1           **(b) REPORT.**—*The Comptroller General of the United*  
2 *States shall submit to the Committee on Environment and*  
3 *Public Works of the Senate and the Committee on Transpor-*  
4 *tation and Infrastructure of the House of Representatives*  
5 *a report on the findings of the review under subsection (a).*

6 **SEC. 207. GAO STUDY ON PROJECT DISTRIBUTION.**

7           **(a) IN GENERAL.**—*Not later than 1 year after the date*  
8 *of enactment of this Act, the Comptroller General of the*  
9 *United States shall conduct an analysis of the geographic*  
10 *distribution of annual and supplemental funding for water*  
11 *resources development projects carried out by the Secretary*  
12 *over the previous 10 fiscal years and the factors that have*  
13 *led to that distribution.*

14           **(b) REPORT.**—*The Comptroller General of the United*  
15 *States shall submit to the Committee on Environment and*  
16 *Public Works of the Senate and the Committee on Transpor-*  
17 *tation and Infrastructure of the House of Representatives*  
18 *a report on the findings of the analysis under subsection*  
19 *(a).*

20 **SEC. 208. GAO AUDIT OF JOINT COSTS FOR OPERATIONS**  
21 **AND MAINTENANCE.**

22           **(a) IN GENERAL.**—*Not later than 1 year after the date*  
23 *of enactment of this Act, the Comptroller General of the*  
24 *United States shall conduct a review of the practices of the*  
25 *Corps of Engineers with respect to the determination of*

1 *joint costs associated with operations and maintenance of*  
2 *reservoirs owned and operated by the Secretary.*

3 (b) *REPORT.*—*The Comptroller General of the United*  
4 *States shall submit to the Committee on Environment and*  
5 *Public Works of the Senate and the Committee on Transpor-*  
6 *tation and Infrastructure of the House of Representatives*  
7 *a report on the findings of the review under subsection (a)*  
8 *and any recommendations that result from the review.*

9 **SEC. 209. GAO REVIEW OF CORPS OF ENGINEERS MITIGA-**  
10 **TION PRACTICES.**

11 (a) *IN GENERAL.*—*Not later than 1 year after the date*  
12 *of enactment of this Act, the Comptroller General of the*  
13 *United States shall carry out a review of the water resources*  
14 *development project mitigation practices of the Corps of En-*  
15 *gineers.*

16 (b) *CONTENT.*—*The review under subsection (a) shall*  
17 *include an evaluation of—*

18 (1) *the implementation by the Corps of Engi-*  
19 *neers of the final rule issued on April 10, 2008, enti-*  
20 *tled “Compensatory Mitigation for Losses of Aquatic*  
21 *Resources” (73 Fed. Reg. 19594), including, at a*  
22 *minimum—*

23 (A) *the extent to which the final rule is con-*  
24 *sistently implemented by the districts of the*  
25 *Corps of Engineers; and*

1                   (B) the performance of each of the mitiga-  
2                   tion mechanisms included in the final rule; and  
3                   (2) opportunities to utilize alternative methods  
4                   to satisfy mitigation requirements of water resources  
5                   development projects, including, at a minimum, per-  
6                   formance-based contracts.

7                   (c) *REPORT.*—The Comptroller General of the United  
8                   States shall submit to the Committee on Environment and  
9                   Public Works of the Senate and the Committee on Transpor-  
10                  tation and Infrastructure of the House of Representatives  
11                  a report on the findings of the review under subsection (a)  
12                  and any recommendations that result from the review.

13                  (d) *DEFINITION OF PERFORMANCE-BASED CON-*  
14                  *TRACT.*—In this section, the term “performance-based con-  
15                  tract” means a procurement mechanism by which the Corps  
16                  of Engineers contracts with a public or private non-Federal  
17                  entity for a specific mitigation outcome requirement, with  
18                  payment to the entity linked to delivery of verifiable and  
19                  successful mitigation performance.

20                  **SEC. 210. SABINE-NECHES WATERWAY NAVIGATION IM-**  
21                  **PROVEMENT PROJECT, TEXAS.**

22                  The Secretary shall expedite the review and coordina-  
23                  tion of the feasibility study for the project for navigation,  
24                  Sabine–Neches Waterway, Texas, under section 203(b) of

1 *the Water Resources Development Act of 1986 (33 U.S.C.*  
2 *2231(b)).*

3 **SEC. 211. GREAT LAKES RECREATIONAL BOATING.**

4 *Not later than 1 year after the date of enactment of*  
5 *this Act, the Secretary shall prepare, at full Federal ex-*  
6 *pense, and submit to the Committee on Environment and*  
7 *Public Works of the Senate and the Committee on Transpor-*  
8 *tation and Infrastructure of the House of Representatives*  
9 *a report updating the findings of the report on the economic*  
10 *benefits of recreational boating in the Great Lakes basin*  
11 *prepared under section 455(c) of the Water Resources Devel-*  
12 *opment Act of 1999 (42 U.S.C. 1962d–21(c)).*

13 **SEC. 212. CENTRAL AND SOUTHERN FLORIDA.**

14 *(a) EVALUATION AND REPORT.—*

15 *(1) EVALUATION.—On request and at the expense*  
16 *of the St. Johns River Water Management District,*  
17 *the Secretary shall evaluate the effects of*  
18 *deauthorizing the southernmost 3.5-mile reach of the*  
19 *L–73 levee, Section 2, Osceola County, Florida, on the*  
20 *functioning of the project for flood control and other*  
21 *purposes, Upper St. Johns River Basin, Central and*  
22 *Southern Florida, authorized by section 203 of the*  
23 *Flood Control Act of 1948 (62 Stat. 1176).*

24 *(2) REPORT.—In carrying out the evaluation*  
25 *under paragraph (1), the Secretary shall—*

1           (A) prepare a report that includes the re-  
2           sults of the evaluation, including—

3                   (i) the advisability of deauthorizing the  
4                   levee described in that paragraph; and

5                   (ii) any recommendations for condi-  
6                   tions that should be placed on a deauthor-  
7                   ization to protect the interests of the United  
8                   States and the public; and

9           (B) submit to the Committee on Environ-  
10           ment and Public Works of the Senate and the  
11           Committee on Transportation and Infrastructure  
12           of the House of Representatives the report under  
13           subparagraph (A) as part of the annual report  
14           submitted to Congress pursuant to section 7001  
15           of the Water Resources Reform and Development  
16           Act of 2014 (33 U.S.C. 2282d).

17           (b) *COMPREHENSIVE CENTRAL AND SOUTHERN FLOR-*  
18           *IDA STUDY.*—

19                   (1) *IN GENERAL.*—*The Secretary is authorized to*  
20                   *carry out a feasibility study for resiliency and com-*  
21                   *prehensive improvements or modifications to existing*  
22                   *water resources development projects in central and*  
23                   *southern Florida, for the purposes of flood risk man-*  
24                   *agement, water supply, ecosystem restoration (includ-*

1        *ing preventing saltwater intrusion), recreation, and*  
2        *related purposes.*

3            (2) *REQUIREMENTS.*—*In carrying out the feasi-*  
4        *bility study under paragraph (1), the Secretary—*

5            (A) *is authorized—*

6            (i) *to review the report of the Chief of*  
7            *Engineers for central and southern Florida*  
8            *(House Document 643, 80th Congress, 2d*  
9            *Session), and other related reports of the*  
10          *Secretary; and*

11          (ii) *to recommend cost-effective struc-*  
12          *tural and nonstructural projects for imple-*  
13          *mentation that provide a systemwide ap-*  
14          *proach for the purposes described in that*  
15          *paragraph; and*

16          (B) *shall ensure the study and any projects*  
17          *recommended under subparagraph (A)(ii) will*  
18          *not interfere with the efforts undertaken to carry*  
19          *out the Comprehensive Everglades Restoration*  
20          *Plan pursuant to section 601 of the Water Re-*  
21          *sources Development Act of 2000 (114 Stat.*  
22          *2680; 121 Stat. 1268; 132 Stat. 3786).*

23        **SEC. 213. INVESTMENTS FOR RECREATION AREAS.**

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

1           (1) *The Corps of Engineers operates more recre-*  
2           *ation areas than any other Federal or State agency,*  
3           *apart from the Department of the Interior.*

4           (2) *Nationally, visitors to nearly 600 dams and*  
5           *lakes, managed by the Corps of Engineers, spend an*  
6           *estimated \$12,000,000,000 per year and support*  
7           *500,000 jobs.*

8           (3) *Lakes managed by the Corps of Engineers*  
9           *are economic drivers that support rural communities.*

10          (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
11          *that the Corps of Engineers should use all available authori-*  
12          *ties to promote and enhance development and recreational*  
13          *opportunities at lakes that are part of authorized civil*  
14          *works projects under the administrative jurisdiction of the*  
15          *Corps of Engineers.*

16          (c) *REPORT.—Not later than 180 days after the enact-*  
17          *ment of this Act, the Secretary shall submit to the Com-*  
18          *mittee on Environment and Public Works of the Senate and*  
19          *the Committee on Transportation and Infrastructure of the*  
20          *House of Representatives a report on investments needed*  
21          *to support recreational activities that are part of authorized*  
22          *water resources development projects under the administra-*  
23          *tive jurisdiction of the Corps of Engineers.*

24          (d) *REQUIREMENTS.—The report under subsection (c)*  
25          *shall include—*



1           (1) a list of deferred maintenance projects, in-  
2           cluding maintenance projects relating to recreational  
3           facilities, sites, and associated access roads;

4           (2) a plan to fund the projects described in para-  
5           graph (1) over the 5-year period following the date of  
6           enactment of this Act;

7           (3) a description of efforts made by the Corps of  
8           Engineers to coordinate investments in recreational  
9           facilities, sites, and associated access roads with—

10                   (A) State and local governments; or

11                   (B) private entities; and

12           (4) an assessment of whether the modification of  
13           Federal contracting requirements could accelerate the  
14           availability of funds for the projects described in  
15           paragraph (1).

16 **SEC. 214. WESTERN INFRASTRUCTURE STUDY.**

17           (a) **DEFINITIONS OF NATURAL FEATURE AND NATURE-**  
18 **BASED FEATURE.**—*In this section, the terms “natural fea-*  
19 *ture” and “nature-based feature” have the meanings given*  
20 *those terms in section 1184(a) of the WIIN Act (33 U.S.C.*  
21 *2289a(a)).*

22           (b) **COMPREHENSIVE STUDY.**—*The Secretary shall*  
23 *conduct a comprehensive study (referred to in this section*  
24 *as the “study”) to evaluate the effectiveness of carrying out*  
25 *additional measures, including measures that utilize nat-*

1 *ural features or nature-based features at or upstream of res-*  
2 *ervoirs for the purposes of—*

3 *(1) sustaining operations in response to chang-*  
4 *ing hydrological and climatic conditions;*

5 *(2) mitigating the risk of drought or floods, in-*  
6 *cluding the loss of storage capacity due to sediment*  
7 *accumulation;*

8 *(3) increasing water supply; or*

9 *(4) aquatic ecosystem restoration.*

10 *(c) STUDY FOCUS.—In conducting the study, the Sec-*  
11 *retary shall include all reservoirs owned and operated by*  
12 *the Secretary and reservoirs for which the Secretary has*  
13 *flood control responsibilities under section 7 of the Act of*  
14 *December 22, 1944 (commonly known as the “Flood Control*  
15 *Act of 1944”) (58 Stat. 890, chapter 665; 33 U.S.C. 709),*  
16 *in the South Pacific Division of the Corps of Engineers.*

17 *(d) CONSULTATION AND USE OF EXISTING DATA.—*

18 *(1) CONSULTATION.—In conducting the study,*  
19 *the Secretary shall consult with applicable—*

20 *(A) Federal, State, and local agencies;*

21 *(B) Indian Tribes;*

22 *(C) non-Federal interests; and*

23 *(D) other stakeholders, as determined ap-*  
24 *propriate by the Secretary.*

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

4                   (A) *use existing data provided to the Sec-*  
5                   *retary by entities described in paragraph (1);*  
6                   *and*

7                   (B) *incorporate—*

8                           (i) *relevant information from prior*  
9                           *studies and projects carried out by the Sec-*  
10                           *retary; and*

11                           (ii) *the latest technical data and sci-*  
12                           *entific approaches with respect to changing*  
13                           *hydrological and climatic conditions.*

14           (e) *REPORT.*—*Not later than 3 years after the date of*  
15           *enactment of this Act, the Secretary shall submit to the*  
16           *Committee on Environment and Public Works of the Senate*  
17           *and the Committee on Transportation and Infrastructure*  
18           *of the House of Representatives a report that describes—*

19                   (1) *the results of the study; and*

20                   (2) *any recommendations on site-specific areas*  
21           *where additional study is recommended by the Sec-*  
22           *retary.*

23           (f) *SAVINGS PROVISION.*—*Nothing in this section pro-*  
24           *vides authority to the Secretary to change the authorized*  
25           *purposes at any of the reservoirs described in subsection (c).*

1 **SEC. 215. UPPER MISSISSIPPI RIVER AND ILLINOIS WATER-**  
2 **WAY SYSTEM.**

3 *Section 8004(g) of the Water Resources Development*  
4 *Act of 2007 (33 U.S.C. 652 note; Public Law 110–114) is*  
5 *amended—*

6 *(1) by redesignating paragraph (2) as para-*  
7 *graph (3); and*

8 *(2) by inserting after paragraph (1) the fol-*  
9 *lowing:*

10 *“(2) REPORT ON WATER LEVEL MANAGEMENT.—*  
11 *Not later than 1 year after the date of completion of*  
12 *the comprehensive plan for Mississippi River water*  
13 *level management under section 22 of the Water Re-*  
14 *sources Development Act of 1974 (42 U.S.C. 1962d–*  
15 *16), the Secretary shall submit to the Committee on*  
16 *Environment and Public Works of the Senate and the*  
17 *Committee on Transportation and Infrastructure of*  
18 *the House of Representatives an implementation re-*  
19 *port on opportunities identified in the comprehensive*  
20 *plan to expand the use of water level management on*  
21 *the Upper Mississippi River and Illinois Waterway*  
22 *System for the purpose of ecosystem restoration.”.*

23 **SEC. 216. WEST VIRGINIA HYDROPOWER.**

24 *(a) IN GENERAL.—For water resources development*  
25 *projects described in subsection (b), the Secretary is author-*  
26 *ized—*

1           (1) *to evaluate the feasibility of modifications to*  
2 *such projects for the purposes of adding Federal hy-*  
3 *dropower or energy storage development; and*

4           (2) *to grant approval for the use of such projects*  
5 *for non-Federal hydropower or energy storage devel-*  
6 *opment in accordance with section 14 of the Act of*  
7 *March 3, 1899 (commonly known as the “Rivers and*  
8 *Harbors Act of 1899”) (30 Stat. 1152, chapter 425;*  
9 *33 U.S.C. 408).*

10       (b) *PROJECTS DESCRIBED.—The projects referred to*  
11 *in subsection (a) are the following:*

12           (1) *Sutton Dam, Braxton County, West Vir-*  
13 *ginia, authorized by section 5 of the Act of June 22,*  
14 *1936 (49 Stat. 1586, chapter 688).*

15           (2) *Hildebrand Lock and Dam, Monongahela*  
16 *County, West Virginia, authorized by section 101 of*  
17 *the River and Harbor Act of 1950 (64 Stat. 166,*  
18 *chapter 188).*

19           (3) *Bluestone Lake, Summers County, West Vir-*  
20 *ginia, authorized by section 5 of the Act of June 22,*  
21 *1936 (49 Stat. 1586, chapter 688).*

22           (4) *R.D. Bailey Dam, Wyoming County, West*  
23 *Virginia, authorized by section 203 of the Flood Con-*  
24 *trol Act of 1962 (76 Stat. 1188).*



1       (b) *CONSIDERATIONS.*—*In preparing the plan under*  
2 *subsection (a), the Secretary shall consider options for Fed-*  
3 *eral funding, partnerships, and outgrants to Federal, State,*  
4 *and local governments, nonprofit organizations, and com-*  
5 *mercial businesses.*

6 **SEC. 218. AUTOMATED FEE MACHINES.**

7       *For the purpose of mitigating adverse impacts to pub-*  
8 *lic access to outdoor recreation, to the maximum extent*  
9 *practicable, the Secretary shall consider alternatives to the*  
10 *use of automated fee machines for the collection of fees for*  
11 *the use of developed recreation sites and facilities in West*  
12 *Virginia.*

13 **SEC. 219. LAKE CHAMPLAIN CANAL, VERMONT AND NEW**  
14 **YORK.**

15       *Section 5146 of the Water Resources Development Act*  
16 *of 2007 (121 Stat. 1255) is amended by adding at the end*  
17 *the following:*

18       “(c) *CLARIFICATIONS.*—

19               “(1) *IN GENERAL.*—*At the request of the non-*  
20 *Federal interest for the study of the Lake Champlain*  
21 *Canal Aquatic Invasive Species Barrier carried out*  
22 *under section 542 of the Water Resources Development*  
23 *Act of 2000 (114 Stat. 2671; 121 Stat. 1150; 134*  
24 *Stat. 2652), the Secretary shall scope the phase II*

1        *portion of that study to satisfy the feasibility deter-*  
 2        *mination under subsection (a).*

3                *“(2) DISPERSAL BARRIER.—A dispersal barrier*  
 4        *constructed, maintained, or operated under this sec-*  
 5        *tion may include—*

6                        *“(A) physical hydrologic separation;*

7                        *“(B) nonstructural measures;*

8                        *“(C) deployment of technologies;*

9                        *“(D) buffer zones; or*

10                        *“(E) any combination of the approaches de-*  
 11        *scribed in subparagraphs (A) through (D).”.*

12    **SEC. 220. REPORT ON CONCESSIONAIRE PRACTICES.**

13        *(a) IN GENERAL.—Not later than 1 year after the date*  
 14        *of enactment of this Act, the Secretary shall submit to the*  
 15        *Committee on Environment and Public Works of the Senate*  
 16        *and the Committee on Transportation and Infrastructure*  
 17        *of the House of Representatives a report on concessionaire*  
 18        *lease practices by the Corps of Engineers.*

19        *(b) INCLUSIONS.—The report under subsection (a)*  
 20        *shall include, at a minimum—*

21                        *(1) an assessment of the reasonableness of the for-*  
 22        *mula of the Corps of Engineers for calculating conces-*  
 23        *sionaire rental rates, taking into account the oper-*  
 24        *ating margins for sales of food and fuel; and*



1           (2) *the process for assessing administrative fees*  
 2           *to concessionaires across districts of the Corps of En-*  
 3           *gineers.*

4   **TITLE III—DEAUTHORIZATIONS,**  
 5           **MODIFICATIONS, AND RE-**  
 6           **LATED PROVISIONS**

7   **SEC. 301. ADDITIONAL ASSISTANCE FOR CRITICAL**  
 8           **PROJECTS.**

9           (a) *ATLANTA, GEORGIA.*—Section 219(e)(5) of the  
 10 *Water Resources Development Act of 1992 (106 Stat. 4835;*  
 11 *110 Stat. 3757; 113 Stat. 334) is amended by striking*  
 12 *“\$25,000,000” and inserting “\$75,000,000”.*

13           (b) *EASTERN SHORE AND SOUTHWEST VIRGINIA.*—  
 14 *Section 219(f)(10)(A) of the Water Resources Development*  
 15 *Act of 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1255)*  
 16 *is amended—*

17                   (1) *by striking “\$20,000,000” and inserting*  
 18                   *“\$52,000,000”; and*

19                   (2) *by striking “Accomac” and inserting*  
 20                   *“Accomack”.*

21           (c) *LAKES MARION AND MOULTRIE, SOUTH CARO-*  
 22 *LINA.*—Section 219(f)(25) of the *Water Resources Develop-*  
 23 *ment Act of 1992 (106 Stat. 4835; 113 Stat. 336; 130 Stat.*  
 24 *1677; 134 Stat. 2719) is amended by striking*  
 25 *“\$110,000,000” and inserting “\$151,500,000”.*

1       (d) *LAKE COUNTY, ILLINOIS.*—Section 219(f)(54) of  
 2 *the Water Resources Development Act of 1992 (106 Stat.*  
 3 *4835; 113 Stat. 334; 114 Stat. 2763A–221) is amended—*

4           (1) *in the paragraph heading, by striking “COOK*  
 5 *COUNTY” and inserting “COOK COUNTY AND LAKE*  
 6 *COUNTY”; and*

7           (2) *by striking “\$35,000,000” and inserting*  
 8 *“\$100,000,000”.*

9       (e) *MADISON AND ST. CLAIR COUNTIES, ILLINOIS.*—  
 10 *Section 219(f)(55) of the Water Resources Development Act*  
 11 *of 1992 (106 Stat. 4835; 113 Stat. 334; 114 Stat. 2763A–*  
 12 *221; 134 Stat. 2718) is amended by striking “\$45,000,000”*  
 13 *and inserting “\$100,000,000”.*

14       (f) *CALAVERAS COUNTY, CALIFORNIA.*—Section  
 15 *219(f)(86) of the Water Resources Development Act of 1992*  
 16 *(106 Stat. 4835; 113 Stat. 334; 121 Stat. 1259) is amended*  
 17 *by striking “\$3,000,000” and inserting “\$13,280,000”.*

18       (g) *LOS ANGELES COUNTY, CALIFORNIA.*—Section  
 19 *219(f) of the Water Resources Development Act of 1992 (106*  
 20 *Stat. 4835; 113 Stat. 334; 121 Stat. 1259) is amended by*  
 21 *striking paragraph (93) and inserting the following:*

22           “(93) *LOS ANGELES COUNTY, CALIFORNIA.*—

23                   “(A) *IN GENERAL.*—\$38,000,000 for waste-  
 24                   *water and water related infrastructure, Los An-*  
 25                   *geles County, California.*

1           “(B) *ELIGIBILITY.*—*The Water Replenish-*  
2           *ment District of Southern California may be eli-*  
3           *gible for assistance under this paragraph.*”.

