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

IN THE SENATE OF THE UNITED STATES

MAY 4, 2022

Mr. CARPER (for himself, Mrs. CAPITO, Mr. CARDIN, and Mr. CRAMER) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Water Resources Development Act of 2022”.

(b) Table of Contents.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.
Sec. 3. Effective date.

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. Retention of recreation fees.
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 flood risk management.
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. 211. Great Lakes recreational boating.
SEC. 213. Investments for recreation areas.
SEC. 214. Western infrastructure study.
SEC. 216. West Virginia hydropower.
SEC. 217. Recreation and economic development at Corps facilities in Appalachian.
SEC. 218. Automated fee machines.
SEC. 219. Lake Champlain Canal, Vermont and New York.

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. 325. Invasive species management.
SEC. 327. Missouri River mitigation, Missouri, Kansas, Iowa, and Nebraska.
SEC. 328. Invasive species management pilot program.
SEC. 329. Nueces County, Texas, conveyees.
SEC. 330. Mississippi Delta Headwaters, Mississippi.

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. 356. Maintenance dredging permits.


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.

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.
SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term "Secretary" means the Secretary of the Army.

SEC. 3. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on the day that is 1 day after the date of enactment of this Act.

TITLE I—GENERAL PROVISIONS

SEC. 101. SCOPE OF FEASIBILITY STUDIES.

(a) FLOOD AND COASTAL STORM RISK MANAGEMENT.—In carrying out a feasibility study for a project for flood or coastal storm risk management, the Secretary, at the request of the non-Federal interest for the study, shall formulate alternatives to maximize net benefits from the reduction of the comprehensive flood risk that is identified through a holistic evaluation of the isolated and compound effects of—

(1) a riverine discharge of any magnitude or frequency;

(2) inundation, wave attack, and erosion coinciding with a hurricane or coastal storm;

(3) a tide of any magnitude or frequency;

(4) a rainfall event of any magnitude or frequency;

(5) seasonal variation in water levels;

(6) groundwater emergence;
(7) sea level rise;
(8) subsidence; or
(9) any other driver of flood risk affecting the
study area.

(b) Water Supply, Water Supply Conservation,
and Drought Risk Reduction.—In carrying out
a feasibility study for any purpose, the Secretary, at the
request of the non-Federal interest for the study, shall for-
mulate alternatives—

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

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

(c) Cost Sharing.—All costs to carry out a feas-
ibility study in accordance with this section shall be shared
in accordance with the cost share requirements otherwise
applicable to the study.

SEC. 102. SHORELINE AND RIVERBANK PROTECTION AND
RESTORATION MISSION.

(a) Declaration of Policy.—Congress declares
that—
(1) consistent with the civil works mission of the Corps of Engineers, it is the policy of the United States to protect and restore the shorelines, riverbanks, and streambanks of the United States from the damaging impacts of extreme weather events and other factors contributing to the vulnerability of coastal and riverine communities and ecosystems;

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

(3) to the maximum extent practicable, projects and measures for the protection and restoration of shorelines, riverbanks, and streambanks shall be formulated to increase the resilience of such shores and banks from the damaging impacts of extreme weather events and other factors contributing to the vulnerability of coastal and riverine communities and ecosystems using measures described in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2289a(a)); and

(4) to the maximum extent practicable, periodic nourishment shall be provided, in accordance with
subsection (c) of the first section of the Act of August 13, 1946 (60 Stat. 1056, chapter 960; 33 U.S.C. 426e(c)), and subject to section 156 of the Water Resources Development Act of 1976 (42 U.S.C. 1962d–5f), for projects and measures carried out for the purpose of restoring and increasing the resilience of ecosystems to the same extent as periodic nourishment is provided for projects and measures carried out for the purpose of coastal storm risk management.

(b) Shoreline and Riverine Protection and Restoration.—

(1) In general.—Section 212 of the Water Resources Development Act of 1999 (33 U.S.C. 2332) is amended—

(A) in the section heading, by striking “FLOOD MITIGATION AND RIVERINE RESTORATION PROGRAM” and inserting “SHORELINE AND RIVERINE PROTECTION AND RESTORATION”;

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

“(a) In general.—The Secretary may carry out projects—
“(1) to reduce flood and coastal storm hazards, including shoreline erosion and riverbank and streambank failures; or

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

(C) in subsection (b)—

(i) by striking paragraph (1) and inserting the following:

“(1) AUTHORITY.—

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

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

“(ii) the restoration of the natural functions and values of rivers and shorelines.

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

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

(iii) in paragraph (4)—

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

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

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

(D) in subsection (c)—

(i) by striking paragraph (1) and inserting the following:

“(1) STUDIES.—

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

“(i) 50 percent; and

“(ii) 10 percent, in the case of a study benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)).
“(B) Federal interest determination.—The first $100,000 of the costs of a study under this section shall be at full Federal expense.”; and

(ii) in paragraph (2)—

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

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

“(A) In general.—Design and construction of a nonstructural measure or project, a measure or project described in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2289a(a)), or for a measure or project for environmental restoration, shall be subject to cost sharing in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213), except that the non-Federal share of the cost to design and construct a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)) shall be 10 percent.”; and

(iii) in paragraph (3)—
(I) in the paragraph heading, by striking “CONTROL” and inserting “AND COASTAL STORM RISK MANAGEMENT”;

(II) by striking “control” and inserting “and coastal storm risk management”; and

(III) by striking “section 103(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(a))” and inserting “section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213), except that the non-Federal share of the cost to design and construct a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)) shall be 10 percent”;

(E) in subsection (d)—

(i) by striking paragraph (2);

(ii) by striking the subsection designation and heading and all that follows
through “Notwithstanding” in paragraph (1) in the matter preceding subparagraph (A) and inserting the following:

“(d) PROJECT JUSTIFICATION.—Notwithstanding;

(iii) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and indenting appropriately; and

(iv) in paragraph (1) (as so redesignated)—

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

(II) by inserting “, including erosion or riverbank or streambank failures” after “damages”;

(F) in subsection (e)—

(i) by redesignating paragraphs (1) through (33) as subparagraphs (A) through (GG), respectively, and indenting appropriately;

(ii) in the matter preceding subparagraph (A) (as so redesignated), by striking “In carrying out” and inserting the following:

“(1) IN GENERAL.—In carrying out”; and
(iii) by adding at the end the following:

“(2) PRIORITY PROJECTS.—In carrying out this section after the date of enactment of the Water Resources Development Act of 2022, the Secretary shall prioritize projects for the following locations:

“(A) Delaware beaches and watersheds, Delaware.

“(B) Louisiana Coastal Area, Louisiana.

“(C) Great Lakes Shores and Watersheds.

“(D) Oregon Coastal Area, Oregon.

“(E) Upper Missouri River Basin.

“(F) Ohio River Tributaries and their watersheds, West Virginia.

“(G) Chesapeake Bay watershed and Maryland beaches, Maryland.”;

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

(H) by redesignating subsection (h) as subsection (f); and

(I) in subsection (f) (as so redesignated), by striking paragraph (2) and inserting the following:

“(2) PROJECTS REQUIRING SPECIFIC AUTHORIZATION.—The Secretary shall not carry out a project until Congress enacts a law authorizing the
Secretary to carry out the project, if the Federal share of the cost to design and construct the project exceeds—

“(A) $26,000,000, in the case of a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260));

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

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

“(ii) derives not less than 50 percent of the erosion, flood, or coastal storm risk reduction benefits from nonstructural measures or measures described in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2289a(a)); or

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

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Water Resources Devel-
opment Act of 1999 (113 Stat. 269) is amended by striking the item relating to section 212 and inserting the following:

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

(c) Emergency Streambank and Shoreline Protection.—Section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r) is amended by striking “$5,000,000” and inserting “$10,000,000”.

SEC. 103. INLAND WATERWAY PROJECTS.

(a) In General.—Section 102(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(a)) is amended—

(1) in the matter preceding paragraph (1), by striking “One-half of the costs” and inserting “75 percent of the costs”; and

(2) in the undesignated matter following paragraph (3), in the second sentence, by striking “One-half of such costs” and inserting “25 percent of such costs”.

(b) Application.—The amendments made by subsection (a) shall apply to new and ongoing projects beginning on October 1, 2022.

(c) Conforming Amendment.—Section 109 of the Water Resources Development Act of 2020 (33 U.S.C. 2212 note; Public Law 116–260) is amended by striking
“fiscal years 2021 through 2031” and inserting “fiscal years 2021 through 2022”.

SEC. 104. PROTECTION AND RESTORATION OF OTHER FEDERAL LAND ALONG RIVERS AND COASTS.

(a) IN GENERAL.—The Secretary is authorized to use funds made available to the Secretary for water resources development purposes to construct, at full Federal expense, a measure benefitting Federal land under the administrative jurisdiction of another Federal agency, if the measure—

(1) is included in a report of the Chief of Engineers or other decision document for a water resources development project that is specifically authorized by Congress;

(2) is included in a detailed project report (as defined in section 105(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(d)); or

(3) utilizes dredged material from a water resources development project beneficially.

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

(e) EXCLUSION.—In this section, the term “Federal land” does not include a military installation.
(d) SAVINGS PROVISIONS.—Nothing in this section precludes—

(1) a Federal agency with administrative jurisdiction over Federal land from contributing funds for any portion of the cost of a measure described in subsection (a) that benefits that land; or

(2) the Secretary, at the request of the non-Federal interest for a study for a project for flood or coastal storm risk management, from using funds made available to the Secretary for water resources development investigations to formulate measures to reduce risk to a military installation, if the non-Federal interest shares in the cost to formulate those measures to the same extent that the non-Federal interest is required to share in the cost of the study.

(e) REPEAL.—

(1) IN GENERAL.—Section 1025 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2226) is repealed.

(2) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1193) is amended by striking the item relating to section 1025.
SEC. 105. POLICY AND TECHNICAL STANDARDS.

Consistent with the 5-year administrative publication life cycle of the Department of the Army, the Secretary shall revise, rescind, or certify as current, as applicable, each publication for the civil works programs of the Corps of Engineers.

SEC. 106. PLANNING ASSISTANCE TO STATES.

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

(1) in subsection (a)—

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

(B) by adding at the end the following:

“(4) Prioritization.—To the maximum extent practicable, the Secretary shall prioritize the provision of assistance under this subsection to address both inland and coastal life safety risks.”;

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

(3) by inserting after subsection (a) the following:

“(b) Outreach.—

“(1) In General.—The Secretary is authorized to carry out activities, at full Federal expense—
“(A) to inform and educate States and other non-Federal interests about the missions, programs, policies, and procedures of the Corps of Engineers; and

“(B) to engage with States and other non-Federal interests to identify specific opportunities to partner with the Corps of Engineers to address water resources development needs.

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

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

“(3) OUTREACH.—There is authorized to be appropriated $30,000,000 for each fiscal year to carry out subsection (b).

“(4) PRIORITY.—To the maximum extent practicable, the Secretary shall prioritize the provision of assistance under this section to economically disadvantaged communities (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)).”.

(b) CONFORMING AMENDMENT.—Section 3014(b)(3)(B) of the Water Resources Reform and Devel-
opment Act of 2014 (42 U.S.C. 4131(b)(3)(B)) is amend-
ed by striking section “22(b) of the Water Resources De-
velopment Act of 1974 (42 U.S.C. 1962d–16(b))” and in-
serting “section 22(e) of the Water Resources Develop-
ment Act of 1974 (42 U.S.C. 1962d–16(c))”.

SEC. 107. FLOODPLAIN MANAGEMENT SERVICES.

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

(1) in subsection (a)—

(A) in the second sentence, by striking
“Surveys and guides” and inserting the fol-
lowing:

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

(B) in the first sentence—

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

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

“(1) IN GENERAL.—In recognition”; and

(C) by adding at the end the following:

“(3) IDENTIFICATION OF ASSISTANCE.—
“(A) IN GENERAL.—To the maximum extent practicable, in providing assistance under this subsection, the Secretary shall identify and communicate to States and non-Federal interests specific opportunities to partner with the Corps of Engineers to address flood hazards.

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

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

(3) by inserting after subsection (e) the following:

“(d) INSTITUTIONS OF HIGHER EDUCATION.—Notwithstanding section 4141 of title 10, United States Code, in carrying out this section, the Secretary may work with an institution of higher education, as determined appropriate by the Secretary.”.

SEC. 108. WORKFORCE PLANNING.

(a) DEFINITION OF HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—In this section, the term “historically Black college or university” has the meaning given the

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

(1) to foster, enhance, and support science, technology, engineering, and math education and awareness; and

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

(c) PARTNERING ENTITIES.—In carrying out activities under this section, the Secretary may enter into partnerships with—

(1) public and nonprofit elementary and secondary schools;

(2) community colleges;

(3) technical schools;

(4) colleges and universities, including historically Black colleges and universities; and

(5) other institutions of learning.

(d) PRIORITIZATION.—The Secretary shall, to the maximum extent practicable, prioritize the recruitment of individuals under this section that are located in economically disadvantaged communities (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)).
(e) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2023 through 2027.

SEC. 109. CREDIT IN LIEU OF REIMBURSEMENT.

(a) In General.—Section 1022 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2225) is amended—

(1) in subsection (a)—

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

(B) by inserting “or any other water resources development project for which the Secretary is authorized to reimburse the non-Federal interest for the Federal share of construction or operation and maintenance,” before “the Secretary”; and

(C) by striking “of the project” and inserting “to construct, periodically nourish, or operate and maintain the project”; and

(2) in each of subsections (b) and (e), by striking “flood damage reduction and coastal navigation” each place it appears and inserting “water resources development”; and

(3) by adding at the end the following:
“(d) APPLICABILITY.—With respect to a project constructed under section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232), the Secretary shall exercise the authority under this section to apply credits and reimbursements related to the project in a manner consistent with the requirements of subsection (d) of that section.”.

(b) TREATMENT OF CREDIT BETWEEN PROJECTS.—Section 7007(d) of the Water Resources Development Act of 2007 (121 Stat. 1277; 128 Stat. 1226) is amended by inserting “, or may be applied to reduce the amounts required to be paid by the non-Federal interest under the terms of the deferred payment agreements entered into between the Secretary and the non-Federal interest for the projects authorized by section 7012(a)(1)” before the period at the end.

SEC. 110. COASTAL COST CALCULATIONS.

Section 152(a) of the Water Resources Development Act of 2020 (33 U.S.C. 2213a(a)) is amended by inserting “or coastal storm risk management” after “flood risk management”.

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

The Secretary is authorized to provide in advance to the non-Federal interest the Federal share of funds re-
quired for the acquisition of land, easements, and rights-of-way and the performance of relocations for a project or separable element—

(1) authorized to be constructed at full Federal expense; or

(2) described in section 103(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(b)(2)).

SEC. 112. USE OF EMERGENCY FUNDS.

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

(1) in paragraph (1), in the first sentence, by inserting “, increase resilience, increase effectiveness in preventing damages from inundation, wave attack, or erosion,” after “address major deficiencies”;

and

(2) by adding at the end the following:

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

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

“(B) REQUIREMENTS.—
“(i) IN GENERAL.—To be eligible for a payment under subparagraph (C) for the Federal share of a planning, design, or construction activity for repair or restoration work described in paragraph (1), the non-Federal sponsor shall enter into a written agreement with the Secretary before carrying out the activity.

“(ii) COMPLIANCE WITH OTHER LAWS.—The non-Federal sponsor shall carry out all activities under this paragraph in compliance with all laws and regulations that would apply if the activities were carried out by the Secretary.

“(C) PAYMENT.—

“(i) IN GENERAL.—The Secretary is authorized to provide payment, in the form of an advance or a reimbursement, to the non-Federal sponsor for the Federal share of the cost of a planning design, or construction activity for the repair or restoration work described in paragraph (1).

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

“(D) ANNUAL LIMIT ON REIMBURSEMENTS

NOT APPLICABLE.—Section 102 of the Energy
and Water Development Appropriations Act,
2006 (33 U.S.C. 2221), shall not apply to an
agreement under subparagraph (B).”.

SEC. 113. RESEARCH AND DEVELOPMENT.

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

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

(2) in subsection (b), by redesignating para-
graphs (1) and (2) as subparagraphs (A) and (B),
respectively, and indenting appropriately;

(3) by striking subsection (e);

(4) by redesignating subsections (b), (c), (d),
and (f) as paragraphs (2), (3), (4), and (5), respec-
tively, and indenting appropriately;

(5) in subsection (a), by striking “of the Army
Corps of Engineers, the Secretary is authorized to
utilize Army” and inserting the following: “of the
Corps of Engineers, the Secretary is authorized to engage in basic research, applied research, advanced research, and development projects, including such projects that are—

“(1) authorized by Congress; or
“(2) included in an Act making appropriations for the Corps of Engineers.

“(b) COLLABORATIVE RESEARCH AND DEVELOPMENT.—

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

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

(A) in paragraph (2)(B) (as so redesignated), by striking “this section” and inserting “this subsection”;

(B) in paragraph (3) (as so redesignated), in the first sentence, by striking “this section” each place it appears and inserting “this subsection”;

(C) in paragraph (4) (as so redesignated), by striking “subsection (c)” and inserting “paragraph (3)”;

(D) in paragraph (5) (as so redesignated), by striking “this section” and inserting “this subsection”; and
(7) by adding at the end the following:

“(e) OTHER TRANSACTIONS.—

“(1) AUTHORITY.—The Secretary may enter into transactions (other than contracts, cooperative agreements, and grants) in order to carry out this section.

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

“(A) ensure that management, technical, and contracting personnel of the Corps of Engineers involved in the award or administration of transactions under this section or other innovative forms of contracting are afforded opportunities for adequate education and training; and

“(B) establish minimum levels and requirements for continuous and experiential learning for such personnel, including levels and requirements for acquisition certification programs.

“(3) NOTIFICATION.—The Secretary shall provide to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives notice of a transaction under this subsection not less than 30 days before entering into the transaction.
“(4) REPORT.—Not later than 3 years and not later than 7 years after the date of enactment of the Water Resources Development Act of 2022, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the use of the authority under paragraph (1).

“(d) REPORT.—

“(1) IN GENERAL.—For fiscal year 2025, and annually thereafter, in conjunction with the annual budget submission of the President to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on projects carried out under subsection (a).

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

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

“(i) the estimated total cost;

“(ii) the amount of Federal expenditures;
“(iii) the amount of expenditures by a non-Federal entity as described in subsection (b)(1), if applicable;

“(iv) the estimated timeline for completion;

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

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

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

“(e) COST SHARING.—

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

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

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

“(g) RESEARCH AND DEVELOPMENT ACCOUNT.—

“(1) IN GENERAL.—There is established a Research and Development account of the Corps of Engineers for the purposes of carrying out this section.

“(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Research and Development account established by paragraph (1) $85,000,000 for each of fiscal years 2023 through 2027.”.

(b) FORECASTING MODELS FOR THE GREAT LAKES.—

(1) AUTHORIZATION.—There is authorized to be appropriated to the Secretary $10,000,000 to complete and maintain a model suite to forecast water levels, account for water level variability, and account for the impacts of extreme weather events and other natural disasters in the Great Lakes.

(2) SAVINGS PROVISION.—Nothing in this subsection precludes the Secretary from using funds made available under the Great Lakes Restoration Initiative established by section 118(e)(7) of the Federal Water Pollution Control Act (33 U.S.C.
1268(c)(7)) for activities described in paragraph (1) for the Great Lakes, if funds are not appropriated for such activities.

(c) Clerical Amendment.—The table of contents contained in section 1(b) of the Water Resources Development Act of 1988 (102 Stat. 4012) is amended by striking the item relating to section 7 and inserting the following:

“Sec. 7. Research and development.”

SEC. 114. TRIBAL AND ECONOMICALLY DISADVANTAGED COMMUNITIES ADVISORY COMMITTEE.

(a) Definitions.—In this section:

(1) Committee.—The term “Committee” means the Tribal and Economically Disadvantaged Communities Advisory Committee established under subsection (b).

(2) Economically disadvantaged community.—The term “economically disadvantaged community” has the meaning given the term pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260).

(3) Indian tribe.—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).
(b) **Establishment.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a committee, to be known as the “Tribal and Economically Disadvantaged Communities Advisory Committee”, to develop and make recommendations to the Secretary and the Chief of Engineers on activities and actions that should be undertaken by the Corps of Engineers to ensure more effective delivery of water resources development projects, programs, and other assistance to economically disadvantaged communities and Indian Tribes.

(c) **Membership.**—The Committee shall be composed of members, appointed by the Secretary, who have the requisite experiential or technical knowledge needed to address issues related to the water resources needs and challenges of economically disadvantaged communities and Indian Tribes, including—

1. 5 individuals representing organizations with expertise in environmental policy, rural water resources, economically disadvantaged communities, Tribal rights, or civil rights; and
2. 5 individuals, each representing a non-Federal interest for a Corps of Engineers project.

(d) **Duties.**—

1. **Recommendations.**—The Committee shall provide advice and make recommendations to the
Secretary and the Chief of Engineers to assist the Corps of Engineers in—

(A) efficiently and effectively delivering solutions to water resources development projects needs and challenges for economically disadvantaged communities and Indian Tribes;

(B) integrating consideration of economically disadvantaged communities and Indian Tribes, where applicable, in the development of water resources development projects and programs of the Corps of Engineers; and

(C) improving the capability and capacity of the workforce of the Corps of Engineers to assist economically disadvantaged communities and Indian Tribes.

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

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

(A) included in a report submitted to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and
(B) be made publicly available, including on a publicly available website.

(c) INDEPENDENT JUDGMENT.—Any recommendation made by the Committee to the Secretary and the Chief of Engineers under subsection (d)(1) shall reflect the independent judgment of the Committee.

(f) ADMINISTRATION.—

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

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

(3) TREATMENT.—The members of the Committee shall not be considered to be Federal employees, and the meetings and reports of the Committee shall not be considered a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).
(4) **Applicability of FACA.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

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

(a) **In General.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a committee, to be known as the “Non-Federal Interest Advisory Committee” (referred to in this section as the “Committee”), to develop and make recommendations to the Secretary and the Chief of Engineers on activities and actions that should be undertaken by the Corps of Engineers to ensure more effective and efficient delivery of water resources development projects, programs, and other assistance.

(b) **Membership.**—

(1) **In General.**—The Committee shall be composed of the members described in paragraph (2), who shall—

(A) be appointed by the Secretary; and

(B) have the requisite experiential or technical knowledge needed to address issues related to water resources needs and challenges.

(2) **Representatives.**—The members of the Committee shall include the following:
(A) A representative of each of the following:

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

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

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

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

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

(B) A representative of each of the following:

   (i) A non-Federal stakeholder with respect to inland waterborne transportation.

   (ii) A non-Federal stakeholder with respect to water supply.

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

   (iv) A non-Federal stakeholder with respect to hydropower.

   (v) A non-Federal stakeholder with respect to emergency preparedness, including coastal protection.
(C) A representative of each of the following:

(i) An organization with expertise in conservation.

(ii) An organization with expertise in environmental policy.

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

(e) Duties.—

(1) Recommendations.—The Committee shall provide advice and make recommendations to the Secretary and the Chief of Engineers to assist the Corps of Engineers in—

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

(B) improving the capability and capacity of the workforce of the Corps of Engineers to deliver projects and other assistance;

(C) improving the capacity and effectiveness of Corps of Engineers consultation and liaison roles in communicating water resources needs and solutions, including regionally-specific recommendations; and
(D) strengthening partnerships with non-
Federal interests to advance water resources so-
lutions.

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

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

(A) included in a report submitted to the
Committee on Environment and Public Works
of the Senate and the Committee on Transpor-
tation and Infrastructure of the House of Rep-
resentatives; and

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

(d) INDEPENDENT JUDGMENT.—Any recommenda-
tion made by the Committee to the Secretary and the
Chief of Engineers under subsection (c)(1) shall reflect the
independent judgment of the Committee.

(e) ADMINISTRATION.—

(1) IN GENERAL.—The Committee shall be sub-
ject to the Federal Advisory Committee Act (5
U.S.C. App.).
(2) Compensation.—Except as provided in paragraph (3), the members of the Committee shall serve without compensation.

(3) Travel Expenses.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(4) Treatment.—The members of the Committee shall not be considered to be Federal employees and the meetings and reports of the Committee shall not be considered a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 116. UNDERSERVED COMMUNITY HARBOR PROJECTS.

(a) Definitions.—In this section:

(1) Project.—The term “project” means a single cycle of dredging of an underserved community harbor and the associated placement of dredged material at a beneficial use placement site or disposal site.

(2) Underserved Community Harbor.—The term “underserved community harbor” means an
emerging harbor (as defined in section 210(f) of the
Water Resources Development Act of 1986 (33
U.S.C. 2238(f))) for which—

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

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

(b) IN GENERAL.—The Secretary may carry out
projects to dredge underserved community harbors for
purposes of sustaining water-dependent commercial and
recreational activities at such harbors.

(c) JUSTIFICATION.—The Secretary may carry out a
project under this section if the Secretary determines that
the cost of the project is reasonable in relation to the sum
of—

(1) the local or regional economic benefits; and

(2)(A) the environmental benefits, including the
benefits to the aquatic environment to be derived
from the creation of wetland and control of shoreline
erosion; or
(B) other social effects, including protection against loss of life and contributions to local or regional cultural heritage.

(d) Cost Share.—The non-Federal share of the cost of a project carried out under this section shall be determined in accordance with—

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

(2) section 101(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(b)(1)), for the portion of the cost of the project other than a portion described in paragraph (1).

(e) Clarification.—The Secretary shall not require the non-Federal interest for a project carried out under this section to perform additional operation and maintenance activities at the beneficial use placement site or the disposal site for such project.

(f) Federal Participation Limit.—The Federal share of the cost of a project under this section shall not exceed $10,000,000.

(g) Authorization of Appropriations.—
(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2023 through 2026.

(2) SPECIAL RULE.—Not less than 35 percent of the amounts made available to carry out this section for each fiscal year shall be used for projects that include the beneficial use of dredged material.

(h) SAVINGS PROVISION.—Carrying out a project under this section shall not affect the eligibility of an underserved community harbor for Federal operation and maintenance funding otherwise authorized for the underserved community harbor.

SEC. 117. CORPS OF ENGINEERS WESTERN WATER COOPERATIVE COMMITTEE.

(a) FINDINGS.—Congress finds that—

(1) a bipartisan coalition of 19 Western Senators wrote to the Office of Management and Budget on September 17, 2019, in opposition to the proposed rulemaking entitled “Use of U.S. Army Corps of Engineers Reservoir Projects for Domestic, Municipal & Industrial Water Supply” (81 Fed. Reg. 91556 (December 16, 2016)), describing the rule as counter to existing law and court precedent;
(2) on January 21, 2020, the proposed rule-making described in paragraph (1) was withdrawn; and

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

(b) Establishment.—

(1) In general.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a Western Water Cooperative Committee (referred to in this section as the "Cooperative Committee").

(2) Purpose.—The purpose of the Cooperative Committee is to ensure that Corps of Engineers flood control projects in Western States are operated consistent with congressional directives by identifying opportunities to avoid or minimize conflicts between operation of Corps of Engineers projects and State water rights and water laws.
(3) Membership.—

(A) In general.—The Cooperative Committee shall be composed of—

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

(ii) the Chief of Engineers (or a designee);

(iii) 1 representative from each of the States of Alaska, Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming, who may serve on the Western States Water Council, to be appointed by the Governor of each State;

(iv) 1 representative with legal experience from each of the States of Alaska, Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming, to be appointed by the Attorney General of each State; and
(v) 1 employee from each of the impacted regional offices of the Bureau of Indian Affairs.

(4) MEETINGS.—

(A) IN GENERAL.—The Cooperative Committee shall meet not less than once each year in a State represented on the Cooperative Committee.

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

(C) NOTIFICATION.—The Cooperative Committee shall publish in the Federal Register adequate advance notice of a meeting of the Cooperative Committee.

(5) DUTIES.—The Cooperative Committee shall develop and make recommendations to avoid or minimize conflicts between the operation of Corps of Engineers projects and State water rights and water laws, which may include recommendations for legislation or the promulgation of policy or regulations.

(6) STATUS UPDATES.—

(A) IN GENERAL.—On an annual basis, the Secretary shall provide to the Committee on Environment and Public Works of the Senate
and the Committee on Transportation and Infrastructure of the House of Representatives a written report that includes—

(i) a summary of the contents of meetings of the Cooperative Committee; and

(ii) a description of any recommendations made by the Cooperative Committee under paragraph (5), including actions taken by the Secretary in response to such recommendations.

(B) COMMENT.—

(i) IN GENERAL.—Not later than 45 days following the conclusion of a meeting of the Cooperative Committee, the Secretary shall provide to members of the Cooperative Committee an opportunity to comment on the contents of the meeting and any recommendations.

(ii) INCLUSION.—Comments provided under clause (i) shall be included in the report provided under subparagraph (A).

(7) COMPENSATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the members of the Cooperative-
tive Committee shall serve without compensa-

(B) TRAVEL EXPENSES.—The members of the Cooperative Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Cooperative Committee.

(8) MAINTENANCE OF RECORDS.—The Cooperative Committee shall maintain records pertaining to operating costs and records of the Cooperative Committee for a period of not less than 3 years.

SEC. 118. UPDATES TO CERTAIN WATER CONTROL MANUALS.

On request of the Governor of State in which the Governor declared a statewide drought disaster in 2021, the Secretary is authorized to update water control manuals for waters in the State, with priority given to those waters that accommodate a water supply project.

SEC. 119. RETENTION OF RECREATION FEES.

(a) IN GENERAL.—Section 210(b) of the River and Harbor Act of 1968 (16 U.S.C. 460d–3(b)) is amended—
(1) by striking paragraph (4) and inserting the following:

“(4) DEPOSIT INTO TREASURY ACCOUNT.—All fees collected under this subsection shall—

“(A) be deposited in a special account in the Treasury; and

“(B) be available for use, without further appropriation, for the operation and maintenance of recreation sites and facilities under the jurisdiction of the Secretary of the Army, subject to the condition that not less than 80 percent of fees collected at a specific recreation site are utilized at that site.”; and

(2) by adding at the end the following:

“(5) SUPPLEMENT, NOT SUPPLANT.—Fees collected under this subsection—

“(A) shall be in addition to annual appropriated funding provided for the operation and maintenance of recreation sites and facilities under the jurisdiction of the Secretary of the Army; and

“(B) shall not be used as a basis for reducing annual appropriated funding for those purposes.”.
(b) **SPECIAL ACCOUNTS.**—Amounts in the special account for the Corps of Engineers described in section 210(b)(4) of the River and Harbor Act of 1968 (16 U.S.C. 460d–3(b)(4)) (as in effect on the day before the date of enactment of this Act) that are unobligated on that date shall—

1. be transferred to the special account established under section 210(b)(4) of the River and Harbor Act of 1968 (16 U.S.C. 460d–3(b)(4)) (as amended by subsection (a)(1)); and
2. be available to the Secretary for operation and maintenance of any recreation sites and facilities under the jurisdiction of the Secretary, without further appropriation.

**SEC. 120. RELOCATION ASSISTANCE.**

In the case of a water resources development project using nonstructural measures for the elevation or modification of a dwelling that is the primary residence of an owner-occupant and that requires the owner-occupant to relocate temporarily from the dwelling during the period of construction, the Secretary may include in the value of the land, easements, and rights-of-way required for the project or measure the documented reasonable living expenses, excluding food and personal transportation, in-
curred by the owner-occupant during the period of relocation.

SEC. 121. REPROGRAMMING LIMITS.

(a) OPERATIONS AND MAINTENANCE.—In reprogramming funds made available to the Secretary for operations and maintenance—

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

(A) $8,500,000 for a project, study, or activity with a base level over $1,000,000; and

(B) $250,000 for a project, study, or activity with a base level of $1,000,000 or less; and

(2) $250,000 may be reprogrammed for any continuing study or activity of the Secretary that did not receive an appropriation.

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

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

(2) $150,000 may be reprogrammed for any continuing study or activity of the Secretary that did not receive an appropriation for existing obligations and concomitant administrative expenses.
SEC. 122. LEASE DURATIONS.

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

SEC. 123. SENSE OF CONGRESS RELATING TO POST-DISASTER REPAIRS.

It is the sense of Congress that in permitting and funding post-disaster repairs, the Secretary should, to the maximum extent practicable, repair assets—

(1) to project design levels; or

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

SEC. 124. PAYMENT OF PAY AND ALLOWANCES OF CERTAIN OFFICERS FROM APPROPRIATION FOR IMPROVEMENTS.

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

(1) by striking “Regular officers of the Corps of Engineers of the Army, and reserve officers of the Army who are assigned to the Corps of Engineers,” and inserting the following:
“(a) In general.—The personnel described in subsection (b); and

(2) by adding at the end the following:

“(b) Personnel described.—The personnel referred to in subsection (a) are the following:

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

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

“(A) Reserve component officers.

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

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

SEC. 125. REFORESTATION.

The Secretary is encouraged to consider measures to restore swamps and other wetland forests in studies for water resources development projects for ecosystem restoration and flood and coastal storm risk management.

SEC. 126. USE OF OTHER FEDERAL FUNDS.

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

(1) by striking “water resources study or project” and inserting “water resources development study or project, including a study or project under
a continuing authority program (as defined in section 7001(e)(1)(D) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d(c)(1)(D))),”; and

(2) by striking “the Federal agency that pro-
vides the funds determines that the funds are au-
thorized to be used to carry out the study or
project” and inserting “the funds appropriated to
the Federal agency are for a purpose that is similar
or complementary to the purpose of the study or
project”.

SEC. 127. NATIONAL LOW-HEAD DAM INVENTORY.