4           (h) *MICHIGAN.*—*Section 219(f)(157) of the Water Re-*  
5           *sources Development Act of 1992 (106 Stat. 4835; 113 Stat.*  
6           *334; 121 Stat. 1262) is amended—*

7           (1) *by striking “\$35,000,000 for” and inserting*  
8           *the following:*

9           “(A) *IN GENERAL.*—*\$85,000,000 for*”; and

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

11          “(B) *ADDITIONAL PROJECTS.*—*Amounts*  
12          *made available under subparagraph (A) may be*  
13          *used for design and construction projects for*  
14          *water-related environmental infrastructure and*  
15          *resource protection and development projects in*  
16          *Michigan, including for projects for wastewater*  
17          *treatment and related facilities, water supply*  
18          *and related facilities, environmental restoration,*  
19          *and surface water resource protection and devel-*  
20          *opment.*”.

21          (i) *MYRTLE BEACH AND VICINITY, SOUTH CARO-*  
22          *LINA.*—*Section 219(f) of the Water Resources Development*  
23          *Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1267)*  
24          *is amended by striking paragraph (250) and inserting the*  
25          *following:*

1           “(250) *MYRTLE BEACH AND VICINITY, SOUTH*  
2           *CAROLINA.—\$31,000,000 for environmental infra-*  
3           *structure, including ocean outfalls, Myrtle Beach and*  
4           *vicinity, South Carolina.*”.

5           (j) *NORTH MYRTLE BEACH AND VICINITY, SOUTH*  
6           *CAROLINA.—Section 219(f) of the Water Resources Develop-*  
7           *ment Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat.*  
8           *1267) is amended by striking paragraph (251) and insert-*  
9           *ing the following:*

10           “(251) *NORTH MYRTLE BEACH AND VICINITY,*  
11           *SOUTH CAROLINA.—\$74,000,000 for environmental*  
12           *infrastructure, including ocean outfalls, North Myrtle*  
13           *Beach and vicinity, South Carolina.*”.

14           (k) *HORRY COUNTY, SOUTH CAROLINA.—Section*  
15           *219(f) of the Water Resources Development Act of 1992 (106*  
16           *Stat. 4835; 113 Stat. 334; 121 Stat. 1268) is amended by*  
17           *adding at the end the following:*

18           “(274) *HORRY COUNTY, SOUTH CAROLINA.—*  
19           *\$19,000,000 for environmental infrastructure, includ-*  
20           *ing ocean outfalls, Horry County, South Carolina.*”.

21           (l) *LANE COUNTY, OREGON.—Section 219(f) of the*  
22           *Water Resources Development Act of 1992 (106 Stat. 4835;*  
23           *113 Stat. 334; 121 Stat. 1268) (as amended by subsection*  
24           *(k)) is amended by adding at the end the following:*

1           “(275) *LANE COUNTY, OREGON.*—\$20,000,000 for  
2           *environmental infrastructure, Lane County, Oregon.*”.

3           *(m) PLACER COUNTY, CALIFORNIA.*—Section 219(f) of  
4           *the Water Resources Development Act of 1992 (106 Stat.*  
5           *4835; 113 Stat. 334; 121 Stat. 1268) (as amended by sub-*  
6           *section (l)) is amended by adding at the end the following:*

7           “(276)    *PLACER    COUNTY,    CALIFORNIA.*—  
8            \$21,000,000 for *environmental infrastructure, Placer*  
9            *County, California.*”.

10          *(n) ALAMEDA COUNTY, CALIFORNIA.*—Section 219(f)  
11          *of the Water Resources Development Act of 1992 (106 Stat.*  
12          *4835; 113 Stat. 334; 121 Stat. 1268) (as amended by sub-*  
13          *section (m)) is amended by adding at the end the following:*

14          “(277)    *ALAMEDA    COUNTY,    CALIFORNIA.*—  
15          \$20,000,000 for *environmental infrastructure, Ala-*  
16          *meda County, California.*”.

17          *(o) TEMECULA CITY, CALIFORNIA.*—Section 219(f) of  
18          *the Water Resources Development Act of 1992 (106 Stat.*  
19          *4835; 113 Stat. 334; 121 Stat. 1268) (as amended by sub-*  
20          *section (n)) is amended by adding at the end the following:*

21          “(278)    *TEMECULA    CITY,    CALIFORNIA.*—  
22          \$18,000,000 for *environmental infrastructure,*  
23          *Temecula City, California.*”.

24          *(p) YOLO COUNTY, CALIFORNIA.*—Section 219(f) of the  
25          *Water Resources Development Act of 1992 (106 Stat. 4835;*

1 113 Stat. 334; 121 Stat. 1268) (as amended by subsection  
2 (o)) is amended by adding at the end the following:

3           “(279) *YOLO COUNTY, CALIFORNIA.*—\$6,000,000  
4           *for environmental infrastructure, Yolo County, Cali-*  
5           *fornia.*”.

6           (q) *CLINTON, MISSISSIPPI.*—Section 219(f) of the  
7 *Water Resources Development Act of 1992 (106 Stat. 4835;*  
8 *113 Stat. 334; 121 Stat. 1268) (as amended by subsection*  
9 *(p)) is amended by adding at the end the following:*

10           “(280) *CLINTON, MISSISSIPPI.*—\$13,600,000 *for*  
11           *environmental infrastructure, including stormwater*  
12           *management, drainage systems, and water quality en-*  
13           *hancement, Clinton, Mississippi.*”.

14           (r) *OXFORD, MISSISSIPPI.*—Section 219(f) of the  
15 *Water Resources Development Act of 1992 (106 Stat. 4835;*  
16 *113 Stat. 334; 121 Stat. 1268) (as amended by subsection*  
17 *(q)) is amended by adding at the end the following:*

18           “(281) *OXFORD, MISSISSIPPI.*—\$10,000,000 *for*  
19           *environmental infrastructure, including stormwater*  
20           *management, drainage systems, and water quality en-*  
21           *hancement, Oxford, Mississippi.*”.

22           (s) *MADISON COUNTY, MISSISSIPPI.*—Section 219(f) of  
23 *the Water Resources Development Act of 1992 (106 Stat.*  
24 *4835; 113 Stat. 334; 121 Stat. 1268) (as amended by sub-*  
25 *section (r)) is amended by adding at the end the following:*

1           “(282) *MADISON COUNTY, MISSISSIPPI.—*  
2           *\$10,000,000 for environmental infrastructure, includ-*  
3           *ing stormwater management, drainage systems, and*  
4           *water quality enhancement, Madison County, Mis-*  
5           *issippi.”.*

6           *(t) RANKIN COUNTY, MISSISSIPPI.—Section 219(f) of*  
7           *the Water Resources Development Act of 1992 (106 Stat.*  
8           *4835; 113 Stat. 334; 121 Stat. 1268) (as amended by sub-*  
9           *section (s)) is amended by adding at the end the following:*

10           “(283) *RANKIN COUNTY, MISSISSIPPI.—*  
11           *\$10,000,000 for environmental infrastructure, includ-*  
12           *ing stormwater management, drainage systems, and*  
13           *water quality enhancement, Rankin County, Mis-*  
14           *issippi.”.*

15           *(u) MERIDIAN, MISSISSIPPI.—Section 219(f) of the*  
16           *Water Resources Development Act of 1992 (106 Stat. 4835;*  
17           *113 Stat. 334; 121 Stat. 1268) (as amended by subsection*  
18           *(t)) is amended by adding at the end the following:*

19           “(284) *MERIDIAN, MISSISSIPPI.—\$10,000,000 for*  
20           *wastewater infrastructure, including stormwater*  
21           *management, drainage systems, and water quality en-*  
22           *hancement, Meridian, Mississippi.”.*

23           *(v) DELAWARE.—Section 219(f) of the Water Re-*  
24           *sources Development Act of 1992 (106 Stat. 4835; 113 Stat.*

1 334; 121 Stat. 1268) (as amended by subsection (u)) is  
2 amended by adding at the end the following:

3           “(285) DELAWARE.—\$50,000,000 for sewer,  
4 stormwater system improvements, storage treatment,  
5 environmental restoration, and related water infra-  
6 structure, Delaware.”.

7           (w) QUEENS, NEW YORK.—Section 219(f) of the Water  
8 Resources Development Act of 1992 (106 Stat. 4835; 113  
9 Stat. 334; 121 Stat. 1268) (as amended by subsection (v))  
10 is amended by adding at the end the following:

11           “(286) QUEENS, NEW YORK.—\$20,000,000 for  
12 the design and construction of stormwater manage-  
13 ment and improvements to combined sewer overflows  
14 to reduce the risk of flood impacts, Queens, New  
15 York.”.

16           (x) GEORGIA.—Section 219(f) of the Water Resources  
17 Development Act of 1992 (106 Stat. 4835; 113 Stat. 334;  
18 121 Stat. 1268) (as amended by subsection (w)) is amended  
19 by adding at the end the following:

20           “(287) GEORGIA.—\$75,000,000 for environ-  
21 mental infrastructure, Baldwin County, Bartow  
22 County, Floyd County, Haralson County, Jones  
23 County, Gilmer County, Towns County, Warren  
24 County, Lamar County, Lowndes County, Troup  
25 County, Madison County, Toombs County, Dade



1 *County, Bulloch County, Gordon County, Walker*  
2 *County, Dooly County, Butts County, Clarke County,*  
3 *Crisp County, Newton County, Bibb County, Baker*  
4 *County, Barrow County, Oglethorpe County, Peach*  
5 *County, Brooks County, Carroll County, Worth Coun-*  
6 *ty, Jenkins County, Wheeler County, Calhoun Coun-*  
7 *ty, Randolph County, Wilcox County, Stewart Coun-*  
8 *ty, Telfair County, Clinch County, Hancock County,*  
9 *Ben Hill County, Jeff Davis County, Chattooga*  
10 *County, Lanier County, Brantley County, Charlton*  
11 *County, Tattnall County, Emanuel County, Mitchell*  
12 *County, Turner County, Bacon County, Terrell Coun-*  
13 *ty, Macon County, Ware County, Bleckley County,*  
14 *Colquitt County, Washington County, Berrien Coun-*  
15 *ty, Coffee County, Pulaski County, Cook County, At-*  
16 *kinson County, Candler County, Taliaferro County,*  
17 *Evans County, Johnson County, Irwin County, Dodge*  
18 *County, Jefferson County, Appling County, Taylor*  
19 *County, Wayne County, Clayton County, Decatur*  
20 *County, Schley County, Sumter County, Early Coun-*  
21 *ty, Webster County, Clay County, Upson County,*  
22 *Long County, Twiggs County, Dougherty County,*  
23 *Quitman County, Meriwether County, Stephens*  
24 *County, Wilkinson County, Murray County, Wilkes*  
25 *County, Elbert County, McDuffie County, Heard*

1        *County, Marion County, Talbot County, Laurens*  
 2        *County, Montgomery County, Echols County, Pierce*  
 3        *County, Richmond County, Chattahoochee County,*  
 4        *Screven County, Habersham County, Lincoln County,*  
 5        *Burke County, Liberty County, Tift County, Polk*  
 6        *County, Glascock County, Grady County, Jasper*  
 7        *County, Banks County, Franklin County, Whitfield*  
 8        *County, Treutlen County, Crawford County, Hart*  
 9        *County, Georgia.”.*

10        *(y) MARYLAND.—Section 219(f) of the Water Resources*  
 11        *Development Act of 1992 (106 Stat. 4835; 113 Stat. 334;*  
 12        *121 Stat. 1268) (as amended by subsection (x)) is amended*  
 13        *by adding at the end the following:*

14                *“(288) MARYLAND.—\$100,000,000 for water,*  
 15                *wastewater, and other environmental infrastructure,*  
 16                *Maryland.”.*

17        *(z) MILWAUKEE METROPOLITAN AREA, WISCONSIN.—*  
 18        *Section 219(f) of the Water Resources Development Act of*  
 19        *1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as*  
 20        *amended by subsection (y)) is amended by adding at the*  
 21        *end the following:*

22                *“(289) MILWAUKEE METROPOLITAN AREA, WIS-*  
 23                *CONSIN.—\$4,500,000 for water-related infrastructure,*  
 24                *resource protection and development, stormwater*

1        *management, and reduction of combined sewer over-*  
2        *flows, Milwaukee metropolitan area, Wisconsin.”.*

3        *(aa) HAWAII.—Section 219(f) of the Water Resources*  
4        *Development Act of 1992 (106 Stat. 4835; 113 Stat. 334;*  
5        *121 Stat. 1268) (as amended by subsection (z)) is amended*  
6        *by adding at the end the following:*

7                *“(290) HAWAII.—\$75,000,000 for water-related*  
8                *infrastructure, resource protection and development,*  
9                *wastewater treatment, water supply, urban storm*  
10               *water conveyance, environmental restoration, and*  
11               *surface water protection and development, Hawaii.”.*

12        *(bb) ALABAMA.—Section 219(f) of the Water Resources*  
13        *Development Act of 1992 (106 Stat. 4835; 113 Stat. 334;*  
14        *121 Stat. 1268) (as amended by subsection (aa)) is amend-*  
15        *ed by adding at the end the following:*

16                *“(291) ALABAMA.—\$50,000,000 for water, waste-*  
17                *water, and other environmental infrastructure, Ala-*  
18                *bama.”.*

19        *(cc) MISSISSIPPI.—Section 592(g) of the Water Re-*  
20        *sources Development Act of 1999 (113 Stat. 380; 123 Stat.*  
21        *2851) is amended by striking “\$200,000,000” and inserting*  
22        *“\$300,000,000”.*

23        *(dd) CENTRAL NEW MEXICO.—Section 593(h) of the*  
24        *Water Resources Development Act of 1999 (113 Stat. 381;*

1 119 Stat. 2255) is amended by striking “\$50,000,000” and  
 2 inserting “\$100,000,000”.

3 (ee) NORTH DAKOTA AND OHIO.—Section 594 of the  
 4 Water Resources Development Act of 1999 (113 Stat. 381;  
 5 121 Stat. 1140; 121 Stat. 1944) is amended by adding at  
 6 the end the following:

7 “(i) AUTHORIZATION OF ADDITIONAL APPROPRIA-  
 8 TIONS.—In addition to amounts authorized under sub-  
 9 section (h), there is authorized to be appropriated to carry  
 10 out this section \$100,000,000, to be divided between the  
 11 States referred to in subsection (a).”.

12 (ff) WESTERN RURAL WATER.—Section 595(i) of the  
 13 Water Resources Development Act of 1999 (113 Stat. 383;  
 14 134 Stat. 2719) is amended—

15 (1) in paragraph (1), by striking  
 16 “\$435,000,000” and inserting “\$490,000,000”; and

17 (2) in paragraph (2), by striking  
 18 “\$150,000,000” and inserting “\$200,000,000”.

19 (gg) LAKE CHAMPLAIN WATERSHED, VERMONT AND  
 20 NEW YORK.—Section 542 of the Water Resources Develop-  
 21 ment Act of 2000 (114 Stat. 2671; 121 Stat. 1150) is  
 22 amended—

23 (1) in subsection (b)(2)(C), by striking “plan-  
 24 ning” and inserting “clean water infrastructure plan-  
 25 ning, design, and construction”; and

1           (2) *in subsection (g), by striking “\$32,000,000”*  
2           *and inserting “\$100,000,000”.*

3           *(hh) TEXAS.—Section 5138 of the Water Resources De-*  
4           *velopment Act of 2007 (121 Stat. 1250) is amended—*

5           (1) *in subsection (b), by striking “, as identified*  
6           *by the Texas Water Development Board”;*

7           (2) *in subsection (e)(3), by inserting “and con-*  
8           *struction” after “design work”;*

9           (3) *by redesignating subsection (g) as subsection*  
10          *(i); and*

11          (4) *by inserting after subsection (f) the following:*

12          “(g) *NONPROFIT ENTITIES.—In accordance with sec-*  
13          *tion 221(b) of the Flood Control Act of 1970 (42 U.S.C.*  
14          *1962d–5b(b)), for any project carried out under this section,*  
15          *a non-Federal interest may include a nonprofit entity with*  
16          *the consent of the affected local government.*

17          “(h) *CORPS OF ENGINEERS EXPENSES.—Not more*  
18          *than 10 percent of the amounts made available to carry*  
19          *out this section may be used by the Corps of Engineers dis-*  
20          *trict offices to administer projects under this section at Fed-*  
21          *eral expense.”.*

22          **SEC. 302. SOUTHERN WEST VIRGINIA.**

23          (a) *IN GENERAL.—Section 340 of the Water Resources*  
24          *Development Act of 1992 (106 Stat. 4856) is amended—*

1           (1) in the section heading, by striking “**ENVI-**  
 2           **RONMENTAL RESTORATION INFRASTRUCTURE**  
 3           **AND RESOURCE PROTECTION DEVELOPMENT**  
 4           **PILOT PROGRAM**”; and

5           (2) by striking subsection (f) and inserting the  
 6           following:

7           “(f) *DEFINITION OF SOUTHERN WEST VIRGINIA.—In*  
 8           *this section, the term ‘southern West Virginia’ means the*  
 9           *counties of Boone, Braxton, Cabell, Calhoun, Clay, Fayette,*  
 10           *Gilmer, Greenbrier, Jackson, Kanawha, Lincoln, Logan,*  
 11           *Mason, McDowell, Mercer, Mingo, Monroe, Nicholas, Pen-*  
 12           *dleton, Pocahontas, Putnam, Raleigh, Roane, Summers,*  
 13           *Wayne, Webster, Wirt, and Wyoming, West Virginia.”.*

14           (b) *CLERICAL AMENDMENT.—The table of contents*  
 15           *contained in section 1(b) of the Water Resources Develop-*  
 16           *ment Act of 1992 (106 Stat. 4799) is amended by striking*  
 17           *the item relating to section 340 and inserting the following:*

          “Sec. 340. *Southern West Virginia.*”.

18           **SEC. 303. NORTHERN WEST VIRGINIA.**

19           (a) *IN GENERAL.—Section 571 of the Water Resources*  
 20           *Development Act of 1999 (113 Stat. 371; 121 Stat. 1257;*  
 21           *134 Stat. 2719) is amended—*

22           (1) in the section heading, by striking “**CEN-**  
 23           **TRAL**” and inserting “**NORTHERN**”;

24           (2) by striking subsection (a) and inserting the  
 25           following:

1       “(a) *DEFINITION OF NORTHERN WEST VIRGINIA.*—In  
 2 *this section, the term ‘northern West Virginia’ means the*  
 3 *counties of Barbour, Berkeley, Brooke, Doddridge, Grant,*  
 4 *Hampshire, Hancock, Hardy, Harrison, Jefferson, Lewis,*  
 5 *Marion, Marshall, Mineral, Morgan, Monongalia, Ohio,*  
 6 *Pleasants, Preston, Randolph, Ritchie, Taylor, Tucker,*  
 7 *Tyler, Upshur, Wetzel, and Wood, West Virginia.’;*

8               (3) *in subsection (b), by striking “central” and*  
 9       *inserting “northern”; and*

10              (4) *in subsection (c), by striking “central” and*  
 11       *inserting “northern”.*

12       (b) *CLERICAL AMENDMENT.*—*The table of contents in*  
 13 *section 1(b) of the Water Resources Development Act of 1999*  
 14 *(113 Stat. 269) is amended by striking the item relating*  
 15 *to section 571 and inserting the following:*

      “*Sec. 571. Northern West Virginia.*”.