The National Dam Safety Program Act (33 U.S.C.
467 et seq.) is amended by adding at the end the fol-
lowing:

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

“(a) DEFINITIONS.—In this section:

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

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

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

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

“(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Secretary, in consultation with the heads of appropriate Federal and State agencies, shall—

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

“(i) the location, ownership, description, current use, condition, height, and length of each low-head dam;

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

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

“(iv) a directory of financial and technical assistance resources available to reduce safety hazards and fish passage barriers at low-head dams; and

“(v) any other relevant information concerning low-head dams; and
“(B) submit the inventory to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

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

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

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

“(3) UPDATES.—The Secretary, in consultation with appropriate Federal and State agencies, shall maintain and periodically publish updates to the inventory.

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

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

SEC. 128. TRANSFER OF EXCESS CREDIT.

Section 1020 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2223) is amended—
(1) in subsection (a), by adding at the end the following:

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

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

“(3) CONDITIONAL APPROVAL OF EXCESS CREDIT.—The Secretary may approve credit in excess of the non-Federal share for a study or project prior to the identification of each authorized study or project to which the excess credit will be applied, subject to the condition that the non-Federal interest agrees to submit for approval by the Secretary an amendment to the comprehensive plan prepared under paragraph (2) that identifies each authorized study or project in advance of execution of the feasibility cost sharing agreement or project partnership agreement for that authorized study or project.”;
(3) by striking subsection (d); and

(4) by redesignating subsection (e) as subsection (d).

SEC. 129. NATIONAL LEVEE RESTORATION.

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

(1) by inserting “, or improvement” after “removal”; and

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

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

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

(2) by adding at the end the following:

“(11) PRIORITIZATION.—To the maximum extent practicable, the Secretary shall prioritize the provision of assistance under this subsection to economically disadvantaged communities (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)).”.
Section 1111 of the America’s Water Infrastructure Act of 2018 (33 U.S.C. 2326 note; Public Law 115–270) is amended by adding at the end the following:

“(e) Inland Waterways Regional Dredge Pilot Program.—

“(1) In general.—The Secretary is authorized to establish a pilot program (referred to in this subsection as the ‘pilot program’) to conduct a multiyear dredging demonstration program to award contracts with a duration of up to 5 years for projects on inland waterways.

“(2) Purposes.—The purposes of the pilot program shall be—

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

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

“(C) to provide cost-savings by combining work across multiple projects across different accounts of the Corps of Engineers.

“(3) Demonstration.—

“(A) In general.—The Secretary shall, to the maximum extent practicable, award con-
tracts for projects on inland waterways that combine work across the Construction and Operation and Maintenance accounts of the Corps of Engineers.

“(B) PROJECTS.— In awarding contracts under subparagraph (A), the Secretary shall consider projects that—

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

“(ii) increase freight capacity on inland waterways; and

“(iii) have the potential to enhance the availability of containerized cargo on inland waterways.

“(4) SAVINGS CLAUSE.—Nothing in this subsection affects the responsibility of the Secretary with respect to the construction and operations and maintenance of projects on the inland waterways system.

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

“(A) cost effectiveness;

“(B) reliability and performance;

“(C) cost savings attributable to mobilization and demobilization of dredge equipment; and

“(D) response times to address navigational impediments.

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

SEC. 131. FUNDING TO PROCESS PERMITS.

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

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

“(A) IN GENERAL.—The Secretary”; and

(2) by adding at the end the following:

“(B) MULTI-USER MITIGATION BANK INSTRUMENT PROCESSING.—
“(i) IN GENERAL.—An activity carried out by the Secretary to expedite evaluation of a permit described in subparagraph (A) may include the evaluation of an instrument for a mitigation bank if—

“(I) the non-Federal public entity, public-utility company, natural gas company, or railroad carrier applying for the permit described in that subparagraph is the sponsor of the mitigation bank; and

“(II) expediting evaluation of the instrument is necessary to expedite evaluation of the permit described in that subparagraph.

“(ii) USE OF CREDITS.—The use of credits generated by the mitigation bank established using expedited processing under clause (i) shall be limited to current and future projects and activities of the entity, company, or carrier described in subclause (I) of that clause for a public purpose, except that in the case of a non-Federal public entity, not more than 25
percent of the credits may be sold to other public and private entities.”.

SEC. 132. NON-FEDERAL PROJECT IMPLEMENTATION PILOT PROGRAM.

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

(1) in paragraph (3), by inserting “or discrete segment” after “separable element” each place it appears; and

(2) by adding at the end the following:

“(10) DEFINITION OF DISCRETE SEGMENT.—In this subsection, the term ‘discrete segment’ means a physical portion of a project or separable element that the non-Federal interest can operate and maintain, independently and without creating a hazard, in advance of final completion of the water resources development project, or separable element thereof.”.

SEC. 133. COST SHARING FOR TERRITORIES AND INDIAN TRIBES.

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

“(c) APPLICATION TO STUDIES.—
“(1) INCLUSION.—For purposes of this section, the term ‘study’ includes watershed assessments.

“(2) APPLICATION.—The Secretary shall apply the waiver amount described in subsection (a) to reduce only the non-Federal share of study costs.”.

SEC. 134. WATER SUPPLY CONSERVATION.

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

(1) in subsection (a), in the matter preceding paragraph (1), by striking “during the 1-year period ending on the date of enactment of this Act” and inserting “for at least 2 years during the 10-year period preceding a request from a non-Federal interest for assistance under this section”; and

(2) in subsection (b)(4), by inserting “, including measures utilizing a natural feature or nature-based feature (as those terms are defined in section 1184(a)) to reduce drought risk” after “water supply”.

SEC. 135. CRITERIA FOR FUNDING OPERATION AND MAINTENANCE OF SMALL, REMOTE, AND SUBSISTENCE HARBORS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop specific criteria for the annual evaluation and ranking of
maintenance dredging requirements for small, remote, and subsistence harbors, taking into account the criteria provided in the joint explanatory statement of managers accompanying division D of the Consolidated Appropriations Act, 2021 (Public Law 116–260; 134 Stat. 1352).

(b) INCLUSION IN GUIDANCE.—The Secretary shall include the criteria developed under subsection (a) in the annual Civil Works Direct Program Development Policy Guidance of the Secretary.

(c) REPORT TO CONGRESS.—For fiscal year 2024, and biennially thereafter, in conjunction with the annual budget submission of the President under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives a report that identifies the ranking of projects in accordance with the criteria developed under subsection (a).

SEC. 136. PROTECTION OF LIGHTHOUSES.

Section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r) is amended by inserting “lighthouses, including those lighthouses with historical value,” after “schools,”.
SEC. 137. EXPEDITING HYDROPOWER AT CORPS OF ENGINEERS FACILITIES.

Section 1008 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2321b) is amended—

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

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

(3) by inserting after subsection (a) the following:

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

“(1) ensure that the policy described in subsection (a) is implemented nationwide in an efficient, consistent, and coordinated manner; and

“(2) assess opportunities—

“(A) to increase the development of hydroelectric power at existing hydroelectric water resources development projects of the Corps of Engineers; and

“(B) to develop new hydroelectric power at nonpowered water resources development projects of the Corps of Engineers.”.
SEC. 138. MATERIALS, SERVICES, AND FUNDS FOR REPAIR, 
RESTORATION, OR REHABILITATION OF CERTAIN 
PUBLIC RECREATION FACILITIES.

(a) Definition of Eligible Public Recreation Facility.—In this section, the term “eligible public recreation facility” means a facility at a reservoir operated by the Corps of Engineers that—

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

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

(b) Authorization.—During a period of low water at an eligible public recreation facility, the Secretary is authorized—

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

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

(c) Requirement.—The Secretary may not reimburse a non-Federal interest for the use of materials or services accepted under this section unless the materials or services—

(1) meet the specifications of the Secretary; and

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

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

(1) specifies that the non-Federal interest shall hold and save the United States free from any and all damages that arise from use of materials or services of the non-Federal interest, except for damages due to the fault or negligence of the United States or its contractors;

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

(3) includes any other term or condition required by the Secretary.
SEC. 139. DREDGED MATERIAL MANAGEMENT PLANS.

(a) In General.—The Secretary shall prioritize implementation of section 125(c) of the Water Resources Development Act of 2020 (33 U.S.C. 2326h) at federally authorized harbors in the State of Ohio.

(b) Requirements.—Each dredged material management plan prepared by the Secretary under section 125(c) of the Water Resources Development Act of 2020 (33 U.S.C. 2326h) for a federally authorized harbor in the State of Ohio shall—

(1) include, in the baseline conditions, an annual prohibition on use of funding for open-lake disposal of dredged material; and

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

(c) Savings Provision.—This section does not—

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

(2) require the development or implementation of a dredged material management plan in accordance with subsection (b) if use of funding for open-lake disposal is not otherwise prohibited by law.
SEC. 140. LEASE DEVIATIONS.

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

SEC. 141. COLUMBIA RIVER BASIN FLOOD RISK MANAGEMENT.

(a) In General.—The Secretary is encouraged to utilize all existing authorities of the Secretary to facilitate—

(1) the renegotiation of the Treaty Relating to Cooperative Development of the Water Resources of the Columbia River Basin, signed at Washington January 17, 1961 (15 UST 1555; TIAS 5638); and

(2) the execution of the obligations of the United States under the Treaty described in paragraph (1).

(b) Status Updates.—Not later than 90 days after the enactment of this Act and not less frequently than biannually thereafter, the Secretary shall update the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on—

(1) the status of activities carried out by the Secretary under subsection (a); and
(2) any recommendations for legislation to au-

thorize the Secretary to carry out additional activi-
ties for the purposes described in subsection (a).

(c) EXPIRATION.—The requirements of subsection
(b) shall terminate on the date that is not later than 1
year after ratification of any successor treaty to the Trea-
ty described in subsection (a)(1).

SEC. 142. CONTINUATION OF CONSTRUCTION.

(a) IN GENERAL.—The Secretary shall not include
the amount of Federal obligations incurred and non-Fed-
eral contributions provided for an authorized water re-
sources development project during the period beginning
on the date of enactment of this Act and ending on Sep-
tember 30, 2025, for purposes of determining if the cost
of the project exceeds the maximum cost of the project
under section 902 of the Water Resources Development

(b) CONTINUATION OF CONSTRUCTION.—

(1) IN GENERAL.—The Secretary shall not,
solely on the basis of section 902 of the Water Re-
resources Development Act of 1986 (33 U.S.C.
2280)—

(A) defer the initiation or continuation of
construction of a water resources development
project during the period described in sub-
section (a); or

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

(2) Resumption of construction.—The
Secretary shall resume construction of any water re-
sources development project for which construction
was deferred on the basis of section 902 of the
Water Resources Development Act of 1986 (33
U.S.C. 2280) during the period beginning on Octo-
ber 1, 2021, and ending on the date of enactment
of this Act.

(c) Statutory construction.—Nothing in this
section waives the obligation of the Secretary to submit
to the Committee on Environment and Public Works of
the Senate and the Committee on Transportation and In-
frastructure of the House of Representatives a post-au-
thorization change report recommending an increase in
the authorized cost of a project if the project otherwise
would exceed the maximum cost of the project under sec-
tion 902 of the Water Resources Development Act of 1986
(33 U.S.C. 2280).
TITLE II—STUDIES AND REPORTS

SEC. 201. AUTHORIZATION OF FEASIBILITY STUDIES.

(a) In general.—The Secretary is authorized to investigate the feasibility of the following projects:

1. Project for ecosystem restoration, Mill Creek Levee and Walla Walla River, Oregon.
4. Project for flood risk management, McMicken Dam, Arizona.
5. Project for flood risk management, Ellicott City and Howard County, Maryland.
(9) Project for flood and coastal storm risk management, Cape Fear River Basin, North Carolina.

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

(11) Project for flood risk management and ecosystem restoration, the Resacas, Hidalgo and Cameron Counties, Texas.

(12) Project for flood risk management, including levee improvement, Papillion Creek, Nebraska.

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


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

(16) Project for ecosystem restoration and coastal storm risk management, Cumberland and Sea Islands, Georgia.

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

(18) Project for flood and coastal storm risk management, Hawaii County, Hawaii.
(19) Project for coastal storm risk management, Maui County, Hawaii.

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

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

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

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

(24) Project for flood risk management, including riverbank stabilization, Columbus, Kentucky.


(26) Project for flood risk management, coastal storm risk management, navigation, ecosystem restoration, and water supply, Blind Brook, New York.

(27) Project for navigation, Cumberland River, Kentucky.

(b) PROJECT MODIFICATIONS.—The Secretary is authorized to investigate the feasibility of the following modifications to the following projects:
(1) Modifications to the project for navigation, South Haven Harbor, Michigan, for turning basin improvements.

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

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

(4) Modifications to the project for flood risk management, Cedar River, Cedar Rapids, Iowa, authorized by section 7002(2) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1366), consistent with the City of Cedar Rapids, Iowa, Cedar River Flood Control System Master Plan.

(5) Modifications to the project for navigation, Norfolk Harbor and Channels, Virginia, for Anchorage F modifications.
(6) Modifications to the project for navigation, Savannah Harbor, Georgia, without evaluation of additional deepening.

(7) Modifications to the project for navigation, Honolulu Harbor, Hawaii, for navigation improvements and coastal storm risk management.

(8) Modifications to the project for navigation, Port of Ogdensburg, New York, including deepening.

(9) Modifications to the Huntington Local Protection Project, Huntington, West Virginia.

SEC. 202. SPECIAL RULES.

(a) The studies authorized by paragraphs (12) and (13) of section 201(a) shall be considered a continuation of the study that resulted in the Chief’s Report for the project for Papillion Creek and Tributaries Lakes, Nebraska, signed January 24, 2022.

(b) The study authorized by section 201(a)(17) shall be considered a resumption and a continuation of the general reevaluation initiated on December 30, 2003.

(c) In carrying out the study authorized by section 201(a)(25), the Secretary shall study the South Shore of Long Island, New York, as a whole system, including inlets that are Federal channels.
(d) The studies authorized by section 201(b) shall be considered new phase investigations afforded the same treatment as a general reevaluation.

SEC. 203. EXPEDITED COMPLETION OF STUDIES.

(a) Feasibility Reports.—The Secretary shall expedite the completion of a feasibility study for each of the following projects, and if the Secretary determines that the project is justified in a completed report, may proceed directly to preconstruction planning, engineering, and design of the project:


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

(3) Project for flood and coastal storm risk management and ecosystem restoration, Boston North Shore, Revere, Saugus, Lynn, Maiden, and Everett, Massachusetts.
(4) Project for flood risk management, De Soto County, Mississippi.

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

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

(7) Project for flood and coastal storm risk management, Chelsea, Massachusetts, authorized by a study resolution of the Committee on Public Works of the Senate dated September 12, 1969.

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

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


(11) Project for flood risk management, Rahway, New Jersey, authorized by section 336 of the


(13) Project for coastal storm risk management, Sea Bright to Manasquan, New Jersey.

(14) Project for coastal storm risk management, Raritan Bay and Sandy Hook Bay, New Jersey.


(16) Project for coastal storm risk management, South Central Coastal Louisiana, Louisiana.

(17) Project for coastal storm risk management, St. Tammany Parish, Louisiana.


(20) Project for ecosystem restoration, Three Forks of Beargrass Creek, Kentucky.
(21) Project for ecosystem restoration, Lake Okeechobee, Florida.

(22) Project for ecosystem restoration, Western Everglades, Florida.

(23) Modifications to the project for navigation, Hilo Harbor, Hawaii.


(b) Post-authorization Change Reports.—The Secretary shall expedite completion of a post-authorization change report for the following projects:


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

(3) Project for water supply and ecosystem restoration, Howard A. Hanson Dam, Washington, au-


(c) WATERSHED AND RIVER BASIN ASSESSMENTS.—The Secretary shall expedite the completion of the following assessments under section 729 of the Water Resources Development Act of 1986 (33 U.S.C. 2267a):


(2) Ouachita-Black Rivers, Arkansas and Louisiana.

(3) Project for watershed assessment, Hawaii County, Hawaii.

(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).
SEC. 204. STUDIES FOR PERIODIC NOURISHMENT.

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

(1) in subsection (b)—

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

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

(2) in subsection (e)—

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

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

(3) by adding at the end the following:

“(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 re-evaluation.”.

(b) INDIAN RIVER INLET SAND BYPASS PLANT.—

For purposes of the project for coastal storm risk management, Delaware Coast Protection, Delaware (commonly known as the “Indian River Inlet Sand Bypass Plant”), authorized by section 869 of the Water Resources Development Act of 1986 (100 Stat. 4182), a study carried out under section 156(b) of the Water Resources Development Act of 1976 (42 U.S.C. 1962d–5f(b)) shall consider as an
alternative for periodic nourishment continued reimbursement of the Federal share of the cost to the non-Federal interest for the project to operate and maintain a sand bypass plant.

SEC. 205. NEPA REPORTING.

(a) Definitions.—In this section:

(1) Categorical Exclusion.—The term “categorical exclusion” has the meaning given the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

(2) Environmental Assessment.—The term “environmental assessment” has the meaning given the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

(3) Environmental Impact Statement.—The term “environmental impact statement” means a detailed written statement required under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

(4) Finding of No Significant Impact.—The term “finding of no significant impact” has the meaning given the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

(5) NEPA Process.—
(A) IN GENERAL.—The term “NEPA process” has the meaning given the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

(B) PERIOD.—For purposes of subparagraph (A), the NEPA process—

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

(ii) ends on the date on which the Secretary issues, with respect to the project study—

(I) a record of decision, including, if necessary, a revised record of decision;

(II) a finding of no significant impact; or

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

(6) PROJECT STUDY.—The term “project study” means a feasibility study for a project carried out pursuant to section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282) for which a categorical exclusion, an environmental
assessment, or an environmental impact statement is required pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) REPORTS.—

(1) NEPA DATA.—

(A) IN GENERAL.—The Secretary shall carry out a process to track, and annually submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing, the information described in subparagraph (B).

(B) INFORMATION DESCRIBED.—The information referred to in subparagraph (A) is, with respect to the Corps of Engineers—

(i) the number of project studies for which a categorical exclusion was used during the reporting period;

(ii) the number of project studies for which the decision to use a categorical exclusion, to prepare an environmental assessment, or to prepare an environmental impact statement is pending on the date on which the report is submitted;
(iii) the number of project studies for which an environmental assessment was issued during the reporting period, broken down by whether a finding of no significant impact, if applicable, was based on mitigation;

(iv) the length of time the Corps of Engineers took to complete each environmental assessment described in clause (iii);

(v) the number of project studies pending on the date on which the report is submitted for which an environmental assessment is being drafted;

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

(vii) the length of time the Corps of Engineers took to complete each environmental impact statement described in clause (vi); and

(viii) the number of project studies pending on the date on which the report is submitted for which an environmental impact statement is being drafted.
(2) **Public Access to NEPA Reports.**—The Secretary shall make publicly available each annual report required under paragraph (1).

**SEC. 206. GAO Audit of Projects Over Budget or Behind Schedule.**

(a) **In General.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review of the factors and conditions for each ongoing water resources development project carried out by the Secretary for which—

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

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

(b) **Report.**—The Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the review under subsection (a).
SEC. 207. GAO STUDY ON PROJECT DISTRIBUTION.

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

(b) Report.—The Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the analysis under subsection (a).

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

(a) In general.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review of the practices of the Corps of Engineers with respect to the determination of joint costs associated with operations and maintenance of reservoirs owned and operated by the Secretary.

(b) Report.—The Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the audit.
Representatives a report on the findings of the review under subsection (a) and any recommendations that result from the review.

SEC. 209. GAO REVIEW OF CORPS OF ENGINEERS MITIGATION PRACTICES.

(a) In General.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall carry out a review of the water resources development project mitigation practices of the Corps of Engineers.

(b) Content.—The review under subsection (a) shall include an evaluation of—

(1) the implementation by the Corps of Engineers of the final rule issued on April 10, 2008, entitled “Compensatory Mitigation for Losses of Aquatic Resources” (73 Fed. Reg. 19594), including, at a minimum—

(A) the extent to which the final rule is consistently implemented by the districts of the Corps of Engineers; and

(B) the performance of each of the mitigation mechanisms included in the final rule; and

(2) opportunities to utilize alternative methods to satisfy mitigation requirements of water resources
development projects, including, at a minimum, performance-based contracts.

(c) REPORT.—The Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the review under subsection (a) and any recommendations that result from the review.

(d) DEFINITION OF PERFORMANCE-BASED CONTRACT.—In this section, the term “performance-based contract” means a procurement mechanism by which the Corps of Engineers contracts with a public or private non-Federal entity for a specific mitigation outcome requirement, with payment to the entity linked to delivery of verifiable and successful mitigation performance.

SEC. 210. SABINE–NECHES WATERWAY NAVIGATION IMPROVEMENT PROJECT, TEXAS.

The Secretary shall expedite the review and coordination of the feasibility study for the project for navigation, Sabine–Neches Waterway, Texas, under section 203(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2231(b)).
SEC. 211. GREAT LAKES RECREATIONAL BOATING.

Not later than 1 year after the date of enactment of this Act, the Secretary shall prepare, at full Federal expense, and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report updating the findings of the report on the economic benefits of recreational boating in the Great Lakes basin prepared under section 455(c) of the Water Resources Development Act of 1999 (42 U.S.C. 1962d–21(c)).

SEC. 212. UPPER ST. JOHNS RIVER BASIN, CENTRAL AND SOUTHERN FLORIDA.

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

(b) REPORT.—In carrying out the evaluation under subsection (a), the Secretary shall—

(1) prepare a report that includes the results of the evaluation, including—
(A) the advisability of deauthorizing the
levee described in that subsection; and

(B) any recommendations for conditions
that should be placed on a deauthorization to
protect the interests of the United States and
the public; and

(2) submit to the Committee on Environment
and Public Works of the Senate and the Committee
on Transportation and Infrastructure of the House
of Representatives the report under paragraph (1)
as part of the annual report submitted to Congress
pursuant to section 7001 of the Water Resources
Reform and Development Act of 2014 (33 U.S.C.
2282d).

SEC. 213. INVESTMENTS FOR RECREATION AREAS.

(a) FINDINGS.—Congress finds the following:

(1) The Corps of Engineers operates more
recreation areas than any other Federal or State
agency, apart from the Department of Interior.

(2) Nationally, visitors to nearly 600 dams and
lakes, managed by the Corps of Engineers, spend an
estimated $12,000,000,000 per year and support
500,000 jobs.
(3) Lakes managed by the Corps of Engineers are economic drivers that support rural communities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Corps of Engineers should use all available authorities to promote and enhance development and recreational opportunities at lakes that are part of authorized civil works projects under the administrative jurisdiction of the Corps of Engineers.

(c) REPORT.—Not later than 180 days after the enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on investments needed to support recreational activities that are part of authorized water resources development projects under the administrative jurisdiction of the Corps of Engineers.

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

(1) a list of deferred maintenance projects, including maintenance projects relating to recreational facilities, sites, and associated access roads;
(2) a plan to fund the projects described in paragraph (1) over the 5-year period following the date of enactment of this Act;

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

(A) State and local governments; or

(B) private entities; and

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

SEC. 214. WESTERN INFRASTRUCTURE STUDY.

(a) Definitions of Natural Feature and Nature-based Feature.—In this section, the terms “natural feature” and “nature-based feature” have the meanings given those terms in section 1184(a) of the WIIN Act (33 U.S.C. 2289a(a)).

(b) Comprehensive Study.—The Secretary shall conduct a comprehensive study (referred to in this section as the “study”) to evaluate the effectiveness of carrying out additional measures, including measures that utilize natural features or nature-based features at or upstream of reservoirs for the purposes of—
(1) sustaining operations in response to changing hydrological and climatic conditions;

(2) mitigating the risk of drought or floods, including the loss of storage capacity due to sediment accumulation;

(3) increasing water supply; or

(4) aquatic ecosystem restoration.

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

(d) CONSULTATION AND USE OF EXISTING DATA.—

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

(A) Federal, State, and local agencies;

(B) Indian Tribes;

(C) non-Federal interests; and

(D) other stakeholders, as determined appropriate by the Secretary.
(2) Use of existing data and prior studies.—To the maximum extent practicable and where appropriate, the Secretary may—

(A) use existing data provided to the Secretary by entities described in paragraph (1); and

(B) incorporate—

(i) relevant information from prior studies and projects carried out by the Secretary; and

(ii) the latest technical data and scientific approaches with respect to changing hydrological and climatic conditions.

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

(1) the results of the study; and

(2) any recommendations on site-specific areas where additional study is recommended by the Secretary.

(f) Savings provision.—Nothing in this section provides authority to the Secretary to change the author-
ized purposes at any of the reservoirs described in sub-
section (e).

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

Section 8004(g) of the Water Resources Development
is amended—

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

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

“(2) REPORT ON WATER LEVEL MANAGE-
MENT.—Not later than 1 year after the date of en-
actment of the Water Resources Development Act of
2022, the Secretary shall submit to the Committee
on Environment and Public Works of the Senate
and the Committee on Transportation and Infra-
structure of the House of Representatives an imple-
mentation report on opportunities to expand the use
of water level management on the Upper Mississippi
River and Illinois Waterway System for the purpose
of ecosystem restoration.”.
SEC. 216. WEST VIRGINIA HYDROPOWER.

(a) IN GENERAL.—For water resources development projects described in subsection (b), the Secretary is authorized—

(1) to evaluate the feasibility of modifications to such projects for the purposes of adding Federal hydropower or energy storage development; and

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

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

(1) Sutton Dam, Braxton County, West Virginia, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1586, chapter 688).

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

(3) Bluestone Lake, Summers County, West Virginia, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1586, chapter 688).


(6) East Lynn Dam, Wayne County, West Virginia, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1586, chapter 688).

(7) Burnsville Lake, Braxton County, West Virginia, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1586, chapter 688).

(c) DEMONSTRATION PROJECTS.—The authority for facility modifications under subsection (a) includes demonstration projects.

SEC. 217. RECREATION AND ECONOMIC DEVELOPMENT AT CORPS FACILITIES IN APPALACHIA.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall prepare and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a plan to implement the recreational and economic development opportunities identified by the Secretary in the report prepared under section 206 of the Water Resources
Development Act of 2020 (134 Stat. 2680) at Corps of Engineers facilities located within a distressed or at-risk county (as described in subsection (a)(1) of that section) in Appalachia.

(b) CONSIDERATIONS.—In preparing the plan under subsection (a), the Secretary shall consider options for Federal funding, partnerships, and outgrants to Federal, State, and local governments, nonprofit organizations, and commercial businesses.

SEC. 218. AUTOMATED FEE MACHINES.

For the purpose of mitigating adverse impacts to public access to outdoor recreation, to the maximum extent practicable, the Secretary shall consider alternatives to the use of automated fee machines for the collection of fees for the use of developed recreation sites and facilities in West Virginia.

SEC. 219. LAKE CHAMPLAIN CANAL, VERMONT AND NEW YORK.

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

“(c) CLARIFICATIONS.—

“(1) IN GENERAL.—At the request of the non-Federal interest for the study of the Lake Champlain Canal Aquatic Invasive Species Barrier carried
out under section 542 of the Water Resources Development Act of 2000 (114 Stat. 2671; 121 Stat. 1150; 134 Stat. 2652), the Secretary shall scope the phase II portion of that study to satisfy the feasibility determination under subsection (a).

“(2) Dispersal barrier.—A dispersal barrier constructed, maintained, or operated under this section may include—

“(A) physical hydrologic separation;

“(B) nonstructural measures;

“(C) deployment of technologies;

“(D) buffer zones; or

“(E) any combination of the approaches described in subparagraphs (A) through (D).”.

SEC. 220. REPORT ON CONCESSIONAIRE PRACTICES.

(a) In general.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on concessionaire lease practices by the Corps of Engineers.

(b) Inclusions.—The report under subsection (a) shall include, at a minimum—

(1) an assessment of the reasonableness of the formula of the Corps of Engineers for calculating
concessionaire rental rates, taking into account the operating margins for sales of food and fuel; and

(2) the process for assessing administrative fees to concessionaires across districts of the Corps of Engineers.

TITLE III—DEAUTHORIZATIONS, MODIFICATIONS, AND RELATED PROVISIONS

SEC. 301. ADDITIONAL ASSISTANCE FOR CRITICAL PROJECTS.

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

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

(1) by striking “$20,000,000” and inserting “$52,000,000”; and

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

(c) LAKES MARION AND MOULTON, SOUTH CAROLINA.—Section 219(f)(25) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 130
Stat. 1677; 134 Stat. 2719) is amended by striking
“$110,000,000” and inserting “$151,500,000”.

(d) LAKE COUNTY, ILLINOIS.—Section 219(f)(54) of
4835; 113 Stat. 334; 114 Stat. 2763A–221) is amended—
(1) in the paragraph heading, by striking
“COOK COUNTY” and inserting “COOK COUNTY AND
LAKE COUNTY”; and
(2) by striking “$35,000,000” and inserting
“$100,000,000”.

(e) MADISON AND ST. CLAIR COUNTIES, ILLINOIS.—
Section 219(f)(55) of the Water Resources Development
2763A–221; 134 Stat. 2718) is amended by striking
“$45,000,000” and inserting “$100,000,000”.

(f) CALAVERAS COUNTY, CALIFORNIA.—Section
219(f)(86) of the Water Resources Development Act of
is amended by striking “$3,000,000” and inserting
“$13,280,000”.

(g) LOS ANGELES COUNTY, CALIFORNIA.—Section
219(f) of the Water Resources Development Act of 1992
(106 Stat. 4835; 113 Stat. 334; 121 Stat. 1259) is
amended by striking paragraph (93) and inserting the fol-
lowing:
“(93) LOS ANGELES COUNTY, CALIFORNIA.—

“(A) IN GENERAL.—$38,000,000 for wastewater and water related infrastructure, Los Angeles County, California.

“(B) ELIGIBILITY.—The Water Replenishment District of Southern California may be eligible for assistance under this paragraph.”.

(h) MICHIGAN.—Section 219(f)(157) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1262) is amended—

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

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

(2) by adding at the end the following:

“(B) ADDITIONAL PROJECTS.—Amounts made available under subparagraph (A) may be used for design and construction projects for water-related environmental infrastructure and resource protection and development projects in Michigan, including for projects for wastewater treatment and related facilities, water supply and related facilities, environmental restoration, and surface water resource protection and development.”.
(i) **MYRTLE BEACH AND VICINITY, SOUTH CAROLINA.**—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1267) is amended by striking paragraph (250) and inserting the following:

"(250) **MYRTLE BEACH AND VICINITY, SOUTH CAROLINA.**—$31,000,000 for environmental infrastructure, including ocean outfalls, Myrtle Beach and vicinity, South Carolina.”.

(j) **NORTH MYRTLE BEACH AND VICINITY, SOUTH CAROLINA.**—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1267) is amended by striking paragraph (251) and inserting the following:

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

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

"(274) **HORRY COUNTY, SOUTH CAROLINA.**—$19,000,000 for environmental infrastructure, in-
including ocean outfalls, Horry County, South Carolina.”.

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

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

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

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

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

“(277) ALAMEDA COUNTY, CALIFORNIA.—$20,000,000 for environmental infrastructure, Alameda County, California.”.
(o) Temecula City, California.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (n)) is amended by adding at the end the following:

“(278) Temecula City, California.—$18,000,000 for environmental infrastructure, Temecula City, California.”.

(p) Yolo County, California.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (o)) is amended by adding at the end the following:

“(279) Yolo County, California.—$6,000,000 for environmental infrastructure, Yolo County, California.”.

(q) Clinton, Mississippi.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (p)) is amended by adding at the end the following:

“(280) Clinton, Mississippi.—$13,600,000 for environmental infrastructure, Clinton, Mississippi.”.

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4835; 113 Stat. 334; 121 Stat. 1268) (as amended by sub-
section (q)) is amended by adding at the end the following:

“(281) OXFORD, MISSISSIPPI.—$10,000,000 for
environmental infrastructure, Oxford, Mississippi.”.

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

“(282) MADISON COUNTY, MISSISSIPPI.—
$10,000,000 for environmental infrastructure, Madi-
son County, Mississippi.”.

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

“(283) RANKIN COUNTY, MISSISSIPPI.—
$10,000,000 for environmental infrastructure,
Rankin County, Mississippi.”.

(u) MERIDIAN, MISSISSIPPI.—Section 219(f) of the
4835; 113 Stat. 334; 121 Stat. 1268) (as amended by sub-
section (t)) is amended by adding at the end the following:
“(284) MERIDIAN, MISSISSIPPI.—$10,000,000 for wastewater infrastructure, Meridian, Mississippi.”.

(v) DELAWARE.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (u)) is amended by adding at the end the following:

“(285) DELAWARE.—$50,000,000 for sewer, stormwater system improvements, storage treatment, environmental restoration, and related water infrastructure, Delaware.”.

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

“(286) QUEENS, NEW YORK.—$20,000,000 for the design and construction of stormwater management and improvements to combined sewer overflows to reduce the risk of flood impacts, Queens, New York.”.