16 **SEC. 304. LOCAL COOPERATION AGREEMENTS, NORTHERN**  
 17 **WEST VIRGINIA.**

18       *Section 219(f)(272) of the Water Resources Develop-*  
 19 *ment Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat.*  
 20 *1268) is amended—*

21              (1) *by striking “\$20,000,000 for water and*  
 22 *wastewater” and inserting the following:*

23                      “(A) *IN GENERAL.*—*\$20,000,000 for water*  
 24 *and wastewater”;* and

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

1           “(B) *LOCAL COOPERATION AGREEMENTS.*—  
2           *Notwithstanding subsection (a), at the request of*  
3           *a non-Federal interest for a project or a sepa-*  
4           *rable element of a project that receives assistance*  
5           *under this paragraph, the Secretary may adopt*  
6           *a model agreement developed in accordance with*  
7           *section 571(e) of the Water Resources Develop-*  
8           *ment Act of 1999 (113 Stat. 371).”.*

9   **SEC. 305. SPECIAL RULE FOR CERTAIN BEACH NOURISH-**  
10           **MENT PROJECTS.**

11           *(a) IN GENERAL.*—*In the case of a water resources de-*  
12           *velopment project described in subsection (b), the Secretary*  
13           *shall—*

14                   *(1) fund, at full Federal expense, any incre-*  
15                   *mental increase in cost to the project that results from*  
16                   *a legal requirement to use a borrow source determined*  
17                   *by the Secretary to be other than the least-cost option;*  
18                   *and*

19                   *(2) exclude the cost described in paragraph (1)*  
20                   *from the cost-benefit analysis for the project.*

21           *(b) AUTHORIZED WATER RESOURCES DEVELOPMENT*  
22           *PROJECTS DESCRIBED.*—*An authorized water resources de-*  
23           *velopment project referred to in subsection (a) is any of the*  
24           *following:*



1           (1) *The Townsends Inlet to Cape May Inlet, New*  
2 *Jersey, coastal storm risk management project, au-*  
3 *thorized by section 101(a)(26) of the Water Resources*  
4 *Development Act of 1999 (113 Stat. 278).*

5           (2) *The Folly Beach, South Carolina, coastal*  
6 *storm risk management project, authorized by section*  
7 *501(a) of the Water Resources Development Act of*  
8 *1986 (100 Stat. 4136) and modified by section 108 of*  
9 *the Energy and Water Development Appropriations*  
10 *Act, 1992 (105 Stat. 520).*

11           (3) *The Carolina Beach and Vicinity, North*  
12 *Carolina, coastal storm risk management project, au-*  
13 *thorized by section 203 of the Flood Control Act of*  
14 *1962 (76 Stat. 1182) and modified by section 401(7)*  
15 *of the Water Resources Development Act of 2020 (134*  
16 *Stat. 2741).*

17           (4) *The Wrightsville Beach, North Carolina,*  
18 *coastal storm risk management project, authorized by*  
19 *section 203 of the Flood Control Act of 1962 (76 Stat.*  
20 *1182) and modified by section 401(7) of the Water*  
21 *Resources Development Act of 2020 (134 Stat. 2741).*

22           (5) *A project for coastal storm risk management*  
23 *for any shore included in a project described in this*  
24 *subsection that is specifically authorized by Congress*  
25 *on or after the date of enactment of this Act.*

1           (6) *Emergency repair and restoration of any*  
 2           *project described in this subsection under section 5 of*  
 3           *the Act of August 18, 1941 (commonly known as the*  
 4           *“Flood Control Act of 1941”) (55 Stat. 650, chapter*  
 5           *377; 33 U.S.C. 701n).*

6           (c) *SAVINGS PROVISION.—Nothing in this section lim-*  
 7           *its the eligibility for, or availability of, Federal expendi-*  
 8           *tures or financial assistance for any water resources devel-*  
 9           *opment project, including any beach nourishment or re-*  
 10           *nourishment project, under any other provision of Federal*  
 11           *law.*

12   **SEC. 306. COASTAL COMMUNITY FLOOD CONTROL AND**  
 13           **OTHER PURPOSES.**

14           *Section 103(k)(4) of the Water Resources Development*  
 15           *Act of 1986 (33 U.S.C. 2213(k)(4)) is amended—*

16           (1) *by redesignating subparagraphs (A) and (B)*  
 17           *as clauses (i) and (ii), respectively, and indenting ap-*  
 18           *propriately;*

19           (2) *in the matter preceding clause (i) (as so re-*  
 20           *designated), by striking “Notwithstanding” and in-*  
 21           *serting the following:*

22                           *“(A) IN GENERAL.—Notwithstanding”;*

23           (3) *in subparagraph (A) (as so redesignated)—*

24                           *(A) in clause (i) (as so redesignated)—*

1                   (i) by striking “\$200 million” and in-  
2                   serting “\$200,000,000”; and

3                   (ii) by striking “and” at the end;

4                   (B) in clause (ii) (as so redesignated)—

5                   (i) by inserting “an amount equal to  
6                    $\frac{2}{3}$  of” after “repays”; and

7                   (ii) by striking the period at the end  
8                   and inserting “; and”; and

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

10                   “(iii) the non-Federal interest repays  
11                   the balance of remaining principal by June  
12                   1, 2032.”; and

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

14                   “(B) REPAYMENT OPTIONS.—Repayment of  
15                   a non-Federal contribution under subparagraph  
16                   (A)(iii) may be satisfied through the provision  
17                   by the non-Federal interest of fish and wildlife  
18                   mitigation for one or more projects or separable  
19                   elements, if the Secretary determines that—

20                   “(i) the non-Federal interest has in-  
21                   curred costs for the provision of mitigation  
22                   that—

23                   “(I) equal or exceed the amount of  
24                   the required repayment; and

1                   “(II) are in excess of any required  
2                   non-Federal contribution for the  
3                   project or separable element for which  
4                   the mitigation is provided; and  
5                   “(ii) the mitigation is integral to the  
6                   project for which it is provided.”.

7 **SEC. 307. MODIFICATIONS.**

8           (a) *IN GENERAL.*—The following modifications to  
9 studies and projects are authorized:

10           (1) *MISSISSIPPI RIVER GULF OUTLET, LOU-*  
11 *ISIANA.*—The Federal share of the cost of the project  
12 for ecosystem restoration, Mississippi River Gulf Out-  
13 let, Louisiana, authorized by section 7013(a)(4) of the  
14 Water Resources Development Act of 2007 (121 Stat.  
15 1281), shall be 90 percent.

16           (2) *GREAT LAKES AND MISSISSIPPI RIVER*  
17 *INTERBASIN PROJECT, BRANDON ROAD, WILL COUNTY,*  
18 *ILLINOIS.*—Section 402(a)(1) of the Water Resources  
19 Development Act of 2020 (134 Stat. 2742) is amended  
20 by striking “80 percent” and inserting “90 percent”.

21           (3) *LOWER MISSISSIPPI RIVER COMPREHENSIVE*  
22 *MANAGEMENT STUDY.*—Section 213 of the Water Re-  
23 sources Development Act of 2020 (134 Stat. 2687) is  
24 amended by adding at the end the following:

1       “(j) *COST-SHARE*.—*The Federal share of the cost of the*  
2 *comprehensive study described in subsection (a), and any*  
3 *feasibility study described in subsection (e), shall be 90 per-*  
4 *cent.*”.

5           (4) *PORT OF NOME, ALASKA*.—

6               (A) *IN GENERAL*.—*The Secretary shall*  
7 *carry out the project for navigation, Port of*  
8 *Nome, Alaska, authorized by section 401(1) of*  
9 *the Water Resources Development Act of 2020*  
10 *(134 Stat. 2733).*

11               (B) *COST-SHARE*.—*The Federal share of the*  
12 *cost of the project described in subparagraph (A)*  
13 *shall be 90 percent.*

14           (5) *CHICAGO SHORELINE PROTECTION*.—*The*  
15 *project for storm damage reduction and shore protec-*  
16 *tion, Lake Michigan, Illinois, from Wilmette, Illinois,*  
17 *to the Illinois–Indiana State line, authorized by sec-*  
18 *tion 101(a)(12) of the Water Resources Development*  
19 *Act of 1996 (110 Stat. 3664), is modified to authorize*  
20 *the Secretary to provide 65 percent of the cost of the*  
21 *locally preferred plan, as described in the Report of*  
22 *the Chief of Engineers dated April 14, 1994, for the*  
23 *construction of the following segments of the project:*

24               (A) *Shoreline revetment at Morgan Shoal.*

1           (B) *Shoreline revetment at Promontory*  
2           *Point.*

3           (6) *LOWER MUD RIVER, MILTON, WEST VIR-*  
4           *GINIA.—*

5           (A) *IN GENERAL.—Notwithstanding section*  
6           *3170 of the Water Resources Development Act of*  
7           *2007 (121 Stat. 1154), the Federal share of the*  
8           *cost of the project for flood control, Milton, West*  
9           *Virginia, authorized by section 580 of the Water*  
10           *Resources Development Act of 1996 (110 Stat.*  
11           *3790), and modified by section 340 of the Water*  
12           *Resources Development Act of 2000 (114 Stat.*  
13           *2612) and section 3170 of the Water Resources*  
14           *Development Act of 2007 (121 Stat. 1154), shall*  
15           *be 90 percent.*

16           (B) *LAND, EASEMENTS, AND RIGHTS-OF-*  
17           *WAY.—For the project described in subparagraph*  
18           *(A), the Secretary shall include in the cost of the*  
19           *project, and credit toward the non-Federal share*  
20           *of that cost, the value of land, easements, and*  
21           *rights-of-way provided by the non-Federal inter-*  
22           *est for the project, including the value of land,*  
23           *easements, and rights-of-way required for the*  
24           *project that are owned or held by the non-Fed-*  
25           *eral interest or other non-Federal public body.*

1           (C) *ADDITIONAL ELIGIBILITY.*—*Unless oth-*  
2           *erwise directed in an Act making annual appro-*  
3           *priations for the Corps of Engineers for a fiscal*  
4           *year in which the Secretary has determined an*  
5           *additional appropriation is required to continue*  
6           *or complete construction of the project described*  
7           *in subparagraph (A), the project shall be eligible*  
8           *for additional funding appropriated by that Act*  
9           *in the Construction account of the Corps of En-*  
10          *gineers—*

11                   (i) *without a new investment decision;*

12                   *and*

13                   (ii) *on the same terms as a project that*  
14                   *is not the project described in subparagraph*  
15                   *(A).*

16          (7) *SOUTH SHORE STATEN ISLAND, NEW YORK.*—

17          *The Federal share of any portion of the cost to design*  
18          *and construct the project for coastal storm risk man-*  
19          *agement, South Shore Staten Island, New York, au-*  
20          *thorized by section 401(3), that exceeds the estimated*  
21          *total project cost specified in the project partnership*  
22          *agreement for the project, signed by the Secretary on*  
23          *February 15, 2019, shall be 90 percent.*

24          (b) *AGREEMENTS.*—

1           (1) *STUDIES AND PROJECTS WITH MULTIPLE*  
2           *NON-FEDERAL INTERESTS.*—*At the request of the ap-*  
3           *plicable non-Federal interests for the project described*  
4           *in section 402(a) of the Water Resources Development*  
5           *Act of 2020 (134 Stat. 2742) and for the studies de-*  
6           *scribed in subsection (j) of section 213 of that Act*  
7           *(134 Stat. 2687), the Secretary shall not require those*  
8           *non-Federal interests to be jointly and severally liable*  
9           *for all non-Federal obligations in the project partner-*  
10           *ship agreement for the project or in the feasibility cost*  
11           *share agreements for the studies.*

12           (2) *SOUTH SAN FRANCISCO BAY SHORELINE,*  
13           *CALIFORNIA.*—

14           (A) *IN GENERAL.*—*Except for funds re-*  
15           *quired for a betterment or for a locally preferred*  
16           *plan, the Secretary shall not require the non-*  
17           *Federal interest for the project for flood risk*  
18           *management, ecosystem restoration, and recre-*  
19           *ation, South San Francisco Bay Shoreline, Cali-*  
20           *fornia, authorized by section 1401(6) of the*  
21           *Water Resources Development Act of 2016 (130*  
22           *Stat. 1714), to contribute funds under an agree-*  
23           *ment entered into prior to the date of enactment*  
24           *of this Act in excess of the total cash contribution*  
25           *required from the non-Federal interest for the*



1           *project under section 103 of the Water Resources*  
2           *Development Act of 1986 (33 U.S.C. 2213).*

3           (B) *REQUIREMENT.*—*The Secretary shall*  
4           *not, at any time, defer, suspend, or terminate*  
5           *construction of the project described in subpara-*  
6           *graph (A) solely on the basis of a determination*  
7           *by the Secretary that an additional appropria-*  
8           *tion is required to cover the Federal share of the*  
9           *cost to complete construction of the project, if*  
10           *Federal funds in an amount determined by the*  
11           *Secretary to be sufficient to continue construc-*  
12           *tion of the project remain available in the alloca-*  
13           *tion for the project under the Long-Term Dis-*  
14           *aster Recovery Investment Plan for amounts ap-*  
15           *propriated under the heading “CONSTRUCTION”*  
16           *under the heading “CORPS OF ENGINEERS—*  
17           *CIVIL—DEPARTMENT OF THE ARMY” in*  
18           *title IV of subdivision 1 of division B of the Bi-*  
19           *partisan Budget Act of 2018 (Public Law 115–*  
20           *123; 132 Stat. 76).*

21 **SEC. 308. PORT FOURCHON, LOUISIANA, DREDGED MATE-**  
22           **RIAL DISPOSAL PLAN.**

23           *The Secretary shall determine that the dredged mate-*  
24           *rial disposal plan recommended in the document entitled*  
25           *“Port Fourchon Belle Pass Channel Deepening Project Sec-*

1 *tion 203 Feasibility Study (January 2019, revised January*  
 2 *2020)” is the least cost, environmentally acceptable dredged*  
 3 *material disposal plan for the project for navigation, Port*  
 4 *Fourchon Belle Passe Channel, Louisiana, authorized by*  
 5 *section 403(a)(4) of the Water Resources Development Act*  
 6 *of 2020 (134 Stat. 2743).*

7 **SEC. 309. DELAWARE SHORE PROTECTION AND RESTORA-**  
 8 **TION.**

9 *(a) DELAWARE BENEFICIAL USE OF DREDGED MATE-*  
 10 *RIAL FOR THE DELAWARE RIVER, DELAWARE.—*

11 *(1) IN GENERAL.—The project for coastal storm*  
 12 *risk management, Delaware Beneficial Use of*  
 13 *Dredged Material for the Delaware River, Delaware,*  
 14 *authorized by section 401(3) of the Water Resources*  
 15 *Development Act of 2020 (134 Stat. 2736) (referred to*  
 16 *in this subsection as the “project”), is modified—*

17 *(A) to direct the Secretary to implement the*  
 18 *project using alternative borrow sources to the*  
 19 *Delaware River, Philadelphia to the Sea, project,*  
 20 *Delaware, New Jersey, Pennsylvania, authorized*  
 21 *by the Act of June 25, 1910 (chapter 382, 36*  
 22 *Stat. 637; 46 Stat. 921; 52 Stat. 803; 59 Stat.*  
 23 *14; 68 Stat. 1249; 72 Stat. 297); and*

24 *(B) until the Secretary implements the*  
 25 *modification under subparagraph (A), to author-*

1           *ize the Secretary, at the request of a non-Federal*  
2           *interest, to carry out initial construction or peri-*  
3           *odic nourishments at any site included in the*  
4           *project under—*

5                   *(i) section 1122 of the Water Resources*  
6                   *Development Act of 2016 (33 U.S.C. 2326*  
7                   *note; Public Law 114–322); or*

8                   *(ii) section 204(d) of the Water Re-*  
9                   *sources Development Act of 1992 (33 U.S.C.*  
10                   *2326(d)).*

11           (2) *TREATMENT.—If the Secretary determines*  
12           *that a study is required to carry out paragraph*  
13           *(1)(A), the study shall be considered to be a continu-*  
14           *ation of the study that formulated the project.*

15           (3) *COST-SHARE.—The Federal share of the cost*  
16           *of the project, including the cost of any modifications*  
17           *carried out under subsection (a)(1), shall be 90 per-*  
18           *cent.*

19           (b) *INDIAN RIVER INLET SAND BYPASS PLANT, DELA-*  
20           *WARE.—*

21                   (1) *IN GENERAL.—The Indian River Inlet Sand*  
22                   *Bypass Plant, Delaware, coastal storm risk manage-*  
23                   *ment project (referred to in this subsection as the*  
24                   *“project”), authorized by section 869 of the Water Re-*  
25                   *sources Development Act of 1986 (100 Stat. 4182), is*

1        *modified to authorize the Secretary, at the request of*  
2        *a non-Federal interest, to provide periodic nourish-*  
3        *ment through dedicated dredging or other means to*  
4        *maintain or restore the functioning of the project*  
5        *when—*

6                *(A) the sand bypass plant is inoperative; or*

7                *(B) operation of the sand bypass plant is*  
8        *insufficient to maintain the functioning of the*  
9        *project.*

10              *(2) REQUIREMENTS.—A cycle of periodic nour-*  
11        *ishment provided pursuant to paragraph (1) shall be*  
12        *subject to the following requirements:*

13              *(A) COST-SHARE.—The non-Federal share*  
14        *of the cost of a cycle shall be the same percentage*  
15        *as the non-Federal share of the cost to operate*  
16        *the sand bypass plant.*

17              *(B) DECISION DOCUMENT.—If the Secretary*  
18        *determines that a decision document is required*  
19        *to support a request for funding for the Federal*  
20        *share of a cycle, the decision document may be*  
21        *prepared using funds made available to the Sec-*  
22        *retary for construction or for investigations.*

23              *(C) TREATMENT.—*

24              *(i) DECISION DOCUMENT.—A decision*  
25        *document prepared under subparagraph (B)*

1                   *shall not be subject to a new investment de-*  
2                   *termination.*

3                   (ii) *CYCLES.*—*A cycle shall be consid-*  
4                   *ered continuing construction.*

5           (c) *DELAWARE EMERGENCY SHORE RESTORATION.*—

6                   (1) *IN GENERAL.*—*The Secretary is authorized to*  
7                   *repair or restore any beach or any federally author-*  
8                   *ized hurricane or shore protective structure or project*  
9                   *located in the State of Delaware pursuant to section*  
10                  *5(a) of the Act of August 18, 1941 (commonly known*  
11                  *as the “Flood Control Act of 1941”) (55 Stat. 650,*  
12                  *chapter 377; 33 U.S.C. 701n(a)), if—*

13                         (A) *the structure, project, or beach is dam-*  
14                         *aged by wind, wave, or water action associated*  
15                         *with a storm of any magnitude; and*

16                         (B) *the damage prevents the adequate func-*  
17                         *tioning of the structure, project, or beach.*

18                   (2) *BENEFIT-COST ANALYSIS.*—*The Secretary*  
19                   *shall determine that the benefits attributable to the*  
20                   *objectives set forth in section 209 of the Flood Control*  
21                   *Act of 1970 (42 U.S.C. 1962–2) and section 904(a) of*  
22                   *the Water Resources Development Act of 1986 (33*  
23                   *U.S.C. 2281(a)) exceed the cost for work carried out*  
24                   *under this subsection.*

1           (3) *SAVINGS PROVISION.*—*The authority pro-*  
2           *vided by this subsection shall be in addition to any*  
3           *authority provided by section 5(a) of the Act of Au-*  
4           *gust 18, 1941 (commonly known as the “Flood Con-*  
5           *trol Act of 1941”)* (55 Stat. 650, chapter 377; 33  
6           *U.S.C. 701n(a)) to repair or restore a beach or feder-*  
7           *ally authorized hurricane or shore protection struc-*  
8           *ture or project located in the State of Delaware dam-*  
9           *aged or destroyed by wind, wave, or water action of*  
10          *other than an ordinary nature.*

11          (d) *INDIAN RIVER INLET AND BAY, DELAWARE.*—*In*  
12          *carrying out major maintenance of the project for naviga-*  
13          *tion, Indian River Inlet and Bay, Delaware, authorized by*  
14          *the Act of August 26, 1937 (50 Stat. 846, chapter 832),*  
15          *and section 2 of the Act of March 2, 1945 (59 Stat. 14,*  
16          *chapter 19), the Secretary shall repair, restore, or relocate*  
17          *any non-Federal facility or other infrastructure, that has*  
18          *been damaged, in whole or in part, by the deterioration or*  
19          *failure of the project.*

20          (e) *REPROGRAMMING FOR COASTAL STORM RISK MAN-*  
21          *AGEMENT PROJECT AT INDIAN RIVER INLET.*—

22                 (1) *IN GENERAL.*—*Notwithstanding any other*  
23                 *provision of law, for each fiscal year, the Secretary*  
24                 *may reprogram amounts made available for a coastal*  
25                 *storm risk management project to use such amounts*

1       for the project for coastal storm risk management, In-  
 2       dian River Inlet Sand Bypass Plant, Delaware, au-  
 3       thorized by section 869 of the Water Resources Devel-  
 4       opment Act of 1986 (100 Stat. 4182).

5               (2) *LIMITATIONS.*—

6                       (A) *IN GENERAL.*—The Secretary may  
 7       carry out not more than 2 reprogramming ac-  
 8       tions under paragraph (1) for each fiscal year.

9                       (B) *AMOUNT.*—For each fiscal year, the  
 10      Secretary may reprogram—

11                               (i) not more than \$100,000 per re-  
 12      programming action; and

13                               (ii) not more than \$200,000 for each  
 14      fiscal year.

15 **SEC. 310. GREAT LAKES ADVANCE MEASURES ASSISTANCE.**

16       Section 5(a) of the Act of August 18, 1941 (commonly  
 17      known as the “Flood Control Act of 1941”) (55 Stat. 650,  
 18      chapter 377; 33 U.S.C. 701n(a)) (as amended by section  
 19      112(2)), is amended by adding at the end the following:

20               “(7) *SPECIAL RULE.*—

21                       “(A) *IN GENERAL.*—The Secretary shall not  
 22      deny a request from the Governor of a State to  
 23      provide advance measures assistance under this  
 24      subsection to reduce the risk of damage from ris-

1            *ing water levels in the Great Lakes solely on the*  
 2            *basis that the damage is caused by erosion.*

3            “(B) *FEDERAL SHARE.*—*Assistance pro-*  
 4            *vided by the Secretary pursuant to a request*  
 5            *under subparagraph (A) may be at full Federal*  
 6            *expense if the assistance is to construct advanced*  
 7            *measures to a temporary construction stand-*  
 8            *ard.”.*

9    **SEC. 311. REHABILITATION OF EXISTING LEVEES.**

10          *Section 3017(e) of the Water Resources Reform and*  
 11          *Development Act of 2014 (33 U.S.C. 3303a note; Public*  
 12          *Law 113–121) is amended—*

13            (1) *by striking “this subsection” and inserting*  
 14            *“this section”; and*

15            (2) *by striking “10 years” and inserting “20*  
 16            *years”.*

17    **SEC. 312. PILOT PROGRAM FOR CERTAIN COMMUNITIES.**

18          (a) *PILOT PROGRAMS ON THE FORMULATION OF*  
 19          *CORPS OF ENGINEERS PROJECTS IN RURAL COMMUNITIES*  
 20          *AND ECONOMICALLY DISADVANTAGED COMMUNITIES.*—*Sec-*  
 21          *tion 118 of the Water Resources Development Act of 2020*  
 22          *(33 U.S.C. 2201 note; Public Law 116–260) is amended—*

23            (1) *in subsection (b)(2)(C), by striking “10”; and*

24            (2) *in subsection (c)—*



1           (A) in paragraph (2), in the matter pre-  
2           ceding subparagraph (A), by striking “make a  
3           recommendation to Congress on up to 10  
4           projects” and inserting “recommend projects to  
5           Congress”; and

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

7           “(5) *RECOMMENDATIONS.*—In recommending  
8           projects under paragraph (2), the Secretary shall in-  
9           clude such recommendations in the next annual re-  
10          port submitted to Congress under section 7001 of the  
11          Water Resources Reform and Development Act of  
12          2014 (33 U.S.C. 2282d) after the date of enactment  
13          of the Water Resources Development Act of 2022.”.

14          (b) *PILOT PROGRAM FOR CAPS IN SMALL OR DIS-*  
15          *ADVANTAGED COMMUNITIES.*—Section 165(a) of the Water  
16          Resources Development Act of 2020 (33 U.S.C. 2201 note;  
17          Public Law 116–260) is amended—

18           (1) in paragraph (2)(B), by striking “a total of  
19           10”;

20           (2) by redesignating paragraphs (4) and (5) as  
21           paragraphs (5) and (6), respectively; and

22           (3) by inserting after paragraph (3) the fol-  
23           lowing:

24           “(4) *MAXIMUM FEDERAL AMOUNT.*—For a  
25           project carried out under this subsection, the max-

1 *imum Federal amount, if applicable, shall be in-*  
2 *creased by the commensurate amount of the non-Fed-*  
3 *eral share that would otherwise be required for the*  
4 *project under the applicable continuing authority*  
5 *program.”.*

6 **SEC. 313. REHABILITATION OF CORPS OF ENGINEERS CON-**  
7 **STRUCTED PUMP STATIONS.**

8 *Section 133 of the Water Resources Development Act*  
9 *of 2020 (33 U.S.C. 2327a) is amended—*

10 *(1) in subsection (a), by striking paragraph (1)*  
11 *and inserting the following:*

12 *“(1) ELIGIBLE PUMP STATION.—The term ‘eligi-*  
13 *ble pump station’ means a pump station that—*

14 *“(A) is a feature of a federally authorized*  
15 *flood or coastal storm risk management project;*

16 *or*

17 *“(B) if inoperable, would impair drainage*  
18 *of water from areas interior to a federally au-*  
19 *thorized flood or coastal storm risk management*  
20 *project.”;*

21 *(2) by striking subsection (b) and inserting the*  
22 *following:*

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

1           “(1) the pump station has a major deficiency;  
2           and

3           “(2) the rehabilitation is feasible.”; and

4           (3) by striking subsection (f) and inserting the  
5           following:

6           “(f) *PRIORITIZATION*.—To the maximum extent prac-  
7           ticable, the Secretary shall prioritize the provision of assist-  
8           ance under this section to economically disadvantaged com-  
9           munities.”.

10 **SEC. 314. CHESAPEAKE BAY ENVIRONMENTAL RESTORA-**  
11 **TION AND PROTECTION PROGRAM.**

12           Section 510(a)(2) of the Water Resources Development  
13 Act of 1996 (110 Stat. 3759; 128 Stat. 1317) is amended—

14           (1) in subparagraph (B), by inserting “and  
15           streambanks” after “shorelines”;

16           (2) in subparagraph (E), by striking “and” at  
17           the end;

18           (3) by redesignating subparagraph (F) as sub-  
19           paragraph (H); and

20           (4) by inserting after subparagraph (E) the fol-  
21           lowing:

22           “(F) wastewater treatment and related fa-  
23           cilities;

24           “(G) stormwater and drainage systems;  
25           and”.

1 **SEC. 315. EVALUATION OF HYDROLOGIC CHANGES IN**  
2 **SOURIS RIVER BASIN.**

3 *The Secretary is authorized to evaluate hydrologic*  
4 *changes affecting the agreement entitled “Agreement Be-*  
5 *tween the Government of Canada and the United States of*  
6 *America for Water Supply and Flood Control in The Souris*  
7 *River Basin”, signed in 1989.*

8 **SEC. 316. MEMORANDUM OF UNDERSTANDING RELATING**  
9 **TO BALDHILL DAM, NORTH DAKOTA.**

10 *The Secretary may enter into a memorandum of un-*  
11 *derstanding with the non-Federal interest for the Red River*  
12 *Valley Water Supply Project to accommodate flows for*  
13 *downstream users through Baldhill Dam, North Dakota.*

14 **SEC. 317. UPPER MISSISSIPPI RIVER RESTORATION PRO-**  
15 **GRAM.**

16 *Section 1103(e)(3) of the Water Resources Development*  
17 *Act of 1986 (33 U.S.C. 652(e)(3)) is amended by striking*  
18 *“\$40,000,000” and inserting “\$75,000,000”.*

19 **SEC. 318. HARMFUL ALGAL BLOOM DEMONSTRATION PRO-**  
20 **GRAM.**

21 *Section 128(c) of the Water Resources Development Act*  
22 *of 2020 (33 U.S.C. 610 note; Public Law 116–260) is*  
23 *amended by inserting “the Upper Mississippi River and its*  
24 *tributaries,” after “New York,”.*

1 **SEC. 319. COLLETON COUNTY, SOUTH CAROLINA.**

2 *Section 221(a)(4)(C)(i) of the Flood Control Act of*  
3 *1970 (42 U.S.C. 1962d–5b(a)(4)(C)(i)) shall not apply to*  
4 *construction carried out by the non-Federal interest before*  
5 *the date of enactment of this Act for the project for hurri-*  
6 *cane and storm damage risk reduction, Colleton County,*  
7 *South Carolina, authorized by section 1401(3) of the Water*  
8 *Resources Development Act of 2016 (130 Stat. 1711).*

9 **SEC. 320. ARKANSAS RIVER CORRIDOR, OKLAHOMA.**

10 *Section 3132 of the Water Resources Development Act*  
11 *of 2007 (121 Stat. 1141) is amended by striking subsection*  
12 *(b) and inserting the following:*

13 *“(b) AUTHORIZED COST.—The Secretary is authorized*  
14 *to carry out construction of a project under this section at*  
15 *a total cost of \$128,400,000, with the cost shared in accord-*  
16 *ance with section 103 of the Water Resources Development*  
17 *Act of 1986 (33 U.S.C. 2213).*

18 *“(c) ADDITIONAL FEASIBILITY STUDIES AUTHOR-*  
19 *IZED.—*

20 *“(1) IN GENERAL.—The Secretary is authorized*  
21 *to carry out feasibility studies for purposes of recom-*  
22 *mending to the Committee on Environment and Pub-*  
23 *lic Works of the Senate and the Committee on Trans-*  
24 *portation and Infrastructure of the House of Rep-*  
25 *resentatives additional projects under this section.*

1           “(2) *TREATMENT.*—*An additional feasibility*  
2           *study carried out under this subsection shall be con-*  
3           *sidered a continuation of the feasibility study that*  
4           *formulated the project carried out under subsection*  
5           *(b).”.*

6   **SEC. 321. ABANDONED AND INACTIVE NONCOAL MINE RES-**  
7                            **TORATION.**

8           *Section 560 of the Water Resources Development Act*  
9           *of 1999 (33 U.S.C. 2336) is amended—*

10           (1) *in subsection (c), by inserting “or on land*  
11           *taken into trust by the Secretary of the Interior on*  
12           *behalf of, and for the benefit of, an Indian Tribe”*  
13           *after “land owned by the United States”; and*

14           (2) *in subsection (f), by striking “\$30,000,000”*  
15           *and inserting “\$50,000,000”.*

16   **SEC. 322. ASIAN CARP PREVENTION AND CONTROL PILOT**  
17                            **PROGRAM.**

18           *Section 509(a)(2) of the Water Resources Development*  
19           *Act of 2020 (33 U.S.C. 610 note; Public Law 116–260) is*  
20           *amended—*

21           (1) *in subparagraph (A), by striking “or Ten-*  
22           *nessee River Watershed” and inserting “, Tennessee*  
23           *River Watershed, or Tombigbee River Watershed”;*  
24           *and*

1           (2) *in subparagraph (C)(i), by inserting “, of*  
 2           *which not less than 1 shall be carried out on the Ten-*  
 3           *nessee–Tombigbee Waterway” before the period at the*  
 4           *end.*

5 **SEC. 323. FORMS OF ASSISTANCE.**

6           *Section 592(b) of the Water Resources Development Act*  
 7           *of 1999 (113 Stat. 379) is amended by striking “and surface*  
 8           *water resource protection and development” and inserting*  
 9           *“surface water resource protection and development,*  
 10           *stormwater management, drainage systems, and water*  
 11           *quality enhancement”.*

12 **SEC. 324. DEBRIS REMOVAL, NEW YORK HARBOR, NEW**  
 13                                   **YORK.**

14           (a) *IN GENERAL.*—*Beginning on the date of enactment*  
 15           *of this Act, the project for New York Harbor collection and*  
 16           *removal of drift, authorized by section 91 of the Water Re-*  
 17           *sources Development Act of 1974 (88 Stat. 39), and de-*  
 18           *authorized pursuant to section 6001 of the Water Resources*  
 19           *Reform and Development Act of 2014 (33 U.S.C. 579b) (as*  
 20           *in effect on the day before the date of enactment of the WIIN*  
 21           *Act (130 Stat. 1628)), is authorized to be carried out by*  
 22           *the Secretary.*

23           (b) *FEASIBILITY STUDY.*—*The Secretary shall carry*  
 24           *out, and submit to the Committee on Environment and*  
 25           *Public Works of the Senate and the Committee on Transpor-*

1 *tation and Infrastructure of the House of Representatives*  
 2 *a report on the results of, a feasibility study for the project*  
 3 *described in subsection (a).*

4 **SEC. 325. INVASIVE SPECIES MANAGEMENT.**

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

7 *(1) in subsection (b)(2)(A)(ii)—*

8 *(A) by striking “\$50,000,000” and inserting*  
 9 *“\$75,000,000”; and*

10 *(B) by striking “2024” and inserting*  
 11 *“2028”; and*

12 *(2) in subsection (g)(2)—*

13 *(A) in subparagraph (A)—*

14 *(i) by striking “water quantity or*  
 15 *water quality” and inserting “water quan-*  
 16 *tity, water quality, or ecosystems”; and*

17 *(ii) by inserting “the Lake Erie Basin,*  
 18 *the Ohio River Basin,” after “the Upper*  
 19 *Snake River Basin,”; and*

20 *(B) in subparagraph (B), by inserting “,*  
 21 *hydrilla (Hydrilla verticillata),” after*  
 22 *“angustifolia”).*

23 **SEC. 326. WOLF RIVER HARBOR, TENNESSEE.**

24 *Beginning on the date of enactment of this Act, the*  
 25 *project for navigation, Wolf River Harbor, Tennessee, au-*



1 *thorized by title II of the Act of June 16, 1933 (48 Stat.*  
2 *200, chapter 90) (commonly known as the “National Indus-*  
3 *trial Recovery Act”), and modified by section 203 of the*  
4 *Flood Control Act of 1958 (72 Stat. 308), is modified to*  
5 *reduce the authorized dimensions of the project, such that*  
6 *the remaining authorized dimensions are a 250-foot-wide,*  
7 *9-foot-depth channel with a center line beginning at a point*  
8 *35.139634, -90.062343 and extending approximately 8,500*  
9 *feet to a point 35.160848, -90.050566.*

10 **SEC. 327. MISSOURI RIVER MITIGATION, MISSOURI, KAN-**  
11 **SAS, IOWA, AND NEBRASKA.**

12 *The matter under the heading “MISSOURI RIVER MITI-*  
13 *GATION, MISSOURI, KANSAS, IOWA, AND NEBRASKA” in sec-*  
14 *tion 601(a) of the Water Resources Development Act of 1986*  
15 *(100 Stat. 4143; 121 Stat. 1155), as modified by section*  
16 *334 of the Water Resources Development Act of 1999 (113*  
17 *Stat. 306), is amended by adding at the end the following:*  
18 *“When acquiring land to meet the requirements of fish and*  
19 *wildlife mitigation, the Secretary may consider incidental*  
20 *flood risk management benefits.”.*

21 **SEC. 328. INVASIVE SPECIES MANAGEMENT PILOT PRO-**  
22 **GRAM.**

23 *Section 104(f)(4) of the River and Harbor Act of 1958*  
24 *(33 U.S.C. 610(f)(4)) is amended by striking “2024” and*  
25 *inserting “2026”.*

1 **SEC. 329. NUECES COUNTY, TEXAS, CONVEYANCES.**

2 (a) *IN GENERAL.*—On receipt of a written request of  
3 the Port of Corpus Christi, the Secretary shall—

4 (1) *review the land owned and easements held by*  
5 *the United States for purposes of navigation in*  
6 *Nueces County, Texas; and*

7 (2) *convey to the Port of Corpus Christi or, in*  
8 *the case of an easement, release to the owner of the*  
9 *fee title to the land subject to such easement, without*  
10 *consideration, all such land and easements described*  
11 *in paragraph (1) that the Secretary determines are*  
12 *no longer required for project purposes.*

13 (b) *CONDITIONS.*—

14 (1) *QUITCLAIM DEED.*—Any conveyance of land  
15 under this section shall be by quitclaim deed.

16 (2) *TERMS AND CONDITIONS.*—The Secretary  
17 may subject any conveyance or release of easement  
18 under this section to such terms and conditions as the  
19 Secretary determines necessary and advisable to pro-  
20 tect the United States.

21 (c) *ADMINISTRATIVE COSTS.*—In accordance with sec-  
22 tion 2695 of title 10, United States Code, the Port of Corpus  
23 Christi shall be responsible for the costs incurred by the Sec-  
24 retary to convey land or release easements under this sec-  
25 tion.

1           (d) *WAIVER OF REAL PROPERTY SCREENING RE-*  
2 *QUIREMENTS.*—Section 2696 of title 10, United States  
3 *Code, shall not apply to the conveyance of land or release*  
4 *of easements under this section.*

5 **SEC. 330. MISSISSIPPI DELTA HEADWATERS, MISSISSIPPI.**

6           *As part of the authority of the Secretary to carry out*  
7 *the project for flood damage reduction, bank stabilization,*  
8 *and sediment and erosion control, Yazoo Basin, Mississippi*  
9 *Delta Headwaters, Mississippi, authorized by the matter*  
10 *under the heading “ENHANCEMENT OF WATER RESOURCE*  
11 *BENEFITS AND FOR EMERGENCY DISASTER WORK” in title*  
12 *I of Public Law 98–8 (97 Stat. 22), the Secretary may*  
13 *carry out emergency maintenance activities, as the Sec-*  
14 *retary determines to be necessary, for features of the project*  
15 *completed before the date of enactment of this Act.*

16 **SEC. 331. ECOSYSTEM RESTORATION, HUDSON–RARITAN**  
17 **ESTUARY, NEW YORK AND NEW JERSEY.**

18           (a) *IN GENERAL.*—*The Secretary may carry out addi-*  
19 *tional feasibility studies for ecosystem restoration, Hudson–*  
20 *Raritan Estuary, New York and New Jersey, including an*  
21 *examination of measures and alternatives at Baisley Pond*  
22 *Park and the Richmond Terrace Wetlands.*

23           (b) *TREATMENT.*—*A feasibility study carried out*  
24 *under subsection (a) shall be considered a continuation of*  
25 *the study that formulated the project for ecosystem restora-*

1 *tion, Hudson–Raritan Estuary, New York and New Jersey,*  
 2 *authorized by section 401(5) of the Water Resources Devel-*  
 3 *opment Act of 2020 (134 Stat. 2740).*

4 **SEC. 332. TIMELY REIMBURSEMENT.**

5 *(a) DEFINITION OF COVERED PROJECT.—In this sec-*  
 6 *tion, the term “covered project” means a project for naviga-*  
 7 *tion authorized by section 1401(1) of the WIIN Act (130*  
 8 *Stat. 1708).*

9 *(b) REIMBURSEMENT REQUIRED.—In the case of a*  
 10 *covered project for which the non-Federal interest has ad-*  
 11 *vanced funds for construction of the project, the Secretary*  
 12 *shall reimburse the non-Federal interest for advanced funds*  
 13 *that exceed the non-Federal share of the cost of construction*  
 14 *of the project as soon as practicable after the completion*  
 15 *of each individual contract for the project.*

16 **SEC. 333. NEW SAVANNAH BLUFF LOCK AND DAM, GEORGIA**  
 17 **AND SOUTH CAROLINA.**

18 *Section 1319(c) of the WIIN Act (130 Stat. 1704) is*  
 19 *amended by striking paragraph (2) and inserting the fol-*  
 20 *lowing:*

21 *“(2) COST-SHARE.—*

22 *“(A) IN GENERAL.—The costs of construc-*  
 23 *tion of a Project feature constructed pursuant to*  
 24 *paragraph (1) shall be determined in accordance*  
 25 *with section 101(a)(1)(B) of the Water Resources*

1           *Development Act of 1986 (33 U.S.C.*  
2           *2211(a)(1)(B)).*

3           “(B) *SAVINGS PROVISION.*—*Any increase in*  
4           *costs for the Project due to the construction of a*  
5           *Project feature described in subparagraph (A)*  
6           *shall not be included in the total project cost for*  
7           *purposes of section 902 of the Water Resources*  
8           *Development Act of 1986 (33 U.S.C. 2280).”.*

9   **SEC. 334. LAKE TAHOE BASIN RESTORATION, NEVADA AND**  
10           **CALIFORNIA.**

11           (a) *DEFINITION.*—*In this section, the term “Lake*  
12           *Tahoe Basin” means the entire watershed drainage of Lake*  
13           *Tahoe including that portion of the Truckee River 1,000*  
14           *feet downstream from the United States Bureau of Rec-*  
15           *lamation dam in Tahoe City, California.*

16           (b) *ESTABLISHMENT OF PROGRAM.*—*The Secretary*  
17           *may establish a program for providing environmental as-*  
18           *sistance to non-Federal interests in Lake Tahoe Basin.*

19           (c) *FORM OF ASSISTANCE.*—*Assistance under this sec-*  
20           *tion may be in the form of planning, design, and construc-*  
21           *tion assistance for water-related environmental infrastruc-*  
22           *ture and resource protection and development projects in*  
23           *Lake Tahoe Basin—*

24                   (1) *urban stormwater conveyance, treatment and*  
25           *related facilities;*

- 1           (2) *watershed planning, science and research;*  
2           (3) *environmental restoration; and*  
3           (4) *surface water resource protection and devel-*  
4           *opment.*

5           (d) *PUBLIC OWNERSHIP REQUIREMENT.—The Sec-*  
6           *retary may provide assistance for a project under this sec-*  
7           *tion only if the project is publicly owned.*

8           (e) *LOCAL COOPERATION AGREEMENT.—*

9           (1) *IN GENERAL.—Before providing assistance*  
10           *under this section, the Secretary shall enter into a*  
11           *local cooperation agreement with a non-Federal inter-*  
12           *est to provide for design and construction of the*  
13           *project to be carried out with the assistance.*

14           (2) *REQUIREMENTS.—Each local cooperation*  
15           *agreement entered into under this subsection shall*  
16           *provide for the following:*

17           (A) *PLAN.—Development by the Secretary,*  
18           *in consultation with appropriate Federal and*  
19           *State and Regional officials, of appropriate envi-*  
20           *ronmental documentation, engineering plans and*  
21           *specifications.*

22           (B) *LEGAL AND INSTITUTIONAL STRUC-*  
23           *TURES.—Establishment of such legal and insti-*  
24           *tutional structures as are necessary to ensure the*

1           *effective long-term operation of the project by the*  
2           *non-Federal interest.*

3           (3) *COST SHARING.*—

4                   (A) *IN GENERAL.*—*The Federal share of*  
5                   *project costs under each local cooperation agree-*  
6                   *ment entered into under this subsection shall be*  
7                   *75 percent. The Federal share may be in the*  
8                   *form of grants or reimbursements of project costs.*