(x) GEORGIA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (w)) is amended by adding at the end the following:
“(287) GEORGIA.—$75,000,000 for environmental infrastructure, Baldwin County, Bartow County, Floyd County, Haralson County, Jones County, Gilmer County, Towns County, Warren County, Lamar County, Lowndes County, Troup County, Madison County, Toombs County, Dade County, Bulloch County, Gordon County, Walker County, Dooly County, Butts County, Clarke County, Crisp County, Newton County, Bibb County, Baker County, Barrow County, Oglethorpe County, Peach County, Brooks County, Carroll County, Worth County, Jenkins County, Wheeler County, Calhoun County, Randolph County, Wilcox County, Stewart County, Telfair County, Clinch County, Hancock County, Ben Hill County, Jeff Davis County, Chattooga County, Lanier County, Brantley County, Charlton County, Tattnall County, Emanuel County, Mitchell County, Turner County, Bacon County, Terrell County, Macon County, Ware County, Bleckley County, Colquitt County, Washington County, Berrien County, Coffee County, Pulaski County, Cook County, Atkinson County, Candler County, Taliaferro County, Evans County, Johnson County, Irwin County, Dodge County, Jefferson County, Irwin County, Dodge County, Jefferson County, Appling County, Taylor County, Wayne

County, Clayton County, Decatur County, Schley County, Sumter County, Early County, Webster County, Clay County, Upson County, Long County, Twiggs County, Dougherty County, Quitman County, Meriwether County, Stephens County, Wilkinson County, Murray County, Wilkes County, Elbert County, McDuffie County, Heard County, Marion County, Talbot County, Laurens County, Montgomery County, Echols County, Pierce County, Richmond County, Chattahoochee County, Screven County, Habersham County, Lincoln County, Burke County, Liberty County, Tift County, Polk County, Glascock County, Grady County, Jasper County, Banks County, Franklin County, Whitfield County, Treutlen County, Crawford County, Hart County, Georgia.’’.

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

“(288) MARYLAND.—$100,000,000 for water, wastewater, and other environmental infrastructure, Maryland.’’.

(z) MILWAUKEE METROPOLITAN AREA, WISCONSIN.—Section 219(f) of the Water Resources Develop-
ment Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (y)) is amended by adding at the end the following:

“(289) MILWAUKEE METROPOLITAN AREA, WISCONSIN.—$4,500,000 for water-related infrastructure, resource protection and development, stormwater management, and reduction of combined sewer overflows, Milwaukee metropolitan area, Wisconsin.”.

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

“(290) HAWAII.—$75,000,000 for water-related infrastructure, resource protection and development, wastewater treatment, water supply, urban storm water conveyance, environmental restoration, and surface water protection and development, Hawaii.”.

(bb) ALABAMA.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1268) (as amended by subsection (aa)) is amended by adding at the end the following:

“(291) ALABAMA.—$50,000,000 for water, wastewater, and other environmental infrastructure, Alabama.”.
(cc) MISSISSIPPI.—Section 592(g) of the Water Resources Development Act of 1999 (113 Stat. 380; 123 Stat. 2851) is amended by striking “$200,000,000” and inserting “$300,000,000”.

(dd) CENTRAL NEW MEXICO.—Section 593(h) of the Water Resources Development Act of 1999 (113 Stat. 381; 119 Stat. 2255) is amended by striking “$50,000,000” and inserting “$100,000,000”.

(ee) NORTH DAKOTA AND OHIO.—Section 594 of the Water Resources Development Act of 1999 (113 Stat. 381; 121 Stat. 1140; 121 Stat. 1944) is amended by adding at the end the following:

“(i) AUTHORIZATION OF ADDITIONAL APPROPRIATIONS.—In addition to amounts authorized under subsection (h), there is authorized to be appropriated to carry out this section $100,000,000, to be divided between the States referred to in subsection (a).”.

(ff) WESTERN RURAL WATER.—Section 595(i) of the Water Resources Development Act of 1999 (113 Stat. 383; 134 Stat. 2719) is amended—

(1) in paragraph (1), by striking “$435,000,000” and inserting “$490,000,000”; and

(2) in paragraph (2), by striking “$150,000,000” and inserting “$200,000,000”.

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Lake Champlain Watershed, Vermont and New York.—Section 542 of the Water Resources Development Act of 2000 (114 Stat. 2671; 121 Stat. 1150) is amended—

(1) in subsection (b)(2)(C), by striking “planning” and inserting “clean water infrastructure planning, design, and construction”; and

(2) in subsection (g), by striking “$32,000,000” and inserting “$100,000,000”.

Texas.—Section 5138 of the Water Resources Development Act of 2007 (121 Stat. 1250) is amended—

(1) in subsection (b), by striking “as identified by the Texas Water Development Board”;

(2) in subsection (e)(3), by inserting “and construction” after “design work”;

(3) by redesignating subsection (g) as subsection (i); and

(4) by inserting after subsection (f) the following:

“(g) NONPROFIT ENTITIES.—In accordance with section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), for any project carried out under this section, a non-Federal interest may include a nonprofit entity with the consent of the affected local government.
“(h) Corps of Engineers Expenses.—Not more than 10 percent of the amounts made available to carry out this section may be used by the Corps of Engineers district offices to administer projects under this section at Federal expense.”.

SEC. 302. SOUTHERN WEST VIRGINIA.
(a) In General.—Section 340 of the Water Resources Development Act of 1992 (106 Stat. 4856) is amended—

(1) in the section heading, by striking “ENVIRONMENTAL RESTORATION INFRASTRUCTURE AND RESOURCE PROTECTION DEVELOPMENT PILOT PROGRAM”; and

(2) by striking subsection (f) and inserting the following:

“(f) Definition of Southern West Virginia.—In this section, the term ‘southern West Virginia’ means the counties of Boone, Braxton, Cabell, Calhoun, Clay, Fayette, Gilmer, Greenbrier, Jackson, Kanawha, Lincoln, Logan, Mason, McDowell, Mercer, Mingo, Monroe, Nicholas, Pendleton, Pocahontas, Putnam, Raleigh, Roane, Summers, Wayne, Webster, Wirt, and Wyoming, West Virginia.”.

(b) Clerical Amendment.—The table of contents contained in section 1(b) of the Water Resources Develop-
ment Act of 1992 (106 Stat. 4799) is amended by striking
the item relating to section 340 and inserting the fol-
lowing:

“Sec. 340. Southern West Virginia.”.

SEC. 303. NORTHERN WEST VIRGINIA.

(a) In General.—Section 571 of the Water Re-
sources Development Act of 1999 (113 Stat. 371; 121
Stat. 1257; 134 Stat. 2719) is amended—

(1) in the section heading, by striking “CENTRAL” and inserting “NORTHERN”;

(2) by striking subsection (a) and inserting the
following:

“(a) Definition of Northern West Virginia.—
In this section, the term ‘northern West Virginia’ means
the counties of Barbour, Berkeley, Brooke, Doddridge,
Grant, Hampshire, Hancock, Hardy, Harrison, Jefferson,
Lewis, Marion, Marshall, Mineral, Morgan, Monongalia,
Ohio, Pleasants, Preston, Randolph, Ritchie, Taylor,
Tucker, Tyler, Upshur, Wetzel, and Wood, West Vir-
ginia.”;

(3) in subsection (b), by striking “central” and
inserting “northern”; and

(4) in subsection (c), by striking “central” and
inserting “northern”.

(b) Clerical Amendment.—The table of contents
in section 1(b) of the Water Resources Development Act
of 1999 (113 Stat. 269) is amended by striking the item relating to section 571 and inserting the following:

“Sec. 571. Northern West Virginia.”.

SEC. 304. LOCAL COOPERATION AGREEMENTS, NORTHERN WEST VIRGINIA.


(1) by striking “$20,000,000 for water and wastewater” and inserting the following:

“(A) In general.—$20,000,000 for water and wastewater”; and

(2) by adding at the end the following:

“(B) Local cooperation agreements.—Notwithstanding subsection (a), at the request of a non-Federal interest for a project or a separable element of a project that receives assistance under this paragraph, the Secretary may adopt a model agreement developed in accordance with section 571(e) of the Water Resources Development Act of 1999 (113 Stat. 371).”.

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SEC. 305. SPECIAL RULE FOR CERTAIN BEACH NOURISHMENT PROJECTS.

(a) In general.—In the case of a water resources development project described in subsection (b), the Secretary shall—

(1) fund, at full Federal expense, any incremental increase in cost to the project that results from a legal requirement to use a borrow source determined by the Secretary to be other than the least-cost option; and

(2) exclude the cost described in paragraph (1) from the cost-benefit analysis for the project.

(b) Authorized water resources development projects described.—An authorized water resources development project referred to in subsection (a) is any of the following:


(5) A project for coastal storm risk management for any shore included in a project described in this subsection that is specifically authorized by Congress on or after the date of enactment of this Act.


(e) SAVINGS PROVISION.—Nothing in this section limits the eligibility for, or availability of, Federal expenditures or financial assistance for any water resources devel-
opment project, including any beach nourishment or re-
nourishment project, under any other provision of Federal
law.

SEC. 306. COASTAL COMMUNITY FLOOD CONTROL AND
OTHER PURPOSES.

Section 103(k)(4) of the Water Resources Development
Act of 1986 (33 U.S.C. 2213(k)(4)) is amended—

(1) by redesignating subparagraphs (A) and
(B) as clauses (i) and (ii), respectively, and indent-
ing appropriately;

(2) in the matter preceding clause (i) (as so re-
designated), by striking “Notwithstanding” and in-
serting the following:

“(A) IN GENERAL.—Notwithstanding”;

(3) in subparagraph (A) (as so redesignated)—

(A) in clause (i) (as so redesignated)—

(i) by striking “$200 million” and in-
serting “$200,000,000”; and

(ii) by striking “and” at the end;

(B) in clause (ii) (as so redesignated)—

(i) by inserting “an amount equal to

\frac{2}{3} of” after “repays”; and

(ii) by striking the period at the end

and inserting “; and”; and

(C) by adding at the end the following:
“(iii) the non-Federal interest repays the balance of remaining principal by June 1, 2032.”; and

(4) by adding at the end the following:

“(B) REPAYMENT OPTIONS.—Repayment of a non-Federal contribution under subparagraph (A)(iii) may be satisfied through the provision by the non-Federal interest of fish and wildlife mitigation for one or more projects or separable elements, if the Secretary determines that—

“(i) the non-Federal interest has incurred costs for the provision of mitigation that—

“(I) equal or exceed the amount of the required repayment; and

“(II) are in excess of any required non-Federal contribution for the project or separable element for which the mitigation is provided; and

“(ii) the mitigation is integral to the project for which it is provided.”.

SEC. 307. MODIFICATIONS.

(a) IN GENERAL.—The following modifications to studies and projects are authorized:
(1) Mississippi River Gulf Outlet, Louisiana.—The Federal share of the cost of the project for ecosystem restoration, Mississippi River Gulf Outlet, Louisiana, authorized by section 7013(a)(4) of the Water Resources Development Act of 2007 (121 Stat. 1281), shall be 90 percent.

(2) Great Lakes and Mississippi River Interbasin Project, Brandon Road, Will County, Illinois.—Section 402(a)(1) of the Water Resources Development Act of 2020 (134 Stat. 2742) is amended by striking “80 percent” and inserting “90 percent”.

(3) Lower Mississippi River Comprehensive Management Study.—Section 213 of the Water Resources Development Act of 2020 (134 Stat. 2687) is amended by adding at the end the following:

“(j) Cost-share.—The Federal share of the cost of the comprehensive study described in subsection (a), and any feasibility study described in subsection (e), shall be 90 percent.”.

(4) Port of Nome, Alaska.—

(A) In general.—The Secretary shall carry out the project for navigation, Port of Nome, Alaska, authorized by section 401(1) of
the Water Resources Development Act of 2020
(134 Stat. 2733).

(B) Cost-share.—The Federal share of
the cost of the project described in subpara-
graph (A) shall be 90 percent.

(5) Chicago shoreline protection.—The
project for storm damage reduction and shore pro-
tection, Lake Michigan, Illinois, from Wilmette, Illi-
nois, to the Illinois–Indiana State line, authorized by
section 101(a)(12) of the Water Resources Develop-
ment Act of 1996 (110 Stat. 3664), is modified to
authorize the Secretary to provide 65 percent of the
cost of the locally preferred plan, as described in the
Report of the Chief of Engineers dated April 14,
1994, for the construction of the following segments
of the project:

(A) Shoreline revetment at Morgan Shoal.

(B) Shoreline revetment at Promontory
Point.

(6) Lower Mud River, Milton, West Vir-
ginia.—Notwithstanding section 3170 of the Water
1154), the Federal share of the cost of the project
for flood control, Milton, West Virginia, authorized
by section 580 of the Water Resources Development

(b) AGREEMENTS.—At the request of the applicable non-Federal interests for the project described in section 402(a) of the Water Resources Development Act of 2020 (134 Stat. 2742) and for the studies described in subsection (j) of section 213 of that Act (134 Stat. 2687), the Secretary shall not require those non-Federal interests to be jointly and severally liable for all non-Federal obligations in the project partnership agreement for the project or in the feasibility cost share agreements for the studies.

SEC. 308. PORT FOURCHON, LOUISIANA, DREDGED MATERIAL DISPOSAL PLAN.

The Secretary shall determine that the dredged material disposal plan recommended in the document entitled “Port Fourchon Belle Pass Channel Deepening Project Section 203 Feasibility Study (January 2019, revised January 2020)” is the least cost, environmentally acceptable dredged material disposal plan for the project for navigation, Port Fourchon Belle Passe Channel, Louisiana, authorized by section 403(a)(4) of the Water Resources Development Act of 2020 (134 Stat. 2743).
SEC. 309. DELAWARE SHORE PROTECTION AND RESTORATION.

(a) DELAWARE BENEFICIAL USE OF DREDGED MATERIAL FOR THE DELAWARE RIVER, DELAWARE.—

(1) IN GENERAL.—The project for coastal storm risk management, Delaware Beneficial Use of Dredged Material for the Delaware River, Delaware, authorized by section 401(3) of the Water Resources Development Act of 2020 (134 Stat. 2736) (referred to in this subsection as the “project”), is modified—

(A) to direct the Secretary to implement the project using alternative borrow sources to the Delaware River, Philadelphia to the Sea, project, Delaware, New Jersey, Pennsylvania, authorized by the Act of June 25, 1910 (chapter 382, 36 Stat. 637; 46 Stat. 921; 52 Stat. 803; 59 Stat. 14; 68 Stat. 1249; 72 Stat. 297); and

(B) until the Secretary implements the modification under subparagraph (A), to authorize the Secretary, at the request of a non-Federal interest, to carry out initial construction or periodic nourishments at any site included in the project under—

(i) section 1122 of the Water Resources Development Act of 2016 (33
U.S.C. 2326 note; Public Law 114–322);

or

(ii) section 204(d) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(d)).

(2) Treatment.—If the Secretary determines that a study is required to carry out paragraph (1)(A), the study shall be considered to be a continuation of the study that formulated the project.

(3) Cost-share.—The Federal share of the cost of the project, including the cost of any modifications carried out under subsection (a)(1), shall be 90 percent.

(b) Indian River Inlet Sand Bypass Plant, Delaware.—

(1) In General.—The Indian River Inlet Sand Bypass Plant, Delaware, coastal storm risk management project (referred to in this subsection as the “project”), authorized by section 869 of the Water Resources Development Act of 1986 (100 Stat. 4182), is modified to authorize the Secretary, at the request of a non-Federal interest, to provide periodic nourishment through dedicated dredging or other means to maintain or restore the functioning of the project when—
(A) the sand bypass plant is inoperative; or

(B) operation of the sand bypass plant is insufficient to maintain the functioning of the project.

(2) REQUIREMENTS.—A cycle of periodic nourishment provided pursuant to paragraph (1) shall be subject to the following requirements:

(A) COST-SHARE.—The non-Federal share of the cost of a cycle shall be the same percentage as the non-Federal share of the cost to operate the sand bypass plant.

(B) DECISION DOCUMENT.—If the Secretary determines that a decision document is required to support a request for funding for the Federal share of a cycle, the decision document may be prepared using funds made available to the Secretary for construction or for investigations.

(C) TREATMENT.—

(i) DECISION DOCUMENT.—A decision document prepared under subparagraph (B) shall not be subject to a new investment determination.

(ii) CYCLES.—A cycle shall be considered continuing construction.
(c) **Delaware Emergency Shore Restoration.**—

(1) In General.—The Secretary is authorized to repair or restore any beach or any federally authorized hurricane or shore protective structure or project located in the State of Delaware pursuant to section 5(a) of the Act of August 18, 1941 (commonly known as the “Flood Control Act of 1941”) (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)), if—

(A) the structure, project, or beach is damaged by wind, wave, or water action associated with a storm of any magnitude; and

(B) the damage prevents the adequate functioning of the structure, project, or beach.

(2) Benefit-Cost Analysis.—The Secretary shall determine that the benefits attributable to the objectives set forth in section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) and section 904(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2281(a)) exceed the cost for work carried out under this subsection.

(3) Savings Provision.—The authority provided by this subsection shall be in addition to any authority provided by section 5(a) of the Act of Au...
August 18, 1941 (commonly known as the “Flood Control Act of 1941”) (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)) to repair or restore a beach or federally authorized hurricane or shore protection structure or project located in the State of Delaware damaged or destroyed by wind, wave, or water action of other than an ordinary nature.

(d) Indian River Inlet and Bay, Delaware.—

In carrying out major maintenance of the project for navigation, Indian River Inlet and Bay, Delaware, authorized by the Act of August 26, 1937 (50 Stat. 846, chapter 832), and section 2 of the Act of March 2, 1945 (59 Stat. 14, chapter 19), the Secretary shall repair, restore, or relocate any non-Federal facility or other infrastructure, that has been damaged, in whole or in part, by the deterioration or failure of the project.