9                   (B) *CREDIT FOR DESIGN WORK.*—*The non-*  
10                   *Federal interest shall receive credit for the rea-*  
11                   *sonable costs of planning and design work com-*  
12                   *pleted by the non-Federal interest before entering*  
13                   *into a local cooperation agreement with the Sec-*  
14                   *retary for a project.*

15                   (C) *LAND, EASEMENTS, RIGHTS-OF-WAY,*  
16                   *AND RELOCATIONS.*—*The non-Federal interest*  
17                   *shall receive credit for land, easements, rights-of-*  
18                   *way, and relocations provided by the non-Fed-*  
19                   *eral interest toward the non-Federal share of*  
20                   *project costs (including all reasonable costs asso-*  
21                   *ciated with obtaining permits necessary for the*  
22                   *construction, operation, and maintenance of the*  
23                   *project on publicly owned or controlled land),*  
24                   *but not to exceed 25 percent of total project costs.*

1                   (D) *OPERATION AND MAINTENANCE.*—*The*  
2                   *non-Federal share of operation and maintenance*  
3                   *costs for projects constructed with assistance pro-*  
4                   *vided under this section shall be 100 percent.*

5                   (f) *APPLICABILITY OF OTHER FEDERAL AND STATE*  
6                   *LAWS.*—*Nothing in this section waives, limits, or otherwise*  
7                   *affects the applicability of any provision of Federal or State*  
8                   *law that would otherwise apply to a project to be carried*  
9                   *out with assistance provided under this section.*

10                  (g) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*  
11                  *authorized to be appropriated to carry out this section for*  
12                  *the period beginning with fiscal year 2005, \$50,000,000, to*  
13                  *remain available until expended.*

14                  (h) *REPEAL.*—*Section 108 of division C of the Consoli-*  
15                  *dated Appropriations Act, 2005 (118 Stat. 2942), is re-*  
16                  *pealed.*

17                  (i) *TREATMENT.*—*The program authorized by this sec-*  
18                  *tion shall be considered a continuation of the program au-*  
19                  *thorized by section 108 of division C of the Consolidated*  
20                  *Appropriations Act, 2005 (118 Stat. 2942) (as in effect on*  
21                  *the day before the date of enactment of this Act).*

22                  **SEC. 335. ADDITIONAL ASSISTANCE FOR EASTERN SANTA**  
23                  **CLARA BASIN, CALIFORNIA.**

24                  *Section 111 of title I of division B of the Miscellaneous*  
25                  *Appropriations Act, 2001 (as enacted by section 1(a)(4) of*



1 *the Consolidated Appropriations Act, 2001 (114 Stat. 2763;*  
2 *114 Stat. 2763A–224; 121 Stat. 1209)), is amended—*

3 *(1) in subsection (a), by inserting “and volatile*  
4 *organic compounds” after “perchlorates”; and*

5 *(2) in subsection (b)(3), by inserting “and vola-*  
6 *tile organic compounds” after “perchlorates”.*

7 **SEC. 336. TRIBAL PARTNERSHIP PROGRAM.**

8 *Section 203 of the Water Resources Development Act*  
9 *of 2000 (33 U.S.C. 2269) is amended—*

10 *(1) in subsection (a), by striking “(25 U.S.C.*  
11 *450b)” and inserting “(25 U.S.C. 5304”;*

12 *(2) in subsection (b)—*

13 *(A) in paragraph (2)(A)—*

14 *(i) by inserting “or coastal storm”*  
15 *after “flood”; and*

16 *(ii) by inserting “including erosion*  
17 *control,” after “reduction,”;*

18 *(B) in paragraph (3), by adding at the end*  
19 *the following:*

20 *“(C) FEDERAL INTEREST DETERMINA-*  
21 *TION.—The first \$100,000 of the costs of a study*  
22 *under this section shall be at full Federal ex-*  
23 *pense.”;*

24 *(C) in paragraph (4)—*

1                   (i) in subparagraph (A), by striking  
2                   “\$18,500,000” and inserting “\$26,000,000”;  
3                   and

4                   (ii) in subparagraph (B), by striking  
5                   “\$18,500,000” and inserting “\$26,000,000”;  
6                   and

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

8                   “(5) *PROJECT JUSTIFICATION.*—Notwithstanding  
9                   any other provision of law or requirement for eco-  
10                  nomic justification established under section 209 of  
11                  the Flood Control Act of 1970 (42 U.S.C. 1962–2) for  
12                  a project (other than a project for ecosystem restora-  
13                  tion), the Secretary may implement a project under  
14                  this section if the Secretary determines that the  
15                  project will—

16                         “(A) significantly reduce potential flood or  
17                         coastal storm damages, which may include or be  
18                         limited to damages due to shoreline erosion or  
19                         riverbank or streambank failures;

20                         “(B) improve the quality of the environ-  
21                         ment;

22                         “(C) reduce risks to life safety associated  
23                         with the damages described in subparagraph (A);  
24                         and

1           “(D) improve the long-term viability of the  
2           community.”;

3           (3) in subsection (d)(5)(B)—

4           (A) by striking “non-Federal” and inserting  
5           “Federal”; and

6           (B) by striking “50 percent” and inserting  
7           “100 percent”; and

8           (4) in subsection (e), by striking “2024” and in-  
9           serting “2033”.

10 **SEC. 337. SURPLUS WATER CONTRACTS AND WATER STOR-**  
11 **AGE AGREEMENTS.**

12           Section 1046(c) of the Water Resources Reform and  
13 Development Act of 2014 (128 Stat. 1254; 132 Stat. 3784;  
14 134 Stat. 2715) is amended—

15           (1) by striking paragraph (3); and

16           (2) by redesignating paragraph (4) as para-  
17 graph (3).

18 **SEC. 338. COPAN LAKE, OKLAHOMA.**

19           (a) *IN GENERAL.*—The Secretary shall amend Con-  
20 tract DACW56-81-C-0114 between the United States and  
21 the Copan Public Works Authority (referred to in this sec-  
22 tion as the “Authority”), entered into on June 22, 1981,  
23 for the utilization by the Authority of storage space for  
24 water supply in Copan Lake, Oklahoma (referred to in this  
25 section as the “project”)—

1           (1) to release to the United States all rights of  
2           the Authority to utilize 4,750 acre-feet of future use  
3           water storage space; and

4           (2) to relieve the Authority from all financial ob-  
5           ligations, to include the initial project investment  
6           costs and the accumulated interest on unpaid project  
7           investment costs, for the volume of water storage space  
8           described in paragraph (1).

9           (b) *REQUIREMENT.*—During the 2-year period begin-  
10          ning on the effective date of execution of the contract amend-  
11          ment under subsection (a), the Secretary shall—

12           (1) provide the City of Bartlesville, Oklahoma,  
13           with the right of first refusal to contract for the utili-  
14           zation of storage space for water supply for any por-  
15           tion of the storage space that was released by the Au-  
16           thority under subsection (a); and

17           (2) ensure that the City of Bartlesville, Okla-  
18           homa, shall not pay more than 110 percent of the ini-  
19           tial project investment cost per acre-foot of storage for  
20           the acre-feet of storage space sought under an agree-  
21           ment under paragraph (1).

22          **SEC. 339. ENHANCED DEVELOPMENT PROGRAM.**

23           The Secretary shall fully implement opportunities for  
24          enhanced development at Oklahoma Lakes under the au-  
25          thorities provided in section 3134 of the Water Resources

1 *Development Act of 2007 (121 Stat. 1142; 130 Stat. 1671)*  
2 *and section 164 of the Water Resources Development Act*  
3 *of 2020 (134 Stat. 2668).*

4 **SEC. 340. ECOSYSTEM RESTORATION COORDINATION.**

5 (a) *IN GENERAL.*—*In carrying out the project for eco-*  
6 *system restoration, South Fork of the South Branch of the*  
7 *Chicago River, Bubbly Creek, Illinois, authorized by section*  
8 *401(5) of the Water Resources Development Act of 2020*  
9 *(134 Stat. 2740), the Secretary shall coordinate to the max-*  
10 *imum extent practicable with the Administrator of the En-*  
11 *vironmental Protection Agency, State environmental agen-*  
12 *cies, and regional coordinating bodies responsible for the*  
13 *remediation of toxics.*

14 (b) *SAVINGS PROVISION.*—*Nothing in this section ex-*  
15 *tends liability to the Secretary for any remediation of toxics*  
16 *present at the project site referred to in subsection (a) prior*  
17 *to the date of authorization of that project.*

18 **SEC. 341. ACEQUIAS IRRIGATION SYSTEMS.**

19 *Section 1113 of the Water Resources Development Act*  
20 *of 1986 (100 Stat. 4232) is amended—*

21 (1) *in subsection (b)—*

22 (A) *by striking “(b) Subject to section*  
23 *903(a) of this Act, the Secretary is authorized*  
24 *and directed to undertake” and inserting the fol-*  
25 *lowing:*

1       “(b) *AUTHORIZATION.*—*Subject to section 903(a), the*  
2 *Secretary shall carry out*”; and

3               *(B) by striking “canals” and all that fol-*  
4 *lows through “25 percent.” and inserting the fol-*  
5 *lowing: “channels attendant to the operations of*  
6 *the community ditch and Acequia systems in*  
7 *New Mexico that—*

8               *“(1) are declared to be a political subdivision of*  
9 *the State; or*

10              *“(2) belong to a federally recognized Indian*  
11 *Tribe.”;*

12              *(2) by redesignating subsection (c) as subsection*  
13 *(e);*

14              *(3) by inserting after subsection (b) the fol-*  
15 *lowing:*

16              *“(c) INCLUSIONS.—The measures described in sub-*  
17 *section (b) shall, to the maximum extent practicable—*

18              *“(1) ensure greater resiliency of diversion struc-*  
19 *tures, including to flow variations, prolonged drought*  
20 *conditions, invasive plant species, and threats from*  
21 *changing hydrological and climatic conditions; or*

22              *“(2) support research, development, and training*  
23 *for innovative management solutions, including those*  
24 *for controlling invasive aquatic plants that affect*  
25 *Acequias.*

1       “(d) COSTS.—

2               “(1) TOTAL COST.—The measures described in  
3 subsection (b) shall be carried out at a total cost of  
4 \$80,000,000.

5               “(2) COST SHARING.—

6                       “(A) IN GENERAL.—Except as provided in  
7 subparagraph (B), the non-Federal share of the  
8 cost of carrying out the measures described in  
9 subsection (b) shall be 25 percent.

10                      “(B) SPECIAL RULE.—In the case of a  
11 project benefitting an economically disadvan-  
12 taged community (as defined pursuant to section  
13 160 of the Water Resources Development Act of  
14 2020 (33 U.S.C. 2201 note; Public Law 116–  
15 260)), the Federal share of the cost of carrying  
16 out the measures described in subsection (b) shall  
17 be 90 percent.”; and

18               (4) in subsection (e) (as so redesignated)—

19                      (A) in the first sentence—

20                              (i) by striking “(e) The Secretary is  
21 further authorized and directed to” and in-  
22 serting the following:

23               “(e) PUBLIC ENTITY STATUS.—

24                      “(1) IN GENERAL.—The Secretary shall”; and

1                   (ii) by inserting “or belong to a feder-  
2                   ally recognized Indian Tribe within the  
3                   State of New Mexico” after “that State”;  
4                   and

5                   (B) in the second sentence, by striking  
6                   “*This public entity status will allow the officials*  
7                   *of these Acequia systems*” and inserting the fol-  
8                   *lowing:*

9                   “(2) *EFFECT.—The public entity status provided*  
10                  *pursuant to paragraph (1) shall allow the officials of*  
11                  *the Acequia systems described in that paragraph*”.

12 **SEC. 342. ROGERS COUNTY, OKLAHOMA.**

13                  (a) *CONVEYANCE.—The Secretary is authorized to con-*  
14                  *vey to the City of Tulsa–Rogers County Port Authority (re-*  
15                  *ferred to in this section as the “Port Authority”), for fair*  
16                  *market value, all right, title, and interest of the United*  
17                  *States in and to the Federal land described in subsection*  
18                  *(b).*

19                  (b) *FEDERAL LAND DESCRIBED.—*

20                         (1) *IN GENERAL.—The Federal land to be con-*  
21                         *veyed under this section is the approximately 176*  
22                         *acres of Federal land located on the following 3 par-*  
23                         *cels in Rogers County, Oklahoma:*



1           (A) Parcel 1 includes U.S. tract 119 (par-  
2           tial), U.S. tract 123, U.S. tract 120, U.S. tract  
3           125, and U.S. tract 118 (partial).

4           (B) Parcel 2 includes U.S. tract 124 (par-  
5           tial) and U.S. tract 128 (partial).

6           (C) Parcel 3 includes U.S. tract 128 (par-  
7           tial).

8           (2) DETERMINATION REQUIRED.—

9           (A) IN GENERAL.—Subject to paragraph (1)  
10          and subparagraphs (B), (C), and (D), the Sec-  
11          retary shall determine the exact property de-  
12          scription and acreage of the Federal land to be  
13          conveyed under this section.

14          (B) REQUIREMENT.—In making the deter-  
15          mination under subparagraph (A), the Secretary  
16          shall reserve from conveyance such easements,  
17          rights-of-way, and other interests as the Sec-  
18          retary determines to be necessary and appro-  
19          priate to ensure the continued operation of the  
20          McClellan-Kerr Arkansas River navigation  
21          project, including New Graham Lock and Dam  
22          18 as a part of that project, as authorized under  
23          the comprehensive plan for the Arkansas River  
24          Basin by section 3 of the Act of June 28, 1938  
25          (52 Stat. 1218, chapter 795), and section 10 of

1           *the Flood Control Act of 1946 (60 Stat. 647,*  
2           *chapter 596) and where applicable the provisions*  
3           *of the River and Harbor Act of 1946 (60 Stat.*  
4           *634, chapter 595) and modified by section 108 of*  
5           *the Energy and Water Development Appropria-*  
6           *tion Act, 1988 (Public Law 100–202; 101 Stat.*  
7           *1329–112), and section 136 of the Energy and*  
8           *Water Development Appropriations Act, 2004*  
9           *(Public Law 108–137; 117 Stat. 1842).*

10           (C) *OBSTRUCTIONS TO NAVIGABLE CAPAC-*  
11           *ITY.—A conveyance under this section shall not*  
12           *affect the jurisdiction of the Secretary under sec-*  
13           *tion 10 of the Act of March 3, 1899 (commonly*  
14           *known as the “Rivers and Harbors Act of 1899”)*  
15           *(30 Stat. 1151, chapter 425; 33 U.S.C. 403) with*  
16           *respect to the Federal land conveyed.*

17           (D) *SURVEY REQUIRED.—The exact acreage*  
18           *and the legal description of any Federal land*  
19           *conveyed under this section shall be determined*  
20           *by a survey that is satisfactory to the Secretary.*

21           (c) *APPLICABILITY.—Section 2696 of title 10, United*  
22           *States Code, shall not apply to the conveyance under this*  
23           *section.*

24           (d) *COSTS.—The Port Authority shall be responsible*  
25           *for all reasonable and necessary costs, including real estate*

1 *transaction and environmental documentation costs, associ-*  
2 *ated with the conveyance.*

3 *(e) HOLD HARMLESS.—*

4 *(1) IN GENERAL.—The Port Authority shall hold*  
5 *the United States harmless from any liability with*  
6 *respect to activities carried out on or after the date*  
7 *of the conveyance under this section on the Federal*  
8 *land conveyed.*

9 *(2) LIMITATION.—The United States shall re-*  
10 *main responsible for any liability incurred with re-*  
11 *spect to activities carried out before the date of the*  
12 *conveyance under this section on the Federal land*  
13 *conveyed.*

14 *(f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*  
15 *retary may require that the conveyance under this section*  
16 *be subject to such additional terms and conditions as the*  
17 *Secretary considers necessary and appropriate to protect*  
18 *the interests of the United States.*

19 **SEC. 343. WATER SUPPLY STORAGE REPAIR, REHABILITA-**  
20 **TION, AND REPLACEMENT COSTS.**

21 *Section 301(b) of the Water Supply Act of 1958 (43*  
22 *U.S.C. 390b(b)) is amended, in the fourth proviso, by strik-*  
23 *ing the second sentence and inserting the following: “For*  
24 *Corps of Engineers projects, all annual operation and*  
25 *maintenance costs for municipal and industrial water sup-*

1 *ply storage under this section shall be reimbursed from*  
2 *State or local interests on an annual basis, and all repair,*  
3 *rehabilitation, and replacement costs shall be reimbursed*  
4 *from State or local interests (1) without interest, during*  
5 *construction of the repair, rehabilitation, or replacement,*  
6 *(2) with interest, in lump sum on the completion of the*  
7 *repair, rehabilitation, or replacement, or (3) at the request*  
8 *of the State or local interest, with interest, over a period*  
9 *of not more than 25 years beginning on the date of comple-*  
10 *tion of the repair, rehabilitation, or replacement, with re-*  
11 *payment contracts providing for recalculation of the inter-*  
12 *est rate at 5-year intervals. At the request of the State or*  
13 *local interest, the Secretary of the Army shall amend a re-*  
14 *payment contract entered into under this section on or be-*  
15 *fore the date of enactment of this sentence for the purpose*  
16 *of incorporating the terms and conditions described in*  
17 *paragraph (3) of the preceding sentence.”.*

18 **SEC. 344. NON-FEDERAL PAYMENT FLEXIBILITY.**

19 *Section 103(l) of the Water Resources Development Act*  
20 *of 1986 (33 U.S.C. 2213(l)) is amended—*

21 *(1) by striking the subsection designation and*  
22 *heading and all that follows through “At the request*  
23 *of” in the first sentence and inserting the following:*

24 *“(l) DELAY OF PAYMENT.—*

25 *“(1) INITIAL PAYMENT.—At the request of”; and*

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

2           “(2) *INTEREST.—*

3                   “(A) *IN GENERAL.—At the request of any*  
 4                   *non-Federal interest, the Secretary may waive*  
 5                   *the accrual of interest on any non-Federal cash*  
 6                   *contribution under this section or section 101 for*  
 7                   *a project for a period of not more than 1 year*  
 8                   *if the Secretary determines that—*

9                           “(i) *the waiver will contribute to the*  
 10                           *ability of the non-Federal interest to make*  
 11                           *future contributions; and*

12                           “(ii) *the non-Federal interest is in*  
 13                           *good standing under terms agreed to under*  
 14                           *subsection (k)(1).*

15                   “(B) *LIMITATIONS.—The Secretary may*  
 16                   *grant not more than 1 waiver under subpara-*  
 17                   *graph (A) for the same project.”.*

18 **SEC. 345. NORTH PADRE ISLAND, CORPUS CHRISTI BAY,**

19                   **TEXAS.**

20           *The project for ecosystem restoration, North Padre Is-*  
 21           *land, Corpus Christi Bay, Texas, constructed by the Sec-*  
 22           *retary prior to the date of enactment of this Act under sec-*  
 23           *tion 556 of the Water Resources Development Act of 1999*  
 24           *(113 Stat. 353), shall not be eligible for repair and restora-*  
 25           *tion assistance under section 5(a) of the Act of August 18,*

1 1941 (commonly known as the “Flood Control Act of 1941”)  
2 (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)).

3 **SEC. 346. WAIVER OF NON-FEDERAL SHARE OF DAMAGES**  
4 **RELATED TO CERTAIN CONTRACT CLAIMS.**

5 *In a case in which the Armed Services Board of Con-*  
6 *tract Appeals or a court of competent jurisdiction rendered*  
7 *a decision on a date that was at least 20 years before the*  
8 *date of enactment of this Act awarding damages to a con-*  
9 *tractor relating to the adjudication of claims arising from*  
10 *the construction of general navigation features of a project*  
11 *carried out under section 107 of the River and Harbor Act*  
12 *of 1960 (33 U.S.C. 577), notwithstanding the terms of the*  
13 *Project Partnership Agreement, the Secretary shall waive*  
14 *payment of the share of the non-Federal interest of such*  
15 *damages, including attorney’s fees, if the Secretary—*

16 *(1) terminated construction of the project prior*  
17 *to completion of all features; and*

18 *(2) has not collected payment from the non-Fed-*  
19 *eral interest before the date of enactment of this Act.*

20 **SEC. 347. ALGIERS CANAL LEVEES, LOUISIANA.**

21 *In accordance with section 328 of the Water Resources*  
22 *Development Act of 1999 (113 Stat. 304; 121 Stat. 1129),*  
23 *the Secretary shall resume operation, maintenance, repair,*  
24 *rehabilitation, and replacement of the Algiers Canal Levees,*  
25 *Louisiana, at full Federal expense.*

1 **SEC. 348. ISRAEL RIVER ICE CONTROL PROJECT, LAN-**  
2 **CASTER, NEW HAMPSHIRE.**

3 *Beginning on the date of enactment of this Act, the*  
4 *project for flood control, Israel River, Lancaster, New*  
5 *Hampshire, authorized by section 205 of the Flood Control*  
6 *Act of 1948 (33 U.S.C. 701s) is no longer authorized.*

7 **SEC. 349. CITY OF EL DORADO, KANSAS.**

8 *The Secretary shall amend Contract DACW56-72-C-*  
9 *0220, between the United States and the City of El Dorado,*  
10 *Kansas, entered into on June 30, 1972, for the utilization*  
11 *by the City of storage space for water supply in El Dorado*  
12 *Lake, Kansas, to change the method of calculation of the*  
13 *interest charges that began accruing on June 30, 1991, on*  
14 *the investment costs for the 72,087 acre-feet of future use*  
15 *storage space, from compounding interest annually to*  
16 *charging simple interest annually on the principal amount,*  
17 *until—*

18 *(1) the City desires to convert the future use stor-*  
19 *age space to present use; and*

20 *(2) the principal amount plus the accumulated*  
21 *interest becomes payable pursuant to the terms of the*  
22 *Contract.*

23 **SEC. 350. UPPER MISSISSIPPI RIVER PROTECTION.**

24 *Section 2010 of the Water Resources Reform and De-*  
25 *velopment Act of 2014 (128 Stat. 1270; 132 Stat. 3812)*  
26 *is amended by adding at the end the following:*

1       “(f) *LIMITATION.*—*The Secretary shall not recommend*  
 2 *deauthorization of the Upper St. Anthony Falls Lock and*  
 3 *Dam unless the Secretary identifies a willing and capable*  
 4 *non-Federal public entity to assume ownership of the lock*  
 5 *and dam.*”

6       “(g) *MODIFICATION.*—*The Secretary is authorized to*  
 7 *investigate the feasibility of modifying the Upper St. An-*  
 8 *thony Falls Lock and Dam to add ecosystem restoration,*  
 9 *including the prevention and control of invasive species, as*  
 10 *an authorized purpose.*”

11 **SEC. 351. REGIONAL CORPS OF ENGINEERS OFFICE, COR-**  
 12 **PUS CHRISTI, TEXAS.**

13       (a) *IN GENERAL.*—*At such time as new facilities are*  
 14 *available to the Corps of Engineers, and subject to this sec-*  
 15 *tion, the Secretary shall convey to the Port of Corpus Chris-*  
 16 *ti Authority, by deed and without warranty, all right, title,*  
 17 *and interest of the United States in and to the property*  
 18 *described in subsection (c).*

19       (b) *CONSIDERATION.*—*Consideration for the convey-*  
 20 *ance under subsection (a) shall be determined by an ap-*  
 21 *praisal, satisfactory to the Secretary, of the market value*  
 22 *of the property conveyed.*

23       (c) *DESCRIPTION OF PROPERTY.*—*The property re-*  
 24 *ferred to in subsection (a) is the land known as “Tract 100”*



1 *and “Tract 101”, including improvements on that land, in*  
2 *Corpus Christi, Texas, and described as follows:*

3           (1) *TRACT 100.— The 1.89 acres, more or less, as*  
4 *conveyed by the Nueces County Navigation District*  
5 *No. 1 of Nueces County, Texas, to the United States*  
6 *by instrument dated October 16, 1928, and recorded*  
7 *at Volume 193, pages 1 and 2, in the Deed Records*  
8 *of Nueces County, Texas.*

9           (2) *TRACT 101.—The 0.53 acres as conveyed by*  
10 *the City of Corpus Christi, Nueces County, Texas, to*  
11 *the United States by instrument dated September 24,*  
12 *1971, and recorded at Volume 318, pages 523 and*  
13 *524, in the Deed Records of Nueces County, Texas.*

14           (3) *IMPROVEMENTS.—*

15                 (A) *Main Building (RPUID AO-C-3516),*  
16 *constructed January 9, 1974.*

17                 (B) *Garage, vehicle with 5 bays (RPUID*  
18 *AO-C-3517), constructed January 9, 1985.*

19                 (C) *Bulkhead, Upper (RPUID AO-C-*  
20 *2658), constructed January 1, 1941.*

21                 (D) *Bulkhead, Lower (RPUID AO-C-*  
22 *3520), constructed January 1, 1933.*

23                 (E) *Bulkhead Fence (RPUID AO-C-3521),*  
24 *constructed January 9, 1985.*

1                   (F) *Bulkhead Fence (RPUID AO-C-3522)*,  
2                   *constructed January 9, 1985.*

3           (d) *TERMS AND CONDITIONS.—*

4                   (1) *IN GENERAL.—Before conveying the land de-*  
5                   *scribed in subsection (c) to the Port of Corpus Christi*  
6                   *Authority, the Secretary shall ensure that the condi-*  
7                   *tions of buildings and facilities meet applicable re-*  
8                   *quirements under Federal law, as determined by the*  
9                   *Secretary.*

10                   (2) *IMPROVEMENTS.—Improvements to condi-*  
11                   *tions of buildings and facilities on the land described*  
12                   *in subsection (c), if any, shall be incorporated into*  
13                   *the consideration required under subsection (b).*

14                   (3) *COSTS OF CONVEYANCE.—In addition to the*  
15                   *fair market value for property rights conveyed, the*  
16                   *Port of Corpus Christi Authority shall be responsible*  
17                   *for all reasonable and necessary costs, including real*  
18                   *estate transaction and environmental documentation*  
19                   *costs, associated with the conveyance under subsection*  
20                   *(a).*

21 **SEC. 352. PILOT PROGRAM FOR GOOD NEIGHBOR AUTHOR-**  
22 **ITY ON CORPS OF ENGINEERS LAND.**

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

24                   (1) *AUTHORIZED RESTORATION SERVICES.—The*  
25                   *term “authorized restoration services” means similar*

1 *and complementary forest, rangeland, and watershed*  
2 *restoration services carried out—*

3 *(A) on Federal land; and*

4 *(B) by the Secretary or Governor pursuant*  
5 *to a good neighbor agreement.*

6 *(2) FEDERAL LAND.—*

7 *(A) IN GENERAL.—The term “Federal land”*  
8 *means land within the State that is adminis-*  
9 *tered by the Corps of Engineers.*

10 *(B) EXCLUSIONS.—The term “Federal*  
11 *land” does not include—*

12 *(i) a component of the National Wil-*  
13 *derness Preservation System;*

14 *(ii) Federal land on which the removal*  
15 *of vegetation is prohibited or restricted by*  
16 *an Act of Congress or a Presidential procla-*  
17 *mation (including the applicable implemen-*  
18 *tation plan); or*

19 *(iii) a wilderness study area.*

20 *(3) FOREST, RANGELAND, AND WATERSHED*  
21 *SERVICES.—*

22 *(A) IN GENERAL.—The term “forest, range-*  
23 *land, and watershed restoration services”*  
24 *means—*

1           (i) activities to treat insect-infected  
2           and disease-infected trees;

3           (ii) activities to reduce hazardous fuels;  
4           and

5           (iii) any other activities to restore or  
6           improve forest, rangeland, and watershed  
7           health, including fish and wildlife habitat.

8           (B) EXCLUSIONS.—The term “forest, range-  
9           land, and watershed restoration services” does  
10          not include—

11           (i) construction, reconstruction, repair,  
12           or restoration of paved or permanent roads  
13           or parking areas, other than the reconstruc-  
14           tion, repair, or restoration of a road that is  
15           necessary to carry out authorized restora-  
16           tion services pursuant to a good neighbor  
17           agreement; and

18           (ii) construction, alteration, repair or  
19           replacement of public buildings or public  
20           works.

21           (4) GOOD NEIGHBOR AGREEMENT.—The term  
22           “good neighbor agreement” means a cooperative  
23           agreement or contract (including a sole source con-  
24           tract) entered into between the Secretary and Gov-

1 *ernor under subsection (b)(1)(A) to carry out author-*  
2 *ized restoration services under this section.*

3 (5) *GOVERNOR.*—*The term “Governor” means*  
4 *the Governor or any other appropriate executive offi-*  
5 *cial of the State.*

6 (6) *ROAD.*—*The term “road” has the meaning*  
7 *given the term in section 212.1 of title 36, Code of*  
8 *Federal Regulations (as in effect on February 7,*  
9 *2014).*

10 (7) *STATE.*—*The term “State” means the State*  
11 *of Idaho.*

12 (b) *GOOD NEIGHBOR AGREEMENTS.*—

13 (1) *GOOD NEIGHBOR AGREEMENTS.*—

14 (A) *IN GENERAL.*—*The Secretary may*  
15 *carry out a pilot program to enter into good*  
16 *neighbor agreements with the Governor to carry*  
17 *out authorized restoration services in the State*  
18 *in accordance with this section.*

19 (B) *PUBLIC AVAILABILITY.*—*The Secretary*  
20 *shall make each good neighbor agreement avail-*  
21 *able to the public.*

22 (C) *ADMINISTRATIVE COSTS.*—*The Governor*  
23 *shall provide, and the Secretary may accept and*  
24 *expend, funds to cover the costs of the Secretary*

1           to enter into and administer a good neighbor  
2           agreement.

3           (D) *TERMINATION.*—*The pilot program*  
4           *under subparagraph (A) shall terminate on Oc-*  
5           *tober 1, 2028.*

6           (2) *TIMBER SALES.*—

7           (A) *APPROVAL OF SILVICULTURE PRESCRIP-*  
8           *TIONS AND MARKING GUIDES.*—*The Secretary*  
9           *shall provide or approve all silviculture prescrip-*  
10           *tions and marking guides to be applied on Fed-*  
11           *eral land in all timber sale projects conducted*  
12           *under this section.*

13           (B) *TREATMENT OF REVENUE.*—*Except as*  
14           *provided in subparagraph (C), funds received*  
15           *from the sale of timber by the Governor under a*  
16           *good neighbor agreement shall be retained and*  
17           *used by the Governor to carry out authorized res-*  
18           *toration services under the good neighbor agree-*  
19           *ment.*

20           (C) *EXCESS REVENUE.*—

21           (i) *IN GENERAL.*—*Any funds remain-*  
22           *ing after carrying out subparagraph (B)*  
23           *that are in excess of the amount provided by*  
24           *the Governor to the Secretary under para-*

1 *graph (1)(C) shall be returned to the Sec-*  
2 *retary.*

3 *(ii) APPLICABILITY OF CERTAIN PROVI-*  
4 *SIONS.—Funds returned to the Secretary*  
5 *under clause (i) shall be subject to the first*  
6 *part of section 5 of the Act of June 13, 1902*  
7 *(commonly known as the “Rivers and Har-*  
8 *bors Appropriations Act of 1902”)* (32 Stat.  
9 *373, chapter 1079; 33 U.S.C. 558).*

10 *(3) RETENTION OF NEPA RESPONSIBILITIES.—*  
11 *Any decision required to be made under the National*  
12 *Environmental Policy Act of 1969 (42 U.S.C. 4321 et*  
13 *seq.) with respect to any authorized restoration serv-*  
14 *ices to be provided under this section on Federal land*  
15 *shall not be delegated to the Governor.*

16 **SEC. 353. SOUTHEAST DES MOINES, SOUTHWEST PLEASANT**  
17 **HILL, IOWA.**

18 *(a) PROJECT MODIFICATIONS.—The project for flood*  
19 *risk management and other purposes, Red Rock Dam and*  
20 *Lake, Des Moines River, Iowa (referred to in this section*  
21 *as the “Red Rock Dam Project”), authorized by section 10*  
22 *of the Act of December 22, 1944 (commonly known as the*  
23 *“Flood Control Act of 1944”)* (58 Stat. 896, chapter 665),  
24 *and the project for flood risk management, Des Moines*  
25 *Local Flood Protection, Des Moines River, Iowa (referred*

1 to in this section as “Flood Protection Project”), authorized  
2 by section 10 of that Act (58 Stat. 896, chapter 665), shall  
3 be modified as follows, subject to a new or amended agree-  
4 ment between the Secretary and the non-Federal interest for  
5 the Flood Protection Project, the City of Des Moines, Iowa  
6 (referred to in this section as the “City”), in accordance  
7 with section 221 of the Flood Control Act of 1970 (42 U.S.C.  
8 1962d–5b):

9           (1) That portion of the Red Rock Dam Project  
10 consisting of the segment of levee from Station  
11 15+88.8W to Station 77+43.7W shall be transferred  
12 to the Flood Protection Project.

13           (2) The relocated levee improvement constructed  
14 by the City, from Station 77+43.7W to approxi-  
15 mately Station 20+00, shall be included in the Flood  
16 Protection Project.

17           (b) FEDERAL EASEMENT CONVEYANCES.—

18           (1) The Secretary is authorized to convey the fol-  
19 lowing easements, acquired by the Federal Govern-  
20 ment for the Red Rock Dam Project, to the City to  
21 become part of the Flood Protection Project in accord-  
22 ance with subsection (a):

23           (A) Easements identified as Tracts 3215E-  
24 1, 3235E, and 3227E.



1                   (B) *Easements identified as Partial Tracts*  
2                   3216E-2, 3216E-3, 3217E-1, and 3217E-2.

3                   (2) *On counter-execution of the new or amended*  
4                   *agreement pursuant to the Federal easement convey-*  
5                   *ances under paragraph (1), the Secretary is author-*  
6                   *ized to convey the following easements, by quitclaim*  
7                   *deed, without consideration, acquired by the Federal*  
8                   *Government for the Red Rock Dam project, to the*  
9                   *City or to the Des Moines Metropolitan Wastewater*  
10                  *Reclamation Authority and no longer required for the*  
11                  *Red Rock Dam Project or for the Des Moines Local*  
12                  *Flood Protection Project:*

13                  (A) *Easements identified as Tracts 3200E,*  
14                  3202E-1, 3202E-2, 3202E-4, 3203E-2, 3215E-3,  
15                  3216E-1, and 3216E-5.

16                  (B) *Easements identified as Partial Tracts*  
17                  3216E-2, 3216E-3, 3217E-1, and 3217E-2.

18                  (3) *All real property interests conveyed under*  
19                  *this subsection shall be subject to the standard release*  
20                  *of easement disposal process. All administrative fees*  
21                  *associated with the transfer of the subject easements to*  
22                  *the City or to the Des Moines Metropolitan Waste-*  
23                  *water Reclamation Authority will be borne by the*  
24                  *transferee.*

1 **SEC. 354. MIDDLE RIO GRANDE FLOOD PROTECTION,**  
 2 **BERNALILLO TO BELEN, NEW MEXICO.**

3 *In the case of the project for flood risk management,*  
 4 *Middle Rio Grande, Bernalillo to Belen, New Mexico, au-*  
 5 *thorized by section 401(2) of the Water Resources Develop-*  
 6 *ment Act of 2020 (134 Stat. 2735), the non-Federal share*  
 7 *of the cost of the project shall be the percentage described*  
 8 *in section 103(a)(2) of the Water Resources Development*  
 9 *Act of 1986 (33 U.S.C. 2213(a)(2)) (as in effect on the day*  
 10 *before the date of enactment of the Water Resources Develop-*  
 11 *ment Act of 1996 (110 Stat. 3658)).*

12 **SEC. 355. COMPREHENSIVE EVERGLADES RESTORATION**  
 13 **PLAN, FLORIDA.**

14 *(a) IN GENERAL.—Section 601(e)(5) of the Water Re-*  
 15 *sources Development Act of 2000 (114 Stat. 2685; 132 Stat.*  
 16 *3786) is amended by striking subparagraph (E) and insert-*  
 17 *ing the following:*

18 *“(E) PERIODIC MONITORING.—*

19 *“(i) IN GENERAL.—To ensure that the*  
 20 *contributions of the non-Federal sponsor*  
 21 *equal 50 percent proportionate share for*  
 22 *projects in the Plan, during each period of*  
 23 *5 fiscal years, beginning on October 1,*  
 24 *2022, the Secretary shall, for each project—*

1           “(I) monitor the non-Federal pro-  
2 vision of cash, in-kind services, and  
3 land; and

4           “(II) manage, to the maximum  
5 extent practicable, the requirement of  
6 the non-Federal sponsor to provide  
7 cash, in-kind services, and land.

8           “(ii) OTHER MONITORING.—The Sec-  
9 retary shall conduct monitoring under  
10 clause (i) separately for the preconstruction  
11 engineering and design phase and the con-  
12 struction phase for each project in the Plan.

13           “(iii) CLARIFICATION.—Not later than  
14 90 days after the end of each fiscal year, the  
15 Secretary shall provide to the non-Federal  
16 sponsor a financial accounting of non-Fed-  
17 eral contributions under clause (i)(I) for  
18 such fiscal year.

19           “(iv) LIMITATION.—As applicable, and  
20 after including consideration of all expendi-  
21 tures and obligations incurred by the non-  
22 Federal sponsor for land and in-kind serv-  
23 ices for an authorized project for which a  
24 project partnership agreement has not been  
25 executed, the Secretary shall only require a

1           *cash contribution from the non-Federal*  
2           *sponsor to satisfy the cost share require-*  
3           *ments of this subsection on the last day of*  
4           *each period of 5 fiscal years under clause*  
5           *(i).”.*

6           **(b) UPDATE.**—*The Secretary and the South Florida*  
7           *Water Management District shall revise the Master Agree-*  
8           *ment for the Comprehensive Everglades Restoration Plan,*  
9           *executed in 2009 pursuant to section 601 of the Water Re-*  
10           *sources Development Act of 2000 (114 Stat. 2680), to reflect*  
11           *the amendment made by subsection (a).*

12           **SEC. 356. MAINTENANCE DREDGING PERMITS.**

13           **(a) IN GENERAL.**—*The Secretary shall, to the max-*  
14           *imum extent practicable and appropriate, prioritize the*  
15           *reissuance of any regional general permit for maintenance*  
16           *dredging that expired prior to May 1, 2021.*

17           **(b) SAVINGS PROVISION.**—*Nothing in this section af-*  
18           *fects, preempts, or interferes with any obligation to comply*  
19           *with the provisions of any Federal or State environmental*  
20           *law, including—*

21                    **(1) the National Environmental Policy Act of**  
22                    **1969 (42 U.S.C. 4321 et seq.);**

23                    **(2) the Federal Water Pollution Control Act (33**  
24                    **U.S.C. 1251 et seq.); and**

1           (3) *the Endangered Species Act of 1973 (16*  
2           *U.S.C. 1531 et seq.)*.

3   **SEC. 357. PUGET SOUND NEARSHORE ECOSYSTEM RES-**  
4                                   **TORATION, WASHINGTON.**

5           *In carrying out the project for ecosystem restoration,*  
6   *Puget Sound, Washington, authorized by section 1401(4) of*  
7   *the Water Resources Development Act of 2016 (130 Stat.*  
8   *1713), the Secretary shall consider the removal and replace-*  
9   *ment of the Highway 101 causeway and bridges at the*  
10   *Duckabush River Estuary site to be a project feature the*  
11   *costs of which are shared as construction.*

12   **SEC. 358. TRIBAL ASSISTANCE.**

13           (a) *CLARIFICATION OF EXISTING AUTHORITY.—*

14                   (1) *IN GENERAL.—Subject to paragraph (2), the*  
15           *Secretary, in consultation with the heads of relevant*  
16           *Federal agencies, the Confederated Tribes of the Warm*  
17           *Springs Indian Reservation of Oregon, the Confed-*  
18           *erated Tribes and Bands of the Yakama Nation, Nez*  
19           *Perce Tribe, and the Confederated Tribes of the*  
20           *Umatilla Indian Reservation, shall revise and carry*  
21           *out the village development plan for Dalles Dam, Co-*  
22           *lumbia River, Washington and Oregon, as authorized*  
23           *by section 204 of the Flood Control Act of 1950 (64*  
24           *Stat. 179, chapter 188) to address adverse impacts to*  
25           *Indian villages, housing sites, and related structures*

1       *as a result of the construction of Bonneville Dam,*  
2       *McNary Dam, and John Day Dam, Washington and*  
3       *Oregon.*

4               (2) *EXAMINATION.*—*Before carrying out the re-*  
5       *quirements of paragraph (1), the Secretary shall con-*  
6       *duct an examination and assessment of the extent to*  
7       *which Indian villages, housing sites, and related*  
8       *structures were displaced or destroyed by the con-*  
9       *struction of the following projects:*

10               (A) *Bonneville Dam, Oregon, as authorized*  
11       *by the first section of the Act of August 30, 1935*  
12       *(49 Stat. 1038, chapter 831) and the first section*  
13       *and section 2(a) of the Act of August 20, 1937*  
14       *(50 Stat. 731, chapter 720; 16 U.S.C. 832,*  
15       *832a(a)).*

16               (B) *McNary Dam, Washington and Oregon,*  
17       *as authorized by section 2 of the Act of March*  
18       *2, 1945 (commonly known as the “River and*  
19       *Harbor Act of 1945”)* (59 Stat. 22, chapter 19).