(e) Reprogramming for Coastal Storm Risk Management Project at Indian River Inlet.—

(1) In general.—Notwithstanding any other provision of law, for each fiscal year, the Secretary may reprogram amounts made available for a coastal storm risk management project to use such amounts for the project for coastal storm risk management, Indian River Inlet Sand Bypass Plant, Delaware,

(2) LIMITATIONS.—

(A) IN GENERAL.—The Secretary may carry out not more than 2 reprogramming actions under paragraph (1) for each fiscal year.

(B) AMOUNT.—For each fiscal year, the Secretary may reprogram—

(i) not more than $100,000 per reprogramming action; and

(ii) not more than $200,000 for each fiscal year.

SEC. 310. GREAT LAKES ADVANCE MEASURES ASSISTANCE.

Section 5(a) of the Act of August 18, 1941 (commonly known as the “Flood Control Act of 1941”) (55 Stat. 650, chapter 377; 33 U.S.C. 701n(a)) (as amended by section 112(2)), is amended by adding at the end the following:

“(7) SPECIAL RULE.—

“(A) IN GENERAL.—The Secretary shall not deny a request from the Governor of a State to provide advance measures assistance under this subsection to reduce the risk of damage from rising water levels in the Great Lakes
solely on the basis that the damage is caused by erosion.

“(B) FEDERAL SHARE.—Assistance provided by the Secretary pursuant to a request under subparagraph (A) may be at full Federal expense if the assistance is to construct advanced measures to a temporary construction standard.”.

SEC. 311. REHABILITATION OF EXISTING LEVEES.

Section 3017(e) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113–121) is amended—

(1) by striking “this subsection” and inserting “this section”; and

(2) by striking “10 years” and inserting “20 years”.

SEC. 312. PILOT PROGRAM FOR CERTAIN COMMUNITIES.

(a) PILOT PROGRAMS ON THE FORMULATION OF CORPS OF ENGINEERS PROJECTS IN RURAL COMMUNITIES AND ECONOMICALLY DISADVANTAGED COMMUNITIES.—Section 118 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260) is amended—

(1) in subsection (b)(2)(C), by striking “10”; and
(2) in subsection (c)—

(A) in paragraph (2), in the matter preceding subparagraph (A), by striking “make a recommendation to Congress on up to 10 projects” and inserting “recommend projects to Congress”; and

(B) by adding at the end the following:

“(5) RECOMMENDATIONS.—In recommending projects under paragraph (2), the Secretary shall include such recommendations in the next annual report submitted to Congress under section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) after the date of enactment of the Water Resources Development Act of 2022.”.

(b) PILOT PROGRAM FOR CAPS IN SMALL OR DISADVANTAGED COMMUNITIES.—Section 165(a) of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260) is amended—

(1) in paragraph (2)(B), by striking “a total of 10”;

(2) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (3) the following:
“(4) Maximum federal amount.—For a project carried out under this subsection, the maximum Federal amount, if applicable, shall be increased by the commensurate amount of the non-Federal share that would otherwise be required for the project under the applicable continuing authority program.”.

SEC. 313. REHABILITATION OF CORPS OF ENGINEERS CONSTRUCTED PUMP STATIONS.

Section 133 of the Water Resources Development Act of 2020 (33 U.S.C. 2327a) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

“(1) Eligible pump station.—The term ‘eligible pump station’ means a pump station that—

“(A) is a feature of a federally authorized flood or coastal storm risk management project;

or

“(B) if inoperable, would impair drainage of water from areas interior to a federally authorized flood or coastal storm risk management project.”;

(2) by striking subsection (b) and inserting the following:
“(b) AUTHORIZATION.—The Secretary may carry out rehabilitation of an eligible pump station, if the Secretary determines that—

“(1) the pump station has a major deficiency; and

“(2) the rehabilitation is feasible.”; and

(3) by striking subsection (f) and inserting the following:

“(f) PRIORITIZATION.—To the maximum extent practicable, the Secretary shall prioritize the provision of assistance under this section to economically disadvantaged communities.”.

SEC. 314. CHESAPEAKE BAY ENVIRONMENTAL RESTORATION AND PROTECTION PROGRAM.

Section 510(a)(2) of the Water Resources Development Act of 1996 (110 Stat. 3759; 128 Stat. 1317) is amended—

(1) in subparagraph (B), by inserting “and streambanks” after “shorelines”;

(2) in subparagraph (E), by striking “and” at the end;

(3) by redesignating subparagraph (F) as subparagraph (H); and

(4) by inserting after subparagraph (E) the following:
“(F) wastewater treatment and related facilities;
“(G) stormwater and drainage systems; and”.

SEC. 315. EVALUATION OF HYDROLOGIC CHANGES IN SOURIS RIVER BASIN.

The Secretary is authorized to evaluate hydrologic changes affecting the agreement entitled “Agreement Between the Government of Canada and the United States of America for Water Supply and Flood Control in The Souris River Basin”, signed in 1989.

SEC. 316. MEMORANDUM OF UNDERSTANDING RELATING TO BALDHILL DAM, NORTH DAKOTA.

The Secretary may enter into a memorandum of understanding with the non-Federal interest for the Red River Valley Water Supply Project to accommodate flows for downstream users through Baldhill Dam, North Dakota.

SEC. 317. UPPER MISSISSIPPI RIVER RESTORATION PROGRAM.

Section 1103(e)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)(3)) is amended by striking “$40,000,000” and inserting “$75,000,000”.
SEC. 318. HARMFUL ALGAL BLOOM DEMONSTRATION PROGRAM.

Section 128(c) of the Water Resources Development Act of 2020 (33 U.S.C. 610 note; Public Law 116–260) is amended by inserting “the Upper Mississippi River and its tributaries,” after “New York.”

SEC. 319. COLLETON COUNTY, SOUTH CAROLINA.

Section 221(a)(4)(C)(i) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)(C)(i)) shall not apply to construction carried out by the non-Federal interest before the date of enactment of this Act for the project for hurricane and storm damage risk reduction, Colleton County, South Carolina, authorized by section 1401(3) of the Water Resources Development Act of 2016 (130 Stat. 1711).

SEC. 320. ARKANSAS RIVER CORRIDOR, OKLAHOMA.

Section 3132 of the Water Resources Development Act of 2007 (121 Stat. 1141) is amended by striking subsection (b) and inserting the following:

“(b) AUTHORIZED COST.—The Secretary is authorized to carry out construction of a project under this section at a total cost of $128,400,000, with the cost shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

“(c) ADDITIONAL FEASIBILITY STUDIES AUTHORIZED.—
“(1) IN GENERAL.—The Secretary is authorized to carry out feasibility studies for purposes of recom-
mending to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives additional projects under this sec-
tion.

“(2) TREATMENT.—An additional feasibility study carried out under this subsection shall be con-
sidered a continuation of the feasibility study that formulated the project carried out under subsection (b).”.

SEC. 321. ABANDONED AND INACTIVE NONCOAL MINE RES-
TORATION.

Section 560 of the Water Resources Development Act of 1999 (33 U.S.C. 2336) is amended—

(1) in subsection (c), by inserting “or on land taken into trust by the Secretary of the Interior on behalf of, and for the benefit of, an Indian Tribe” after “land owned by the United States”; and

(2) in subsection (f), by striking “$30,000,000” and inserting “$50,000,000”.
SEC. 322. ASIAN CARP PREVENTION AND CONTROL PILOT PROGRAM.

Section 509(a)(2) of the Water Resources Development Act of 2020 (33 U.S.C. 610 note; Public Law 116–260) is amended—

(1) in subparagraph (A), by striking “or Tennessee River Watershed” and inserting “, Tennessee River Watershed, or Tombigbee River Watershed”;

and

(2) in subparagraph (C)(i), by inserting “, of which not less than 1 shall be carried out on the Tennessee–Tombigbee Waterway” before the period at the end.

SEC. 323. FORMS OF ASSISTANCE.

Section 592(b) of the Water Resources Development Act of 1999 (113 Stat. 379) is amended by striking “and surface water resource protection and development” and inserting “surface water resource protection and development, stormwater management, drainage systems, and water quality enhancement”.

SEC. 324. DEBRIS REMOVAL, NEW YORK HARBOR, NEW YORK.

(a) IN GENERAL.—Beginning on the date of enactment of this Act, the project for New York Harbor collection and removal of drift, authorized by section 91 of the Water Resources Development Act of 1974 (88 Stat. 39),
and deauthorized pursuant to section 6001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 579b) (as in effect on the day before the date of enactment of the WIIN Act (130 Stat. 1628)), is authorized to be carried out by the Secretary.

(b) Feasibility Study.— The Secretary shall carry out, and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of, a feasibility study for the project described in subsection (a).

SEC. 325. INVASIVE SPECIES MANAGEMENT.

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

(1) in subsection (b)(2)(A)(ii)—

(A) by striking “$50,000,000” and inserting “$75,000,000”; and

(B) by striking “2024” and inserting “2028”; and

(2) in subsection (g)(2)—

(A) in subparagraph (A)—

(i) by striking “water quantity or water quality” and inserting “water quantity, water quality, or ecosystems”; and
(ii) by inserting “the Lake Erie Basin, the Ohio River Basin,” after “the Upper Snake River Basin,”; and

(B) in subparagraph (B), by inserting “, hydrilla (Hydrilla verticillata),” after “angustifolia),”.

SEC. 326. WOLF RIVER HARBOR, TENNESSEE.

Beginning on the date of enactment of this Act, the project for navigation, Wolf River Harbor, Tennessee, authorized by title II of the Act of June 16, 1933 (48 Stat. 200, chapter 90) (commonly known as the “National Industrial Recovery Act”), and modified by section 203 of the Flood Control Act of 1958 (72 Stat. 308), is modified to reduce the authorized dimensions of the project, such that the remaining authorized dimensions are a 250-foot-wide, 9-foot-depth channel with a center line beginning at a point 35.139634, -90.062343 and extending approximately 8,500 feet to a point 35.160848, -90.050566.

SEC. 327. MISSOURI RIVER MITIGATION, MISSOURI, KANSAS, IOWA, AND NEBRASKA.

The matter under the heading “MISSOURI RIVER MITIGATION, MISSOURI, KANSAS, IOWA, AND NEBRASKA” in section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4143; 121 Stat. 1155), as modified by section 334 of the Water Resources Development Act
of 1999 (113 Stat. 306), is amended by adding at the end the following: “When acquiring land to meet the requirements of fish and wildlife mitigation, the Secretary may consider incidental flood risk management benefits.”.

SEC. 328. INVASIVE SPECIES MANAGEMENT PILOT PROGRAM.

Section 104(f)(4) of the River and Harbor Act of 1958 (33 U.S.C. 610(f)(4)) is amended by striking “2024” and inserting “2026”.

SEC. 329. NUECES COUNTY, TEXAS, CONVEYANCES.

(a) In general.—On receipt of a written request of the Port of Corpus Christi, the Secretary shall—

(1) review the land owned and easements held by the United States for purposes of navigation in Nueces County, Texas; and

(2) convey to the Port of Corpus Christi or, in the case of an easement, release to the owner of the fee title to the land subject to such easement, without consideration, all such land and easements described in paragraph (1) that the Secretary determines are no longer required for project purposes.

(b) Conditions.—

(1) Quitclaim deed.—Any conveyance of land under this section shall be by quitclaim deed.
(2) TERMS AND CONDITIONS.—The Secretary may subject any conveyance or release of easement under this section to such terms and conditions as the Secretary determines necessary and advisable to protect the United States.

(e) ADMINISTRATIVE COSTS.—In accordance with section 2695 of title 10, United States Code, the Port of Corpus Christi shall be responsible for the costs incurred by the Secretary to convey land or release easements under this section.

(d) WAIVER OF REAL PROPERTY SCREENING REQUIREMENTS.—Section 2696 of title 10, United States Code, shall not apply to the conveyance of land or release of easements under this section.

SEC. 330. MISSISSIPPI DELTA HEADWATERS, MISSISSIPPI.

As part of the authority of the Secretary to carry out the project for flood damage reduction, bank stabilization, and sediment and erosion control, Yazoo Basin, Mississippi Delta Headwaters, Mississippi, authorized by the matter under the heading "ENHANCEMENT OF WATER RESOURCE BENEFITS AND FOR EMERGENCY DISASTER WORK" in title I of Public Law 98–8 (97 Stat. 22), the Secretary may carry out emergency maintenance activities, as the Secretary determines to be necessary, for fea-
tures of the project completed before the date of enactment of this Act.

SEC. 331. ECOSYSTEM RESTORATION, HUDSON–RARITAN ESTUARY, NEW YORK AND NEW JERSEY.

(a) IN GENERAL.—The Secretary may carry out additional feasibility studies for ecosystem restoration, Hudson–Raritan Estuary, New York and New Jersey, including an examination of measures and alternatives at Baisley Pond Park and the Richmond Terrace Wetlands.

(b) TREATMENT.—A feasibility study carried out under subsection (a) shall be considered a continuation of the study that formulated the project for ecosystem restoration, Hudson–Raritan Estuary, New York and New Jersey, authorized by section 401(5) of the Water Resources Development Act of 2020 (134 Stat. 2740).

SEC. 332. TIMELY REIMBURSEMENT.

(a) DEFINITION OF COVERED PROJECT.—In this section, the term “covered project” means a project for navigation authorized by section 1401(1) of the WIIN Act (130 Stat. 1708).

(b) REIMBURSEMENT REQUIRED.—In the case of a covered project for which the non-Federal interest has advanced funds for construction of the project, the Secretary shall reimburse the non-Federal interest for advanced funds that exceed the non-Federal share of the cost of con-
struction of the project as soon as practicable after the completion of each individual contract for the project.

SEC. 333. NEW SAVANNAH BLUFF LOCK AND DAM, GEORGIA AND SOUTH CAROLINA.

Section 1319(c) of the WIIN Act (130 Stat. 1704) is amended by striking paragraph (2) and inserting the following:

“(2) COST-SHARE.—

“(A) IN GENERAL.—The costs of construction of a Project feature constructed pursuant to paragraph (1) shall be determined in accordance with section 101(a)(1)(B) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1)(B)).

“(B) SAVINGS PROVISION.—Any increase in costs for the Project due to the construction of a Project feature described in subparagraph (A) shall not be included in the total project cost for purposes of section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280).”.

SEC. 334. LAKE TAHOE BASIN RESTORATION, NEVADA AND CALIFORNIA.

(a) DEFINITION.—In this section, the term “Lake Tahoe Basin” means the entire watershed drainage of
Lake Tahoe including that portion of the Truckee River
1,000 feet downstream from the United States Bureau of
Reclamation dam in Tahoe City, California.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary
may establish a program for providing environmental as-
assistance to non-Federal interests in Lake Tahoe Basin.

(e) FORM OF ASSISTANCE.—Assistance under this
section may be in the form of planning, design, and con-
struction assistance for water-related environmental infra-
structure and resource protection and development
projects in Lake Tahoe Basin—

(1) urban stormwater conveyance, treatment
and related facilities;

(2) watershed planning, science and research;

(3) environmental restoration; and

(4) surface water resource protection and devel-

dopment.

(d) PUBLIC OWNERSHIP REQUIREMENT.—The Sec-
retary may provide assistance for a project under this sec-
tion only if the project is publicly owned.

(e) LOCAL COOPERATION AGREEMENT.—

(1) IN GENERAL.—Before providing assistance
under this section, the Secretary shall enter into a
local cooperation agreement with a non-Federal in-
terest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State and Regional officials, of appropriate environmental documentation, engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of planning and design work
completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project.

(C) LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations provided by the non-Federal interest toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(D) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.
(g) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section for the period beginning with fiscal year 2005, $50,000,000, to remain available until expended.

(h) Repeal.—Section 108 of division C of the Consolidated Appropriations Act, 2005 (118 Stat. 2942), is repealed.

(i) Treatment.—The program authorized by this section shall be considered a continuation of the program authorized by section 108 of division C of the Consolidated Appropriations Act, 2005 (118 Stat. 2942) (as in effect on the day before the date of enactment of this Act).

SEC. 335. ADDITIONAL ASSISTANCE FOR EASTERN SANTA CLARA BASIN, CALIFORNIA.

Section 111 of title I of division B of the Miscellaneous Appropriations Act, 2001 (as enacted by section 1(a)(4) of the Consolidated Appropriations Act, 2001 (114 Stat. 2763; 114 Stat. 2763A–224; 121 Stat. 1209)), is amended—

(1) in subsection (a), by inserting “and volatile organic compounds” after “perchlorates”; and

(2) in subsection (b)(3), by inserting “and volatile organic compounds” after “perchlorates”.

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SEC. 336. TRIBAL PARTNERSHIP PROGRAM.

Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (a), by striking ``(25 U.S.C. 450b)'' and inserting ``(25 U.S.C. 5304)'';

(2) in subsection (b)—

(A) in paragraph (2)(A)—

(i) by inserting ``or coastal storm''

after ``flood''; and

(ii) by inserting ``including erosion control,'' after ``reduction,'';

(B) in paragraph (3), by adding at the end the following:

``(C) FEDERAL INTEREST DETERMINATION.—The first $100,000 of the costs of a study under this section shall be at full Federal expense.'';

(C) in paragraph (4)—

(i) in subparagraph (A), by striking``$18,500,000'' and inserting``$26,000,000''; and

(ii) in subparagraph (B), by striking``$18,500,000'' and inserting``$26,000,000''; and

(D) by adding at the end the following:
“(5) PROJECT JUSTIFICATION.—Notwithstanding any other provision of law or requirement for economic justification established under section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) for a project (other than a project for ecosystem restoration), the Secretary may implement a project under this section if the Secretary determines that the project will—

“(A) significantly reduce potential flood or coastal storm damages, which may include or be limited to damages due to shoreline erosion or riverbank or streambank failures;

“(B) improve the quality of the environment;

“(C) reduce risks to life safety associated with the damages described in subparagraph (A); and

“(D) improve the long-term viability of the community.”;

(3) in subsection (d)(5)(B)—

(A) by striking “non-Federal” and inserting “Federal”; and

(B) by striking “50 percent” and inserting “100 percent”; and
(4) in subsection (e), by striking “2024” and inserting “2033”.

SEC. 337. SURPLUS WATER CONTRACTS AND WATER STORAGE AGREEMENTS.

Section 1046(c) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1254; 132 Stat. 3784; 134 Stat. 2715) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraph (4) as paragraph (3).

SEC. 338. COPAN LAKE, OKLAHOMA.

(a) In General.—The Secretary shall amend Contract DACW56-81-C-0114 between the United States and the Copan Public Works Authority (referred to in this section as the “Authority”), entered into on June 22, 1981, for the utilization by the Authority of storage space for water supply in Copan Lake, Oklahoma (referred to in this section as the “project”)—

(1) to release to the United States all rights of the Authority to utilize 4,750 acre-feet of future use water storage space; and

(2) to relieve the Authority from all financial obligations, to include the initial project investment costs and the accumulated interest on unpaid project
investment costs, for the volume of water storage space described in paragraph (1).

(b) REQUIREMENT.—During the 2-year period beginning on the effective date of execution of the contract amendment under subsection (a), the Secretary shall—

(1) provide the City of Bartlesville, Oklahoma, with the right of first refusal to contract for the utilization of storage space for water supply for any portion of the storage space that was released by the Authority under subsection (a); and

(2) ensure that the City of Bartlesville, Oklahoma, shall not pay more than 110 percent of the initial project investment cost per acre-foot of storage for the acre-feet of storage space sought under an agreement under paragraph (1).

SEC. 339. ENHANCED DEVELOPMENT PROGRAM.

The Secretary shall fully implement opportunities for enhanced development at Oklahoma Lakes under the authorities provided in section 3134 of the Water Resources Development Act of 2007 (121 Stat. 1142; 130 Stat. 1671) and section 164 of the Water Resources Development Act of 2020 (134 Stat. 2668).

SEC. 340. ECOSYSTEM RESTORATION COORDINATION.

(a) IN GENERAL.—In carrying out the project for ecosystem restoration, South Fork of the South Branch
of the Chicago River, Bubbly Creek, Illinois, authorized
by section 401(5) of the Water Resources Development
Act of 2020 (134 Stat. 2740), the Secretary shall coordi-
nate to the maximum extent practicable with the Adminis-
trator of the Environmental Protection Agency, State en-
vironmental agencies, and regional coordinating bodies re-
sponsible for the remediation of toxics.

(b) SAVINGS PROVISION.—Nothing in this section ex-
tends liability to the Secretary for any remediation of
toxics present at the project site referred to in subsection
(a) prior to the date of authorization of that project.

SEC. 341. ACEQUIAS IRRIGATION SYSTEMS.

Section 1113 of the Water Resources Development
Act of 1986 (100 Stat. 4232) is amended—

(1) in subsection (b)—

(A) by striking ``(b) Subject to section
903(a) of this Act, the Secretary is authorized
and directed to undertake’’ and inserting the
following:

‘‘(b) AUTHORIZATION.—Subject to section 903(a),
the Secretary shall carry out’’; and

(B) by striking ‘‘canals’’ and all that fol-
lows through ‘‘25 percent.’’ and inserting the
following: ‘‘channels attendant to the operations
of the community ditch and Acequia systems in New Mexico that—

“(1) are declared to be a political subdivision of the State; or

“(2) belong to a federally recognized Indian Tribe.”;

(2) by redesignating subsection (c) as subsection (e);

(3) by inserting after subsection (b) the following:

“(c) INCLUSIONS.—The measures described in subsection (b) shall, to the maximum extent practicable—

“(1) ensure greater resiliency of diversion structures, including to flow variations, prolonged drought conditions, invasive plant species, and threats from changing hydrological and climatic conditions; or

“(2) support research, development, and training for innovative management solutions, including those for controlling invasive aquatic plants that affect Acequias.

“(d) COSTS.—

“(1) TOTAL COST.—The measures described in subsection (b) shall be carried out at a total cost of $80,000,000.
“(2) Cost sharing.—

“(A) In general.—Except as provided in subparagraph (B), the non-Federal share of the cost of carrying out the measures described in subsection (b) shall be 25 percent.

“(B) Special rule.—In the case of a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)), the Federal share of the cost of carrying out the measures described in subsection (b) shall be 90 percent.”; and

(4) in subsection (e) (as so redesignated)—

(A) in the first sentence—

(i) by striking “(e) The Secretary is further authorized and directed to” and inserting the following:

“(e) Public Entity Status.—

“(1) In general.—The Secretary shall”; and

(ii) by inserting “or belong to a federally recognized Indian Tribe within the State of New Mexico” after “that State”; and
(B) in the second sentence, by striking “This public entity status will allow the officials of these Acequia systems” and inserting the following:

“(2) EFFECT.—The public entity status provided pursuant to paragraph (1) shall allow the officials of the Acequia systems described in that paragraph”.

SEC. 342. ROGERS COUNTY, OKLAHOMA.

(a) CONVEYANCE.—The Secretary is authorized to convey to the City of Tulsa–Rogers County Port Authority (referred to in this section as the “Port Authority”), for fair market value, all right, title, and interest of the United States in and to the Federal land described in subsection (b).

(b) FEDERAL LAND DESCRIBED.—

(1) IN GENERAL.—The Federal land to be conveyed under this section is the approximately 176 acres of Federal land located on the following 3 parcels in Rogers County, Oklahoma:


(B) Parcel 2 includes U.S. tract 124 (partial) and U.S. tract 128 (partial).
(C) Parcel 3 includes U.S. tract 128 (partial).

(2) Determination Required.—

(A) In General.—Subject to paragraph (1) and subparagraphs (B), (C), and (D), the Secretary shall determine the exact property description and acreage of the Federal land to be conveyed under this section.

(B) Requirement.—In making the determination under subparagraph (A), the Secretary shall reserve from conveyance such easements, rights-of-way, and other interests as the Secretary determines to be necessary and appropriate to ensure the continued operation of the McClellan-Kerr Arkansas River navigation project, including New Graham Lock and Dam 18 as a part of that project, as authorized under the comprehensive plan for the Arkansas River Basin by section 3 of the Act of June 28, 1938 (52 Stat. 1218, chapter 795), and section 10 of the Flood Control Act of 1946 (60 Stat. 647, chapter 596) and where applicable the provisions of the River and Harbor Act of 1946 (60 Stat. 634, chapter 595) and modified by section 108 of the Energy and Water Develop-

(C) Obstructions to navigable capacity.—A conveyance under this section shall not affect the jurisdiction of the Secretary under section 10 of the Act of March 3, 1899 (commonly known as the “Rivers and Harbors Act of 1899”) (30 Stat. 1151, chapter 425; 33 U.S.C. 403) with respect to the Federal land conveyed.

(D) Survey required.—The exact acreage and the legal description of any Federal land conveyed under this section shall be determined by a survey that is satisfactory to the Secretary.

(c) Applicability.—Section 2696 of title 10, United States Code, shall not apply to the conveyance under this section.

(d) Costs.—The Port Authority shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance.
(c) HOLD HARMLESS.—

(1) IN GENERAL.—The Port Authority shall hold the United States harmless from any liability with respect to activities carried out on or after the date of the conveyance under this section on the Federal land conveyed.

(2) LIMITATION.—The United States shall remain responsible for any liability incurred with respect to activities carried out before the date of the conveyance under this section on the Federal land conveyed.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require that the conveyance under this section be subject to such additional terms and conditions as the Secretary considers necessary and appropriate to protect the interests of the United States.

SEC. 343. WATER SUPPLY STORAGE REPAIR, REHABILITATION, AND REPLACEMENT COSTS.

Section 301(b) of the Water Supply Act of 1958 (43 U.S.C. 390b(b)) is amended, in the fourth proviso, by striking the second sentence and inserting the following: “For Corps of Engineers projects, all annual operation and maintenance costs for municipal and industrial water supply storage under this section shall be reimbursed from State or local interests on an annual basis, and all repair,
rehabilitation, and replacement costs shall be reimbursed from State or local interests (1) without interest, during construction of the repair, rehabilitation, or replacement, (2) with interest, in lump sum on the completion of the repair, rehabilitation, or replacement, or (3) at the request of the State or local interest, with interest, over a period of not more than 25 years beginning on the date of completion of the repair, rehabilitation, or replacement, with repayment contracts providing for recalculation of the interest rate at 5-year intervals. At the request of the State or local interest, the Secretary of the Army shall amend a repayment contract entered into under this section on or before the date of enactment of this sentence for the purpose of incorporating the terms and conditions described in paragraph (3) of the preceding sentence.”.

SEC. 344. NON-FEDERAL PAYMENT FLEXIBILITY.

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

(1) by striking the subsection designation and heading and all that follows through “At the request of” in the first sentence and inserting the following:

“(l) DELAY OF PAYMENT.—

“(1) INITIAL PAYMENT.—At the request of”;

and

(2) by adding at the end the following:
“(2) INTEREST.—

“(A) IN GENERAL.—At the request of any non-Federal interest, the Secretary may waive the accrual of interest on any non-Federal cash contribution under this section or section 101 for a project for a period of not more than 1 year if the Secretary determines that—

“(i) the waiver will contribute to the ability of the non-Federal interest to make future contributions; and

“(ii) the non-Federal interest is in good standing under terms agreed to under subsection (k)(1).

“(B) LIMITATIONS.—The Secretary may grant not more than 1 waiver under subparagraph (A) for the same project.”.

SEC. 345. NORTH PADRE ISLAND, CORPUS CHRISTI BAY, TEXAS.

The project for ecosystem restoration, North Padre Island, Corpus Christi Bay, Texas, constructed by the Secretary prior to the date of enactment of this Act under section 556 of the Water Resources Development Act of 1999 (113 Stat. 353), shall not be eligible for repair and restoration assistance under section 5(a) of the Act of August 18, 1941 (commonly known as the “Flood Control
SEC. 346. WAIVER OF NON-FEDERAL SHARE OF DAMAGES RELATED TO CERTAIN CONTRACT CLAIMS.

In a case in which the Armed Services Board of Contract Appeals or a court of competent jurisdiction rendered a decision on a date that was at least 20 years before the date of enactment of this Act awarding damages to a contractor relating to the adjudication of claims arising from the construction of general navigation features of a project carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), notwithstanding the terms of the Project Partnership Agreement, the Secretary shall waive payment of the share of the non-Federal interest of such damages, including attorney’s fees, if the Secretary—

(1) terminated construction of the project prior to completion of all features; and

(2) has not collected payment from the non-Federal interest before the date of enactment of this Act.

SEC. 347. ALGIERS CANAL LEVEES, LOUISIANA.

In accordance with section 328 of the Water Resources Development Act of 1999 (113 Stat. 304; 121 Stat. 1129), the Secretary shall resume operation, mainte-
nance, repair, rehabilitation, and replacement of the Algiers Canal Levees, Louisiana, at full Federal expense.

SEC. 348. ISRAEL RIVER ICE CONTROL PROJECT, LANCaster, NEW HAMPSHIRE.

Beginning on the date of enactment of this Act, the project for flood control, Israel River, Lancaster, New Hampshire, authorized by section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is no longer authorized.

SEC. 349. CITY OF EL DORADO, KANSAS.

The Secretary shall amend Contract DACW56–72–C–0220, between the United States and the City of El Dorado, Kansas, entered into on June 30, 1972, for the utilization by the City of storage space for water supply in El Dorado Lake, Kansas, to change the method of calculation of the interest charges that began accruing on June 30, 1991, on the investment costs for the 72,087 acre-feet of future use storage space, from compounding interest annually to charging simple interest annually on the principal amount, until—

(1) the City desires to convert the future use storage space to present use; and

(2) the principal amount plus the accumulated interest becomes payable pursuant to the terms of the Contract.
SEC. 350. UPPER MISSISSIPPI RIVER PROTECTION.

Section 2010 of the Water Resources Reform and Development Act of 2014 (128 Stat. 1270; 132 Stat. 3812) is amended by adding at the end the following:

“(f) **LIMITATION.**—The Secretary shall not recommend deauthorization of the Upper St. Anthony Falls Lock and Dam unless the Secretary identifies a willing and capable non-Federal public entity to assume ownership of the lock and dam.

“(g) **MODIFICATION.**—The Secretary is authorized to investigate the feasibility of modifying the Upper St. Anthony Falls Lock and Dam to add ecosystem restoration, including the prevention and control of invasive species, as an authorized purpose.”.

SEC. 351. REGIONAL CORPS OF ENGINEERS OFFICE, CORPUS CHRISTI, TEXAS.

(a) **IN GENERAL.**—At such time as new facilities are available to the Corps of Engineers, and subject to this section, the Secretary shall convey to the Port of Corpus Christi Authority, by deed and without warranty, all right, title, and interest of the United States in and to the property described in subsection (c).

(b) **CONSIDERATION.**—Consideration for the conveyance under subsection (a) shall be determined by an appraisal, satisfactory to the Secretary, of the market value of the property conveyed.
(c) DESCRIPTION OF PROPERTY.—The property referred to in subsection (a) is the land known as “Tract 100” and “Tract 101”, including improvements on that land, in Corpus Christi, Texas, and described as follows:

(1) TRACT 100.—The 1.89 acres, more or less, as conveyed by the Nueces County Navigation District No. 1 of Nueces County, Texas, to the United States by instrument dated October 16, 1928, and recorded at Volume 193, pages 1 and 2, in the Deed Records of Nueces County, Texas.

(2) TRACT 101.—The 0.53 acres as conveyed by the City of Corpus Christi, Nueces County, Texas, to the United States by instrument dated September 24, 1971, and recorded at Volume 318, pages 523 and 524, in the Deed Records of Nueces County, Texas.

(3) IMPROVEMENTS.—

(A) Main Building (RPUID AO–C–3516), constructed January 9, 1974.

(B) Garage, vehicle with 5 bays (RPUID AO–C–3517), constructed January 9, 1985.

(C) Bulkhead, Upper (RPUID AO–C–2658), constructed January 1, 1941.

(D) Bulkhead, Lower (RPUID AO–C–3520), constructed January 1, 1933.

(F) Bulkhead Fence (RPUID AO–C–3522), constructed January 9, 1985.

(d) TERMS AND CONDITIONS.—

(1) IN GENERAL.—Before conveying the land described in subsection (c) to the Port of Corpus Christi Authority, the Secretary shall ensure that the conditions of buildings and facilities meet applicable requirements under Federal law, as determined by the Secretary.

(2) IMPROVEMENTS.—Improvements to conditions of buildings and facilities on the land described in subsection (c), if any, shall be incorporated into the consideration required under subsection (b).

(3) COSTS OF CONVEYANCE.—In addition to the fair market value for property rights conveyed, the Port of Corpus Christi Authority shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance under subsection (a).

SEC. 352. PILOT PROGRAM FOR GOOD NEIGHBOR AUTHORITY ON CORPS OF ENGINEERS LAND.

(a) DEFINITIONS.—In this section:
(1) AUTHORIZED RESTORATION SERVICES.—

The term “authorized restoration services” means similar and complementary forest, rangeland, and watershed restoration services carried out—

(A) on Federal land; and

(B) by the Secretary or Governor pursuant to a good neighbor agreement.

(2) FEDERAL LAND.—

(A) IN GENERAL.—The term “Federal land” means land within the State that is administered by the Corps of Engineers.

(B) EXCLUSIONS.—The term “Federal land” does not include—

(i) a component of the National Wilderness Preservation System;

(ii) Federal land on which the removal of vegetation is prohibited or restricted by an Act of Congress or a Presidential proclamation (including the applicable implementation plan); or

(iii) a wilderness study area.