20               (C) *John Day Dam, Washington and Or-*  
21       *egon, as authorized by section 204 of the Flood*  
22       *Control Act of 1950 (64 Stat. 179, chapter 188).*

23               (3) *REQUIREMENTS.*—*The village development*  
24       *plan under paragraph (1) shall include, at a min-*  
25       *imum—*

1           (A) *an evaluation of sites on both sides of*  
2           *the Columbia River;*

3           (B) *an assessment of suitable Federal land*  
4           *and land owned by the States of Washington and*  
5           *Oregon; and*

6           (C) *an estimated cost and tentative schedule*  
7           *for the construction of each housing development.*

8           (4) *LOCATION OF ASSISTANCE.—The Secretary*  
9           *may provide housing and related assistance under*  
10           *this subsection at 1 or more sites in the States of*  
11           *Washington and Oregon.*

12           (b) *PROVISION OF ASSISTANCE ON FEDERAL LAND.—*  
13           *The Secretary may construct housing or provide related as-*  
14           *istance on land owned by the United States under the vil-*  
15           *lage development plan under subsection (a)(1).*

16           (c) *ACQUISITION AND DISPOSAL OF LAND.—*

17           (1) *IN GENERAL.—Subject to subsection (d), the*  
18           *Secretary may acquire land or interests in land for*  
19           *the purpose of providing housing and related assist-*  
20           *ance under the village development plan under sub-*  
21           *section (a)(1).*

22           (2) *ADVANCE ACQUISITION.—Acquisition of land*  
23           *or interests in land under paragraph (1) may be car-*  
24           *ried out in advance of completion of all required doc-*  
25           *umentation and clearances for the construction of*

1        *housing or related improvements on the land or on*  
 2        *the interests in land.*

3            (3) *DISPOSAL OF UNSUITABLE LAND.*—*If the*  
 4        *Secretary determines that any land or interest in*  
 5        *land acquired by the Secretary under this section in*  
 6        *advance of completion of all required documentation*  
 7        *for the construction of housing or related improve-*  
 8        *ments is unsuitable for that housing or for those re-*  
 9        *lated improvements, the Secretary may—*

10            (A) *dispose of the land or interest in land*  
 11            *by sale; and*

12            (B) *credit the proceeds to the appropriation,*  
 13            *fund, or account used to purchase the land or in-*  
 14            *terest in land.*

15        (d) *LIMITATION.*—*The Secretary shall only acquire*  
 16        *land from willing landowners in carrying out this section.*

17        (e) *CONFORMING AMENDMENT.*—*Section 1178(c) of the*  
 18        *Water Resources Development Act of 2016 (130 Stat. 1675;*  
 19        *132 Stat. 3781) is repealed.*

20        **SEC. 359. RECREATIONAL OPPORTUNITIES AT CERTAIN**  
 21            **PROJECTS.**

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

23            (1) *COVERED PROJECT.*—*The term “covered*  
 24            *project” means any of the following projects of the*  
 25            *Corps of Engineers:*



1                   (A) *Ball Mountain Lake, Vermont.*

2                   (B) *Townshend Lake, Vermont.*

3                   (2) *RECREATION.—The term “recreation” in-*  
4                   *cludes downstream whitewater recreation that is de-*  
5                   *pendent on operations, recreational fishing, and boat-*  
6                   *ing at a covered project.*

7                   (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
8                   *that the Secretary should—*

9                   (1) *ensure that, to the extent compatible with*  
10                   *other project purposes, each covered project is oper-*  
11                   *ated in such a manner as to protect and enhance*  
12                   *recreation associated with the covered project; and*

13                   (2) *manage land at each covered project to im-*  
14                   *prove opportunities for recreation at the covered*  
15                   *project.*

16                   (c) *MODIFICATION OF WATER CONTROL PLANS.—The*  
17                   *Secretary may modify, or undertake temporary deviations*  
18                   *from, the water control plan for a covered project in order*  
19                   *to enhance recreation, if the Secretary determines the modi-*  
20                   *fications or deviations—*

21                   (1) *will not adversely affect other authorized*  
22                   *purposes of the covered project; and*

23                   (2) *will not result in significant adverse impacts*  
24                   *to the environment.*

1 **SEC. 360. REHABILITATION OF CORPS OF ENGINEERS CON-**  
 2 **STRUCTED DAMS.**

3 *Section 1177 of the Water Resources Development Act*  
 4 *of 2016 (33 U.S.C. 467f–2 note; Public Law 114–322) is*  
 5 *amended by adding at the end the following:*

6 “(g) *SPECIAL RULE.—Notwithstanding subsection (c),*  
 7 *the non-Federal share of the cost to rehabilitate Waterbury*  
 8 *Dam, Washington County, Vermont, under this section, in-*  
 9 *cluding the cost of any required study, shall be the same*  
 10 *share assigned to the non-Federal interest for the cost of*  
 11 *initial construction of Waterbury Dam.”.*

12 **SEC. 361. SOUTH FLORIDA ECOSYSTEM RESTORATION TASK**  
 13 **FORCE.**

14 *Section 528(f)(1)(J) of the Water Resources Develop-*  
 15 *ment Act of 1996 (110 Stat. 3771) is amended—*

16 (1) *by striking “2 representatives” and inserting*  
 17 *“3 representatives”; and*

18 (2) *by inserting “at least 1 of which shall be a*  
 19 *representative of the Florida Department of Environ-*  
 20 *mental Protection and at least 1 of which shall be a*  
 21 *representative of the Florida Fish and Wildlife Con-*  
 22 *servation Commission,” after “Florida,”.*

23 **SEC. 362. NEW MADRID COUNTY HARBOR, MISSOURI.**

24 *Section 509(a) of the Water Resources Development*  
 25 *Act of 1996 (110 Stat. 3759; 113 Stat. 339; 114 Stat. 2679)*  
 26 *is amended by adding at the end the following:*

1           “(18) *Second harbor at New Madrid County*  
2           *Harbor, Missouri.*”.

3   **SEC. 363. TRINITY RIVER AND TRIBUTARIES, TEXAS.**

4           *Section 1201(7) of the Water Resources Development*  
5   *Act of 2018 (132 Stat. 3802) is amended by inserting “flood*  
6   *risk management, and ecosystem restoration,” after “navi-*  
7   *gation.”.*

8   **SEC. 364. REND LAKE, CARLYLE LAKE, AND LAKE SHELBY-**  
9                           **VILLE, ILLINOIS.**

10          (a) *IN GENERAL.*—*Not later than 90 days after the*  
11   *date on which the Secretary receives a request from the Gov-*  
12   *ernor of Illinois to terminate a contract described in sub-*  
13   *section (c), the Secretary shall amend the contract to release*  
14   *to the United States all rights of the State of Illinois to*  
15   *utilize water storage space in the reservoir project to which*  
16   *the contract applies.*

17          (b) *RELIEF OF CERTAIN OBLIGATIONS.*—*On execution*  
18   *of an amendment described in subsection (a), the State of*  
19   *Illinois shall be relieved of the obligation to pay the percent-*  
20   *age of the annual operation and maintenance expense, the*  
21   *percentage of major replacement cost, and the percentage*  
22   *of major rehabilitation cost allocated to the water supply*  
23   *storage specified in the contract for the reservoir project to*  
24   *which the contract applies.*

1       (c) *CONTRACTS.*—*Subsection (a) applies to the fol-*  
2 *lowing contracts between the United States and the State*  
3 *of Illinois:*

4           (1) *Contract DACW43–88–C–0088, entered into*  
5 *on September 23, 1988, for utilization of storage*  
6 *space for water supply in Rend Lake, Illinois.*

7           (2) *Contract DA–23–065–CIVENG–65–493, en-*  
8 *tered into on April 28, 1965, for utilization of storage*  
9 *space for water supply in Rend Lake, Illinois.*

10          (3) *Contract DACW43–83–C–0008, entered into*  
11 *on July 6, 1983, for utilization of storage space in*  
12 *Carlyle Lake, Illinois.*

13          (4) *Contract DACW43–83–C–0009, entered into*  
14 *on July 6, 1983, for utilization of storage space in*  
15 *Lake Shelbyville, Illinois.*

16 **SEC. 365. FEDERAL ASSISTANCE.**

17       *Section 1328(c) of the America’s Water Infrastructure*  
18 *Act of 2018 (132 Stat. 3826) is amended by striking “4*  
19 *years” and inserting “8 years”.*

20 **SEC. 366. LAND TRANSFER AND TRUST LAND FOR CHOCTAW**  
21 **NATION OF OKLAHOMA.**

22       (a) *TRANSFER.*—

23           (1) *IN GENERAL.*—*Subject to paragraph (2) and*  
24 *for the consideration described in subsection (c), the*  
25 *Secretary shall transfer to the Secretary of the Inte-*

1        *rior the land described in subsection (b) to be held in*  
2        *trust for the benefit of the Choctaw Nation.*

3                (2) *CONDITIONS.—The land transfer under this*  
4        *subsection shall be subject to the following conditions:*

5                (A) *The transfer—*

6                        (i) *shall not interfere with the oper-*  
7                        *ation by the Corps of Engineers of the Sar-*  
8                        *dis Lake Project or any other authorized*  
9                        *civil works project; and*

10                      (ii) *shall be subject to such other terms*  
11                      *and conditions as the Secretary determines*  
12                      *to be necessary and appropriate to ensure*  
13                      *the continued operation of the Sardis Lake*  
14                      *Project or any other authorized civil works*  
15                      *project.*

16                (B) *The Secretary shall retain the right to*  
17        *inundate with water the land transferred to the*  
18        *Choctaw Nation under this subsection as nec-*  
19        *essary to carry out an authorized purpose of the*  
20        *Sardis Lake Project or any other civil works*  
21        *project.*

22                (C) *No gaming activities may be conducted*  
23        *on the land transferred under this subsection.*

24        (b) *LAND DESCRIPTION.—*

1           (1) *IN GENERAL.*—*The land to be transferred*  
2           *pursuant to subsection (a) is the approximately 247*  
3           *acres of land located in Sections 18 and 19 of T2N*  
4           *R18E, and Sections 5 and 8 of T2N R19E,*  
5           *Pushmataha County, Oklahoma, generally depicted as*  
6           *“USACE” on the map entitled “Sardis Lake – Choctaw*  
7           *Nation Proposal” and dated February 22, 2022.*

8           (2) *SURVEY.*—*The exact acreage and legal de-*  
9           *scriptions of the land to be transferred under sub-*  
10          *section (a) shall be determined by a survey satisfac-*  
11          *tory to the Secretary and the Secretary of the Inte-*  
12          *rior.*

13          (c) *CONSIDERATION.*—*The Choctaw Nation shall*  
14          *pay—*

15               (1) *to the Secretary an amount that is equal to*  
16               *the fair market value of the land transferred under*  
17               *subsection (a), as determined by the Secretary, which*  
18               *funds may be accepted and expended by the Sec-*  
19               *retary; and*

20               (2) *all costs and administrative expenses associ-*  
21               *ated with the transfer of land under subsection (a),*  
22               *including the costs of—*

23                       (A) *the survey under subsection (b)(2);*

1           (B) compliance with the National Environ-  
2           mental Policy Act of 1969 (42 U.S.C. 4321 et  
3           seq.); and

4           (C) any coordination necessary with respect  
5           to requirements related to endangered species,  
6           cultural resources, clean water, and clean air.

7 **SEC. 367. LAKE BARKLEY, KENTUCKY, LAND CONVEYANCE.**

8           (a) *IN GENERAL.*—The Secretary is authorized to con-  
9           vey to the Eddyville Riverport Authority (referred to in this  
10          section as the “Authority”), for fair market value, all right,  
11          title, and interest of the United States in and to approxi-  
12          mately 2.2 acres of land adjacent to the southwestern bound-  
13          ary of the port facilities of the Authority at the Barkley  
14          Dam and Lake Barkley, Kentucky, project, authorized by  
15          the River and Harbor Act of 1946 (60 Stat. 636, Public  
16          Law 79–525).

17          (b) *CONDITIONS.*—

18               (1) *QUITCLAIM DEED.*—Any conveyance of land  
19               under this section shall be by quitclaim deed.

20               (2) *RESERVATION OF RIGHTS.*—The Secretary  
21               shall reserve from a conveyance of land under this  
22               section such easements, rights-of-way, or other inter-  
23               ests as the Secretary determines to be necessary and  
24               appropriate to the ensure the continued operation of  
25               the project described in subsection (a).

1           (3) *TERMS AND CONDITIONS.*—*The Secretary*  
2           *may subject any conveyance under this section to such*  
3           *terms and conditions as the Secretary determines nec-*  
4           *essary and advisable to protect the United States.*

5           (c) *ADMINISTRATIVE COSTS.*—*The Authority shall be*  
6           *responsible for all reasonable and necessary costs, including*  
7           *real estate transaction and environmental documentation*  
8           *costs, associated with a conveyance under this section.*

9           (d) *WAIVER OF REAL PROPERTY SCREENING RE-*  
10          *QUIREMENTS.*—*Section 2696 of title 10, United States*  
11          *Code, shall not apply to the conveyance of land under this*  
12          *section.*

## 13           **TITLE IV—WATER RESOURCES** 14           **INFRASTRUCTURE**

### 15          **SEC. 401. PROJECT AUTHORIZATIONS.**

16           *The following projects for water resources development*  
17          *and conservation and other purposes, as identified in the*  
18          *reports titled “Report to Congress on Future Water Re-*  
19          *sources Development” submitted to Congress pursuant to*  
20          *section 7001 of the Water Resources Reform and Develop-*  
21          *ment Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed*  
22          *by Congress, are authorized to be carried out by the Sec-*  
23          *retary substantially in accordance with the plans, and sub-*  
24          *ject to the conditions, described in the respective reports or*  
25          *decision documents designated in this section:*



## 1 (1) NAVIGATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report or Decision Document</b>	<b>D. Estimated Costs</b>
1. AK	<i>Elim Subsistence Harbor</i>	March 12, 2021	Federal: \$74,905,000 Non-Federal: \$1,896,000 Total: \$76,801,000
2. CA	<i>Port of Long Beach Deep Draft Navigation, Los Angeles</i>	October 14, 2021; May 31, 2022	Federal: \$73,533,500 Non-Federal: \$74,995,500 Total: \$148,529,000
3. WA	<i>Tacoma Harbor Navigation Improvement</i>	May 26, 2022	Federal: \$120,701,000 Non-Federal: \$174,627,000 Total: \$295,328,000
4. NY, NJ	<i>New Jersey Harbor Deepening Channel Improvement</i>	June 3, 2022	Federal: \$2,124,561,500 Non-Federal: \$3,439,337,500 Total: \$5,563,899,000

## 2 (2) FLOOD RISK MANAGEMENT.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report or Decision Document</b>	<b>D. Estimated Costs</b>
1. AL	<i>Selma</i>	October 7, 2021	Federal: \$15,533,100 Non-Federal: \$8,363,900 Total: \$23,897,000
2. CA	<i>Lower Cache Creek, Yolo County, Woodland, and Vicinity</i>	June 21, 2021	Federal: \$215,152,000 Non-Federal: \$115,851,000 Total: \$331,003,000
3. OR	<i>Portland Metro Levee System</i>	August 20, 2021	Federal: \$77,111,100 Non-Federal: \$41,521,300 Total: \$118,632,400
4. NE	<i>Papillion Creek and Tributaries Lakes</i>	January 24, 2022	Federal: \$91,491,400 Non-Federal: \$52,156,300 Total: \$143,647,700

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report or Decision Document</b>	<b>D. Estimated Costs</b>
5. AL	Valley Creek, Bessemer and Birmingham	October 29, 2021	Federal: \$17,725,000 Non-Federal: \$9,586,000 Total: \$27,311,000
6. PR	Rio Guanajibo	May 24, 2022	Federal: \$110,974,500 Non-Federal: \$59,755,500 Total: \$170,730,000

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

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report or Decision Document</b>	<b>D. Estimated Costs</b>
1. CT	Fairfield and New Haven Counties	January 19, 2021	Federal: \$92,937,000 Non-Federal: \$50,043,000 Total: \$142,980,000
2. PR	San Juan Metro	September 16, 2021	Federal: \$245,418,000 Non-Federal: \$131,333,000 Total: \$376,751,000
3. FL	Florida Keys, Monroe County	September 24, 2021	Federal: \$1,513,531,000 Non-Federal: \$814,978,000 Total: \$2,328,509,000
4. FL	Okaloosa County	October 7, 2021	Initial Federal: \$19,822,000 Initial Non-Federal: \$11,535,000 Initial Total: \$31,357,000 Renourishment Federal: \$71,045,000 Renourishment Non-Federal: \$73,787,000 Renourishment Total: \$144,832,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report or Decision Document</b>	<b>D. Estimated Costs</b>
5. SC	<i>Folly Beach</i>	<i>October 26, 2021</i>	<i>Initial Federal: \$45,490,000</i> <i>Initial Non-Federal: \$5,054,000</i> <i>Initial Total: \$50,544,000</i> <i>Renourishment Federal: \$164,424,000</i> <i>Renourishment Non-Federal: \$26,767,000</i> <i>Renourishment Total: \$191,191,000</i>
6. FL	<i>Pinellas County</i>	<i>October 29, 2021</i>	<i>Initial Federal: \$8,627,000</i> <i>Initial Non-Federal: \$5,332,000</i> <i>Initial Total: \$13,959,000</i> <i>Renourishment Federal: \$92,000,000</i> <i>Renourishment Non-Federal: \$101,690,000</i> <i>Renourishment Total: \$193,690,000</i>
7. NY	<i>South Shore of Staten Island, Fort Wadsworth to Oakwood Beach</i>	<i>October 27, 2016</i>	<i>Federal: \$371,310,000</i> <i>Non-Federal: \$199,940,000</i> <i>Total: \$571,250,000</i>
8. LA	<i>Upper Barataria Basin</i>	<i>January 28, 2022</i>	<i>Federal: \$1,005,001,000</i> <i>Non-Federal: \$541,155,000</i> <i>Total: \$1,546,156,000</i>
9. LA	<i>South Central Coast, St. Mar- tin, St. Mary, and Iberia Par- ishes</i>	<i>June 23, 2022</i>	<i>Federal: \$594,600,000</i> <i>Non-Federal: \$320,169,000</i> <i>Total: \$914,769,000</i>

1                   (4) HURRICANE AND STORM DAMAGE REDUCTION  
2                   AND ECOSYSTEM RESTORATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report or Decision Document</b>	<b>D. Estimated Costs</b>
1. TX	<i>Coastal Texas Protection and Restoration Feasibility Study</i>	September 16, 2021	Federal: \$19,237,894,000 Non-Federal: \$11,668,393,000 Total: \$30,906,287,000

1 (5) *ECOSYSTEM RESTORATION.*—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report or Decision Document</b>	<b>D. Estimated Costs</b>
1. CA	<i>Prado Basin Ecosystem Restoration, San Bernardino, Riverside and Orange Counties</i>	April 22, 2021	Federal: \$33,976,000 Non-Federal: \$18,294,000 Total: \$52,270,000
2. KY	<i>Three Forks of Beargrass Creek</i>	May 24, 2022	Federal: \$72,138,000 Non-Federal: \$48,998,000 Total: \$121,135,000

2 (6) *MODIFICATIONS AND OTHER PROJECTS.*—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report or Decision Document</b>	<b>D. Estimated Costs</b>
1. LA	<i>Lake Pontchartrain and Vicinity</i>	December 16, 2021	Federal: \$807,000,000 Non-Federal: \$434,000,000 Total: \$1,241,000,000
2. LA	<i>West Bank and Vicinity</i>	December 17, 2021	Federal: \$431,000,000 Non-Federal: \$232,000,000 Total: \$663,000,000
3. GA	<i>Brunswick Harbor, Glynn County</i>	March 11, 2022	Federal: \$10,774,500 Non-Federal: \$3,594,500 Total: \$14,369,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report or Decision Document</b>	<b>D. Estimated Costs</b>
4. DC	Washington, DC and Vicinity	July 22, 2021	Federal: \$17,740,000 Non-Federal: \$0 Total: \$17,740,000
5. MI	Soo Locks, Sault Ste. Marie	June 6, 2022	Federal: \$2,932,116,000 Non-Federal: \$0 Total: \$2,932,116,000
6. WA	Howard A. Hanson Dam Additional Water Storage	May 19, 2022	Federal: \$815,207,000 Non-Federal: \$39,979,000 Total: \$855,185,000
7. MO	Critical Infrastructure Cyber Security – Mandatory Center of Expertise Lab and Office Facility	January 13, 2020	Federal: \$5,956,404 Non-Federal: \$0 Total: \$5,956,404
8. FL	Central and Southern Florida, Indian River Lagoon	May 31, 2022	Federal: \$2,500,686,000 Non-Federal: \$2,500,686,000 Total: \$5,001,372,000

1 **SEC. 402. STORM DAMAGE PREVENTION AND REDUCTION,**  
2 **COASTAL EROSION, AND ICE AND GLACIAL**  
3 **DAMAGE, ALASKA.**

4 (a) *IN GENERAL.*—The Secretary shall establish a pro-  
5 gram to carry out structural and nonstructural projects for  
6 storm damage prevention and reduction, coastal erosion,  
7 and ice and glacial damage in the State of Alaska, includ-  
8 ing—

- 9 (1) relocation of affected communities; and  
10 (2) construction of replacement facilities.

1       (b) *COST SHARE.*—*The non-Federal interest shall*  
2 *share in the cost to study, design, and construct a project*  
3 *carried out under this section in accordance with sections*  
4 *103 and 105 of the Water Resources Development Act of*  
5 *1986 (33 U.S.C. 2213, 2215), except that, in the case of*  
6 *a project benefitting an economically disadvantaged com-*  
7 *munity (as defined pursuant to section 160 of the Water*  
8 *Resources Development Act of 2020 (33 U.S.C. 2201 note;*  
9 *Public Law 116–260)), the non-Federal share shall be 10*  
10 *percent.*

11       (c) *REPEAL.*—*Section 116 of the Energy and Water*  
12 *Development and Related Agencies Appropriations Act,*  
13 *2010 (123 Stat. 2851), is repealed.*

14       (d) *TREATMENT.*—*The program authorized by sub-*  
15 *section (a) shall be considered a continuation of the pro-*  
16 *gram authorized by section 116 of the Energy and Water*  
17 *Development and Related Agencies Appropriations Act,*  
18 *2010 (123 Stat. 2851) (as in effect on the day before the*  
19 *date of enactment of this Act).*

20 **SEC. 403. EXPEDITED COMPLETION OF PROJECTS.**

21       *The Secretary shall expedite completion of the fol-*  
22 *lowing projects:*

23               (1) *Project for flood risk management, Cum-*  
24 *berland, Maryland, restoration and rewatering of the*  
25 *Chesapeake and Ohio Canal, authorized by section*

1       580 of the Water Resources Development Act of 1999  
2       (113 Stat. 375).

3               (2) Project for flood risk management, Tulsa and  
4       West–Tulsa Levee System, Tulsa County, Oklahoma,  
5       authorized by section 401(2) of the Water Resources  
6       Development Act of 2020 (134 Stat. 2735).

7               (3) Project for flood risk management, Little Col-  
8       orado River at Winslow, Navajo County, Arizona, au-  
9       thorized by section 401(2) of the Water Resources De-  
10      velopment Act of 2020 (134 Stat. 2735).

11              (4) Project for flood risk management, Rio De  
12      Flag, Flagstaff, Arizona, authorized by section  
13      101(b)(3) of the Water Resources Development Act of  
14      2000 (114 Stat. 2576).

15              (5) Project for flood risk management, Rose and  
16      Palm Garden Washes, Arizona, authorized by section  
17      205 of the Flood Control Act of 1948 (33 U.S.C.  
18      701s).

19              (6) Project for ecosystem restoration, El Corazon,  
20      Arizona, authorized by section 206 of the Water Re-  
21      sources Development Act of 1996 (33 U.S.C. 2330).

22              (7) Projects for ecosystem restoration, Chesapeake  
23      Bay Comprehensive Water Resources and Restoration  
24      Plan, Chesapeake Bay Environmental Restoration  
25      and Protection Program, authorized by section 510 of

1 *the Water Resources Development Act of 1996 (110*  
2 *Stat. 3759).*

3 (8) *Projects authorized under section 219 of the*  
4 *Water Resources Development Act of 1992 (106 Stat.*  
5 *4835; 110 Stat. 3757; 113 Stat. 334; 121 Stat. 1258).*

6 (9) *Projects authorized under section 8004 of the*  
7 *Water Resources Development Act of 2007 (33 U.S.C.*  
8 *652 note; Public Law 110–114).*

9 (10) *Projects authorized under section 519 of the*  
10 *Water Resources Development Act of 2000 (114 Stat.*  
11 *2653).*

12 (11) *Project for flood risk management, Lower*  
13 *Santa Cruz River, Arizona, authorized by section 205*  
14 *of the Flood Control Act of 1948 (33 U.S.C. 701s).*

15 (12) *Project for flood risk management, McCor-*  
16 *mick Wash, Arizona, authorized by section 205 of the*  
17 *Flood Control Act of 1948 (33 U.S.C. 701s).*

18 (13) *Project for navigation, including mainte-*  
19 *nance and channel deepening, McClellan–Kerr Arkan-*  
20 *sas River Navigation System.*

21 (14) *Project for dam safety modifications,*  
22 *Bluestone Dam, West Virginia.*

23 (15) *Maintenance dredging and other authorized*  
24 *activities to address the impacts of shoaling affecting*  
25 *the project for navigation, Branford Harbor and*



1       *Branford River, Branford, Connecticut, authorized by*  
2       *the first section of the Act of June 13, 1902 (32 Stat.*  
3       *333, chapter 1079).*

4               (16) *Maintenance dredging and other authorized*  
5       *activities to address the impacts of shoaling affecting*  
6       *the project for navigation, Guilford Harbor and*  
7       *Sluice Channel, Connecticut.*

8               (17) *Maintenance dredging and other authorized*  
9       *activities to address the impacts of shoaling affecting*  
10       *the project for navigation, Milford Harbor, Con-*  
11       *necticut.*

12              (18) *Assistance for ecosystem restoration, Lower*  
13       *Yellowstone Intake Diversion Dam, Montana, author-*  
14       *ized by section 3109 of the Water Resources Develop-*  
15       *ment Act of 2007 (121 Stat. 1135).*

16              (19) *Project for mitigation of shore damage from*  
17       *navigation works, Camp Ellis Beach, Saco, Maine,*  
18       *pursuant to section 111 of the River and Harbor Act*  
19       *of 1968 (33 U.S.C. 426i).*

20              (20) *Project for ecosystem restoration, Lower*  
21       *Blackstone River, Rhode Island, pursuant to section*  
22       *206 of the Water Resources Development Act of 1996*  
23       *(33 U.S.C. 2330).*

24              (21) *Project for navigation, Kentucky Lock Addi-*  
25       *tion, Kentucky.*

1           (22) *Maintenance dredging of the Federal chan-*  
2 *nel for the project for navigation, Columbia, Snake,*  
3 *and Clearwater Rivers, Oregon, Washington, and*  
4 *Idaho, authorized by section 2 of the Act of March 2,*  
5 *1945 (59 Stat. 21, chapter 19), at the Port of*  
6 *Clarkston, Washington, and the Port of Lewiston,*  
7 *Idaho.*

8           (23) *Maintenance dredging and other authorized*  
9 *activities to address the impacts of shoaling affecting*  
10 *the project for navigation, Portsmouth Back Channels*  
11 *and Sagamore Creek, Portsmouth, New Castle, and*  
12 *Rye, New Hampshire, authorized by section 107 of*  
13 *the River and Harbor Act of 1960 (33 U.S.C. 577).*

14           (24) *Maintenance dredging and other authorized*  
15 *activities to address the impacts of shoaling affecting*  
16 *the project for navigation, Portsmouth Harbor and*  
17 *Piscataqua River, Portsmouth, New Castle, and*  
18 *Newington, New Hampshire, and Kittery and Elliot,*  
19 *Maine, authorized by section 101 of the River and*  
20 *Harbor Act of 1962 (76 Stat. 1173).*

21 **SEC. 404. SPECIAL RULES.**

22           (a) *The following conditions apply to the project de-*  
23 *scribed in section 403(19):*

24           (1) *The project is authorized to be carried out*  
25 *under section 111 of the River and Harbor Act of*

1       1968 (33 U.S.C. 426i) at a Federal cost of  
2       \$45,000,000.

3               (2) *The project may include Federal participa-*  
4       *tion in periodic nourishment.*

5               (3) *For purposes of subsection (b) of section 111*  
6       *of the River and Harbor Act of 1968 (33 U.S.C.*  
7       *426i), the Secretary shall determine that the naviga-*  
8       *tion works to which the shore damages are attrib-*  
9       *utable were constructed at full Federal expense.*

10       (b) *The following conditions apply to the project de-*  
11       *scribed in section 403(20):*

12               (1) *The project is authorized to be carried out*  
13       *under section 206 of the Water Resources Development*  
14       *Act of 1996 (33 U.S.C. 2330) at a Federal cost of*  
15       *\$15,000,000.*

16               (2) *If the Secretary includes in the project a*  
17       *measure on Federal land under the jurisdiction of an-*  
18       *other Federal agency, the Secretary may enter into an*  
19       *agreement with the Federal agency that provides for*  
20       *the Secretary—*

21                       (A) *to construct the measure; and*

22                       (B) *to operate and maintain the measure*  
23       *using funds provided to the Secretary by the*  
24       *non-Federal interest for the project.*

1           (3) *If the Secretary includes in the project a*  
2 *measure for fish passage at a dam licensed for hydro-*  
3 *power, the Secretary shall include in the project costs*  
4 *all costs for the measure, except that those costs that*  
5 *are in excess of the costs to provide fish passage at*  
6 *the dam if hydropower improvements were not in*  
7 *place shall be a 100 percent non-Federal expense.*

8 **SEC. 405. CHATTAHOOCHEE RIVER PROGRAM.**

9           (a) *ESTABLISHMENT.*—

10           (1) *IN GENERAL.*—*The Secretary shall establish*  
11 *a program to provide environmental assistance to*  
12 *non-Federal interests in the Chattahoochee River*  
13 *Basin.*

14           (2) *FORM.*—*The assistance under paragraph (1)*  
15 *shall be in the form of design and construction assist-*  
16 *ance for water-related resource protection and restora-*  
17 *tion projects affecting the Chattahoochee River Basin,*  
18 *based on the comprehensive plan under subsection (b),*  
19 *including projects for—*

20                   (A) *sediment and erosion control;*

21                   (B) *protection of eroding shorelines;*

22                   (C) *ecosystem restoration, including restora-*  
23 *tion of submerged aquatic vegetation;*

24                   (D) *protection of essential public works;*

25                   (E) *beneficial uses of dredged material; and*

1                   (F) other related projects that may enhance  
2                   the living resources of the Chattahoochee River  
3                   Basin.

4                   (b) *COMPREHENSIVE PLAN.*—

5                   (1) *IN GENERAL.*—Not later than 2 years after  
6                   the date of enactment of this Act, the Secretary, in co-  
7                   operation with State and local governmental officials  
8                   and affected stakeholders, shall develop a comprehen-  
9                   sive Chattahoochee River Basin restoration plan to  
10                  guide the implementation of projects under subsection  
11                  (a)(2).

12                  (2) *COORDINATION.*—The restoration plan de-  
13                  scribed in paragraph (1) shall, to the maximum ex-  
14                  tent practicable, consider and avoid duplication of  
15                  any ongoing or planned actions of other Federal,  
16                  State, and local agencies and nongovernmental orga-  
17                  nizations.

18                  (3) *PRIORITIZATION.*—The restoration plan de-  
19                  scribed in paragraph (1) shall give priority to  
20                  projects eligible under subsection (a)(2) that will also  
21                  improve water quality or quantity or use natural  
22                  hydrological features and systems.

23                  (c) *AGREEMENT.*—

24                  (1) *IN GENERAL.*—Before providing assistance  
25                  under this section, the Secretary shall enter into an

1       *agreement with a non-Federal interest for the design*  
2       *and construction of a project carried out pursuant to*  
3       *the comprehensive Chattahoochee River Basin restora-*  
4       *tion plan described in subsection (b).*

5               (2) *REQUIREMENTS.—Each agreement entered*  
6       *into under this subsection shall provide for—*

7                       (A) *the development by the Secretary, in*  
8                       *consultation with appropriate Federal, State,*  
9                       *and local officials, of a resource protection and*  
10                      *restoration plan, including appropriate engi-*  
11                      *neering plans and specifications and an estimate*  
12                      *of expected resource benefits; and*

13                     (B) *the establishment of such legal and in-*  
14                     *stitutional structures as are necessary to ensure*  
15                     *the effective long-term operation and mainte-*  
16                     *nance of the project by the non-Federal interest.*

17       (d) *COST SHARING.—*

18               (1) *FEDERAL SHARE.—Except as provided in*  
19       *paragraph (2)(B), the Federal share of the total*  
20       *project costs of each agreement entered into under this*  
21       *section shall be 75 percent.*

22               (2) *NON-FEDERAL SHARE.—*

23                     (A) *VALUE OF LAND, EASEMENTS, RIGHTS-*  
24                     *OF-WAY, AND RELOCATIONS.—In determining the*  
25                     *non-Federal contribution toward carrying out an*

1           *agreement entered into under this section, the*  
2           *Secretary shall provide credit to a non-Federal*  
3           *interest for the value of land, easements, rights-*  
4           *of-way, and relocations provided by the non-Fed-*  
5           *eral interest, except that the amount of credit*  
6           *provided for a project under this paragraph may*  
7           *not exceed 25 percent of the total project costs.*

8                   *(B) OPERATION AND MAINTENANCE*  
9           *COSTS.—The non-Federal share of the costs of*  
10          *operation and maintenance of activities carried*  
11          *out under an agreement under this section shall*  
12          *be 100 percent.*

13          *(e) COOPERATION.—In carrying out this section, the*  
14          *Secretary shall cooperate with—*

15                  *(1) the heads of appropriate Federal agencies,*  
16          *including—*

17                          *(A) the Administrator of the Environmental*  
18                  *Protection Agency;*

19                          *(B) the Secretary of Commerce, acting*  
20                  *through the Administrator of the National Oce-*  
21                  *anic and Atmospheric Administration;*

22                          *(C) the Secretary of the Interior, acting*  
23                  *through the Director of the United States Fish*  
24                  *and Wildlife Service; and*

1           (D) the heads of such other Federal agencies  
2           as the Secretary determines to be appropriate;  
3           and

4           (2) agencies of a State or political subdivision of  
5           a State.

6           (f) *PROTECTION OF RESOURCES.*—A project estab-  
7           lished under this section shall be carried out using such  
8           measures as are necessary to protect environmental, his-  
9           toric, and cultural resources.

10          (g) *PROJECT CAP.*—The total cost of a project carried  
11          out under this section may not exceed \$15,000,000.

12          (h) *SAVINGS PROVISION.*—Nothing in this section—

13               (1) establishes any express or implied reserved  
14               water right in the United States for any purpose;

15               (2) affects any water right in existence on the  
16               date of enactment of this Act;

17               (3) preempts or affects any State water law or  
18               interstate compact governing water; or

19               (4) affects any Federal or State law in existence  
20               on the date of enactment of this Act regarding water  
21               quality or water quantity.

22          (i) *AUTHORIZATION OF APPROPRIATIONS.*—There is  
23          authorized to be appropriated to carry out this section  
24          \$90,000,000.



1 **SEC. 406. LOWER MISSISSIPPI RIVER BASIN DEMONSTRATION PROGRAM.**  
2

3 (a) *DEFINITION.*—*In this section, the term “Lower*  
4 *Mississippi River Basin” means the portion of the Mis-*  
5 *sissippi River that begins at the confluence of the Ohio*  
6 *River and flows to the Gulf of Mexico, and its tributaries*  
7 *and distributaries.*

8 (b) *ESTABLISHMENT.*—

9 (1) *IN GENERAL.*—*The Secretary shall establish*  
10 *a program to provide assistance to non-Federal inter-*  
11 *ests in the Lower Mississippi River Basin.*

12 (2) *FORM.*—

13 (A) *IN GENERAL.*—*The assistance under*  
14 *paragraph (1) shall be in the form of design and*  
15 *construction assistance for flood or coastal storm*  
16 *risk management or aquatic ecosystem restora-*  
17 *tion projects in the Lower Mississippi River*  
18 *Basin, based on the comprehensive plan under*  
19 *subsection (c).*

20 (B) *ASSISTANCE.*—*Projects under subpara-*  
21 *graph (A) may include measures for—*

22 (i) *sediment control;*

23 (ii) *protection of eroding riverbanks*  
24 *and streambanks and shorelines;*

25 (iii) *channel modifications;*

1                   (iv) *beneficial uses of dredged material;*

2                   *or*

3                   (v) *other related projects that may en-*  
4                   *hance the living resources of the Lower Mis-*  
5                   *issippi River Basin.*

6           (c) *COMPREHENSIVE PLAN.—*

7                   (1) *IN GENERAL.—Not later than 2 years after*  
8                   *the date of enactment of this Act, the Secretary, in co-*  
9                   *operation with State and local governmental officials*  
10                   *and affected stakeholders, shall develop a comprehen-*  
11                   *sive Lower Mississippi River Basin plan to guide the*  
12                   *implementation of projects under subsection (b)(2).*

13                   (2) *COORDINATION.—The plan described in*  
14                   *paragraph (1) shall, to the maximum extent prac-*  
15                   *ticable, consider and avoid duplication of any ongo-*  
16                   *ing or planned actions of other Federal, State, and*  
17                   *local agencies and nongovernmental organizations.*

18                   (3) *PRIORITIZATION.—To the maximum extent*  
19                   *practicable, the plan described in paragraph (1) shall*  
20                   *give priority to projects eligible under subsection*  
21                   *(b)(2) that will also improve water quality, reduce*  
22                   *hypoxia in the Lower Mississippi River or Gulf of*  
23                   *Mexico, or use a combination of structural and non-*  
24                   *structural measures.*

25           (d) *AGREEMENT.—*

1           (1) *IN GENERAL.*—*Before providing assistance*  
2 *under this section, the Secretary shall enter into an*  
3 *agreement with a non-Federal interest for the design*  
4 *and construction of a project carried out pursuant to*  
5 *the comprehensive Lower Mississippi River Basin*  
6 *plan described in subsection (c).*

7           (2) *REQUIREMENTS.*—*Each agreement entered*  
8 *into under this subsection shall provide for the estab-*  
9 *lishment of such legal and institutional structures as*  
10 *are necessary to ensure the effective long-term oper-*  
11 *ation and maintenance of the project by the non-Fed-*  
12 *eral interest.*

13           (e) *COST SHARING.*—

14           (1) *FEDERAL SHARE.*—*The Federal share of the*  
15 *cost to design and construct a project under each*  
16 *agreement entered into under this section shall be 75*  
17 *percent.*

18           (2) *NON-FEDERAL SHARE.*—

19           (A) *VALUE OF LAND, EASEMENTS, RIGHTS-*  
20 *OF-WAY, AND RELOCATIONS.*—*In determining the*  
21 *non-Federal contribution toward carrying out an*  
22 *agreement entered into under this section, the*  
23 *Secretary shall provide credit to a non-Federal*  
24 *interest for the value of land, easements, rights-*  
25 *of-way, and relocations provided by the non-Fed-*

1           *eral interest, except that the amount of credit*  
2           *provided for a project under this paragraph may*  
3           *not exceed 25 percent of the cost to design and*  
4           *construct the project.*

5                   (B)    *OPERATION    AND    MAINTENANCE*  
6           *COSTS.—The non-Federal share of the costs of*  
7           *operation and maintenance of activities carried*  
8           *out under an agreement under this section shall*  
9           *be 100 percent.*

10          (f) *COOPERATION.—In carrying out this section, the*  
11         *Secretary shall cooperate with—*

12                   (1) *the heads of appropriate Federal agencies,*  
13         *including—*

14                           (A) *the Secretary of Agriculture;*

15                           (B) *the Secretary of the Interior, acting*  
16                           *through the Director of the United States Fish*  
17                           *and Wildlife Service; and*

18                           (C) *the heads of such other Federal agencies*  
19                           *as the Secretary determines to be appropriate;*  
20                           *and*

21                   (2) *agencies of a State or political subdivision of*  
22         *a State.*

23          (g) *PROJECT CAP.—The total cost of a project carried*  
24         *out under this section may not exceed \$15,000,000.*

1       (h) *REPORT.*—Not later than 3 years after the date  
2 of enactment of this Act, the Secretary shall submit to the  
3 Committee on Environment and Public Works of the Senate  
4 and the Committee on Transportation and Infrastructure  
5 of the House of Representatives a report that describes the  
6 results of the program under this section, including a rec-  
7 ommendation on whether the program should be reauthor-  
8 ized.

9       (i) *AUTHORIZATION OF APPROPRIATIONS.*—There is  
10 authorized to be appropriated to carry out this section  
11 \$90,000,000.

12 **SEC. 407. FORECAST-INFORMED RESERVOIR OPERATIONS.**

13       (a) *IN GENERAL.*—The Secretary is authorized to  
14 carry out a research study pilot program at 1 or more dams  
15 owned and operated by the Secretary in the North Atlantic  
16 Division of the Corps of Engineers to assess the viability  
17 of forecast-informed reservoir operations in the eastern  
18 United States.

19       (b) *REPORT.*—Not later than 1 year after completion  
20 of the research study pilot program under subsection (a),  
21 the Secretary shall submit to the Committee on Transpor-  
22 tation and Infrastructure of the House of Representatives  
23 and the Committee on Environment and Public Works of  
24 the Senate a report on the results of the study pilot pro-  
25 gram.

1 **SEC. 408. MISSISSIPPI RIVER MAT SINKING UNIT.**

2 *The Secretary shall expedite the replacement of the*  
3 *Mississippi River mat sinking unit.*

4 **SEC. 409. SENSE OF CONGRESS RELATING TO OKATIBBEE**  
5 **LAKE.**

6 *It is the sense of Congress that—*

7 *(1) there is significant shoreline sloughing and*  
8 *erosion at the Okatibbee Lake portion of the project*  
9 *for flood protection, Chunky Creek, Chickasawhay and*  
10 *Pascagoula Rivers, Mississippi, authorized by section*  
11 *203 of the Flood Control Act of 1962 (76 Stat. 1183),*  
12 *which has the potential to impact infrastructure,*  
13 *damage property, and put lives at risk; and*

14 *(2) addressing shoreline sloughing and erosion at*  
15 *a project of the Secretary, including at a location*  
16 *leased by non-Federal entities such as Okatibbee Lake,*  
17 *is an activity that is eligible to be carried out by the*  
18 *Secretary as part of the operation and maintenance*  
19 *of the project.*

Attest:

*Secretary.*



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

**H.R. 7776**

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**AMENDMENT**