(3) FOREST, RANGELAND, AND WATERSHED SERVICES.—
(A) IN GENERAL.—The term “forest, rangeland, and watershed restoration services” means—

(i) activities to treat insect-infected and disease-infected trees;

(ii) activities to reduce hazardous fuels; and

(iii) any other activities to restore or improve forest, rangeland, and watershed health, including fish and wildlife habitat.

(B) EXCLUSIONS.—The term “forest, rangeland, and watershed restoration services” does not include—

(i) construction, reconstruction, repair, or restoration of paved or permanent roads or parking areas, other than the reconstruction, repair, or restoration of a road that is necessary to carry out authorized restoration services pursuant to a good neighbor agreement; and

(ii) construction, alteration, repair or replacement of public buildings or public works.

(4) GOOD NEIGHBOR AGREEMENT.—The term “good neighbor agreement” means a cooperative
agreement or contract (including a sole source con-
tract) entered into between the Secretary and Gov-
ernor under subsection (b)(1)(A) to carry out au-
thorized restoration services under this section.

(5) GOVERNOR.—The term “Governor” means
the Governor or any other appropriate executive offi-
cial of the State.

(6) ROAD.—The term “road” has the meaning
given the term in section 212.1 of title 36, Code of
Federal Regulations (as in effect on February 7,
2014).

(7) STATE.—The term “State” means the State
of Idaho.

(b) GOOD NEIGHBOR AGREEMENTS.—

(1) GOOD NEIGHBOR AGREEMENTS.—

(A) IN GENERAL.—The Secretary may
carry out a pilot program to enter into good
neighbor agreements with the Governor to carry
out authorized restoration services in the State
in accordance with this section.

(B) PUBLIC AVAILABILITY.—The Secretary
shall make each good neighbor agreement avail-
able to the public.

(C) ADMINISTRATIVE COSTS.—The Gov-
ernor shall provide, and the Secretary may ac-
cept and expend, funds to cover the costs of the Secretary to enter into and administer a good neighbor agreement.

(D) TERMINATION.—The pilot program under subparagraph (A) shall terminate on October 1, 2028.

(2) TIMBER SALES.—

(A) APPROVAL OF SILVICULTURE PRESCRIPTIONS AND MARKING GUIDES.—The Secretary shall provide or approve all silviculture prescriptions and marking guides to be applied on Federal land in all timber sale projects conducted under this section.

(B) TREATMENT OF REVENUE.—Except as provided in subparagraph (C), funds received from the sale of timber by the Governor under a good neighbor agreement shall be retained and used by the Governor to carry out authorized restoration services under the good neighbor agreement.

(C) EXCESS REVENUE.—

(i) IN GENERAL.—Any funds remaining after carrying out subparagraph (B) that are in excess of the amount provided by the Governor to the Secretary under
paragraph (1)(C) shall be returned to the Secretary.

(ii) Applicability of certain provisions.—Funds returned to the Secretary under clause (i) shall be subject to the first part of section 5 of the Act of June 13, 1902 (commonly known as the “Rivers and Harbors Appropriations Act of 1902”) (32 Stat. 373, chapter 1079; 33 U.S.C. 558).

(3) Retention of NEPA responsibilities.—Any decision required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to any authorized restoration services to be provided under this section on Federal land shall not be delegated to the Governor.

SEC. 353. SOUTHEAST DES MOINES, SOUTHWEST PLEASANT HILL, IOWA.

(a) Project modifications.—The project for flood risk management and other purposes, Red Rock Dam and Lake, Des Moines River, Iowa (referred to in this section as the “Red Rock Dam Project”), authorized by section 10 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 896, chapter 665), and the project for flood risk management, Des Moines Local Flood Protection, Des Moines River, Iowa
(referred to in this section as “Flood Protection Project”),
authorized by section 10 of that Act (58 Stat. 896, chapter 665), shall be modified as follows, subject to a new or amended agreement between the Secretary and the non-Federal interest for the Flood Protection Project, the City of Des Moines, Iowa (referred to in this section as the “City”), in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b):

(1) That portion of the Red Rock Dam Project consisting of the segment of levee from Station 15+88.8W to Station 77+43.7W shall be transferred to the Flood Protection Project.

(2) The relocated levee improvement constructed by the City, from Station 77+43.7W to approximately Station 20+00, shall be included in the Flood Protection Project.

(b) FEDERAL EASEMENT CONVEYANCES.—

(1) The Secretary is authorized to convey the following easements, acquired by the Federal Government for the Red Rock Dam Project, to the City to become part of the Flood Protection Project in accordance with subsection (a):

(A) Easements identified as Tracts 3215E-1 and 3235E.
(B) Easements identified as Partial Tracts 3216E-2, 3216E-3, 3217E-1, 3217E-2, and 3227E.

(2) On counter-execution of the new or amended agreement pursuant to the Federal easement conveyances under paragraph (1), the Secretary is authorized to convey the following easements, by quitclaim deed, without consideration, acquired by the Federal Government for the Red Rock Dam project, to the City or to the Des Moines Metropolitan Wastewater Reclamation Authority and no longer required for the Red Rock Dam Project or for the Des Moines Local Flood Protection Project:

(A) Easements identified as Tracts 3200E, 3202E-1, 3202E-2, 3202E-4, 3203E-2, 3215E-3, 3216E-1, and 3216E-5.

(B) Easements identified as Partial Tracts 3216E-2, 3216E-3, 3217E-1, and 3217E-2.

(3) All real property interests conveyed under this subsection shall be subject to the standard release of easement disposal process. All administrative fees associated with the transfer of the subject easements to the City or to the Des Moines Metropolitan Wastewater Reclamation Authority will be borne by the transferee.
SEC. 354. MIDDLE RIO GRANDE FLOOD PROTECTION, BERNALILLO TO BELEN, NEW MEXICO.

In the case of the project for flood risk management, Middle Rio Grande, Bernalillo to Belen, New Mexico, authorized by section 401(2) of the Water Resources Development Act of 2020 (134 Stat. 2735), the non-Federal share of the cost of the project shall be the percentage described in section 103(a)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(a)(2)) (as in effect on the day before the date of enactment of the Water Resources Development Act of 1996 (110 Stat. 3658)).

SEC. 355. COMPREHENSIVE EVERGLADES RESTORATION PLAN, FLORIDA.

(a) In general.—Section 601(e)(5) of the Water Resources Development Act of 2000 (114 Stat. 2685; 132 Stat. 3786) is amended by striking subparagraph (E) and inserting the following:

“(E) Periodic monitoring.—

“(i) In general.—To ensure that the contributions of the non-Federal sponsor equal 50 percent proportionate share for projects in the Plan, during each period of 5 fiscal years, beginning on October 1, 2022, the Secretary shall, for each project—
“(I) monitor the non-Federal provision of cash, in-kind services, and land; and

“(II) manage, to the maximum extent practicable, the requirement of the non-Federal sponsor to provide cash, in-kind services, and land.

“(ii) OTHER MONITORING.—The Secretary shall conduct monitoring under clause (i) separately for the preconstruction engineering and design phase and the construction phase for each project in the Plan.

“(iii) CLARIFICATION.—Not later than 90 days after the end of each fiscal year, the Secretary shall provide to the non-Federal sponsor a financial accounting of non-Federal contributions under clause (i)(I) for such fiscal year.

“(iv) LIMITATION.—As applicable, the Secretary shall only require a cash contribution from the non-Federal sponsor to satisfy the cost share requirements of this subsection on the last day of each period of 5 fiscal years under clause (i).”.

(b) UPDATE.—The Secretary and the South Florida Water Management District shall revise the Master Agreement for the Comprehensive Everglades Restoration Plan, executed in 2009 pursuant to section 601 of the Water Resources Development Act of 2000 (114 Stat. 2680), to reflect the amendment made by subsection (a).

SEC. 356. MAINTENANCE DREDGING PERMITS.

(a) IN GENERAL.—The Secretary shall, to the maximum extent practicable and appropriate, prioritize the reissuance of any regional general permit for maintenance dredging that expired prior to May 1, 2021.

(b) SAVINGS PROVISION.—Nothing in this section affects, preempts, or interferes with any obligation to comply with the provisions of any Federal or State environmental law, including—

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

(2) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(3) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 357. PUGET SOUND NEARSHORE ECOSYSTEM RESTORATION, WASHINGTON.

In carrying out the project for ecosystem restoration, Puget Sound, Washington, authorized by section 1401(4)
of the Water Resources Development Act of 2016 (130
Stat. 1713), the Secretary shall consider the removal and
replacement of the Highway 101 causeway and bridges at
the Duckabush River Estuary site to be a project feature
the costs of which are shared as construction.

SEC. 358. TRIBAL ASSISTANCE.

(a) Clarification of Existing Authority.—

(1) In general.—Subject to paragraph (2),
the Secretary, in consultation with the heads of rel-
evant Federal agencies, the Confederated Tribes of
the Warm Springs Indian Reservation of Oregon,
the Confederated Tribes and Bands of the Yakama
Nation, Nez Perce Tribe, and the Confederated
Tribes of the Umatilla Indian Reservation, shall re-
vise and carry out the village development plan for
Dalles Dam, Columbia River, Washington and Or-
egon, as authorized by section 204 of the Flood Con-
trol Act of 1950 (64 Stat. 179, chapter 188) to ad-
dress adverse impacts to Indian villages, housing
sites, and related structures as a result of the con-
struction of Bonneville Dam, McNary Dam, and
John Day Dam, Washington and Oregon.

(2) Examination.—Before carrying out the re-
quirements of paragraph (1), the Secretary shall
conduct an examination and assessment of the ex-
tent to which Indian villages, housing sites, and related structures were displaced or destroyed by the construction of the following projects:

(A) Bonneville Dam, Oregon, as authorized by the first section of the Act of August 30, 1935 (49 Stat. 1038, chapter 831) and the first section and section 2(a) of the Act of August 20, 1937 (50 Stat. 731, chapter 720; 16 U.S.C. 832, 832a(a)).

(B) McNary Dam, Washington and Oregon, as authorized by section 2 of the Act of March 2, 1945 (commonly known as the “River and Harbor Act of 1945”) (59 Stat. 22, chapter 19).

(C) John Day Dam, Washington and Oregon, as authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 179, chapter 188).

(3) REQUIREMENTS.—The village development plan under paragraph (1) shall include, at a minimum—

(A) an evaluation of sites on both sides of the Columbia River;
(B) an assessment of suitable Federal land
and land owned by the States of Washington
and Oregon; and

(C) an estimated cost and tentative sched-
ule for the construction of each housing devel-
opment.

(4) LOCATION OF ASSISTANCE.—The Secretary
may provide housing and related assistance under
this subsection at 1 or more sites in the States of
Washington and Oregon.

(b) PROVISION OF ASSISTANCE ON FEDERAL
LAND.—The Secretary may construct housing or provide
related assistance on land owned by the United States
under the village development plan under subsection
(a)(1).

(e) ACQUISITION AND DISPOSAL OF LAND.—

(1) IN GENERAL.—Subject to subsection (d),
the Secretary may acquire land or interests in land
for the purpose of providing housing and related as-
assistance under the village development plan under
subsection (a)(1).

(2) ADVANCE ACQUISITION.—Acquisition of
land or interests in land under paragraph (1) may
be carried out in advance of completion of all re-
quired documentation and clearances for the con-
struction of housing or related improvements on the land or on the interests in land.

(3) Disposal of unsuitable land.—If the Secretary determines that any land or interest in land acquired by the Secretary under this section in advance of completion of all required documentation for the construction of housing or related improvements is unsuitable for that housing or for those related improvements, the Secretary may—

(A) dispose of the land or interest in land by sale; and

(B) credit the proceeds to the appropriation, fund, or account used to purchase the land or interest in land.

(d) Limitation.—The Secretary shall only acquire land from willing landowners in carrying out this section.

(e) Conforming Amendment.—Section 1178(c) of the Water Resources Development Act of 2016 (130 Stat. 1675; 132 Stat. 3781) is repealed.

SEC. 359. RECREATIONAL OPPORTUNITIES AT CERTAIN PROJECTS.

(a) Definitions.—In this section:

(1) Covered project.—The term “covered project” means any of the following projects of the Corps of Engineers:
(A) Ball Mountain Lake, Vermont.

(B) Townshend Lake, Vermont.

(2) RECREATION.—The term “recreation” includes downstream whitewater recreation that is dependent on operations, recreational fishing, and boating at a covered project.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary should—

(1) ensure that, to the extent compatible with other project purposes, each covered project is operated in such a manner as to protect and enhance recreation associated with the covered project; and

(2) manage land at each covered project to improve opportunities for recreation at the covered project.

(e) MODIFICATION OF WATER CONTROL PLANS.—The Secretary may modify, or undertake temporary deviations from, the water control plan for a covered project in order to enhance recreation, if the Secretary determines the modifications or deviations—

(1) will not adversely affect other authorized purposes of the covered project; and

(2) will not result in significant adverse impacts to the environment.
SEC. 360. REHABILITATION OF CORPS OF ENGINEERS CONSTRUCTED DAMS.

Section 1177 of the Water Resources Development Act of 2016 (33 U.S.C. 467f–2 note; Public Law 114–322) is amended by adding at the end the following:

“(g) SPECIAL RULE.—Notwithstanding subsection (c), the non-Federal share of the cost to rehabilitate Waterbury Dam, Washington County, Vermont, under this section, including the cost of any required study, shall be the same share assigned to the non-Federal interest for the cost of initial construction of Waterbury Dam.”.

SEC. 361. SOUTH FLORIDA ECOSYSTEM RESTORATION TASK FORCE.

Section 528(f)(1)(J) of the Water Resources Development Act of 1996 (110 Stat. 3771) is amended—

(1) by striking “2 representatives” and inserting “3 representatives”; and

(2) by inserting “at least 1 of which shall be a representative of the Florida Department of Environmental Protection and at least 1 of which shall be a representative of the Florida Fish and Wildlife Conservation Commission,” after “Florida,”.

SEC. 362. NEW MADRID COUNTY HARBOR, MISSOURI.

Section 509(a) of the Water Resources Development Act of 1996 (110 Stat. 3759; 113 Stat. 339; 114 Stat. 2679) is amended by adding at the end the following:
“(18) Second harbor at New Madrid County Harbor, Missouri.”

SEC. 363. TRINITY RIVER AND TRIBUTARIES, TEXAS.

Section 1201(7) of the Water Resources Development Act of 2018 (132 Stat. 3802) is amended by inserting “flood risk management, and ecosystem restoration,” after “navigation,”.

SEC. 364. REND LAKE, CARLYLE LAKE, AND LAKE SHELBYVILLE, ILLINOIS.

(a) In General.—Not later than 90 days after the date on which the Secretary receives a request from the Governor of Illinois to terminate a contract described in subsection (c), the Secretary shall amend the contract to release to the United States all rights of the State of Illinois to utilize water storage space in the reservoir project to which the contract applies.

(b) Relief of Certain Obligations.—On execution of an amendment described in subsection (a), the State of Illinois shall be relieved of the obligation to pay the percentage of the annual operation and maintenance expense, the percentage of major replacement cost, and the percentage of major rehabilitation cost allocated to the water supply storage specified in the contract for the reservoir project to which the contract applies.
(c) CONTRACTS.—Subsection (a) applies to the following contracts between the United States and the State of Illinois:

(1) Contract DACW43–88–C–0088, entered into on September 23, 1988, for utilization of storage space for water supply in Rend Lake, Illinois.


SEC. 365. FEDERAL ASSISTANCE.

Section 1328(c) of the America’s Water Infrastructure Act of 2018 (132 Stat. 3826) is amended by striking “4 years” and inserting “8 years”.

SEC. 366. LAND TRANSFER AND TRUST LAND FOR CHOC- TAW NATION OF OKLAHOMA.

(a) TRANSFER.—

(1) IN GENERAL.—Subject to paragraph (2) and for the consideration described in subsection (c),
the Secretary shall transfer to the Secretary of the Interior the land described in subsection (b) to be held in trust for the benefit of the Choctaw Nation.

(2) CONDITIONS.—The land transfer under this subsection shall be subject to the following conditions:

(A) The transfer—

(i) shall not interfere with the operation by the Corps of Engineers of the Sardis Lake Project or any other authorized civil works project; and

(ii) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to ensure the continued operation of the Sardis Lake Project or any other authorized civil works project.

(B) The Secretary shall retain the right to inundate with water the land transferred to the Choctaw Nation under this subsection as necessary to carry out an authorized purpose of the Sardis Lake Project or any other civil works project.

(C) No gaming activities may be conducted on the land transferred under this subsection.
(b) LAND DESCRIPTION.—

(1) IN GENERAL.—The land to be transferred pursuant to subsection (a) is the approximately 247 acres of land located in Sections 18 and 19 of T2N R18E, and Sections 5 and 8 of T2N R19E, Pushmataha County, Oklahoma, generally depicted as “USACE” on the map entitled “Sardis Lake – Choctaw Nation Proposal” and dated February 22, 2022.

(2) SURVEY.—The exact acreage and legal descriptions of the land to be transferred under subsection (a) shall be determined by a survey satisfactory to the Secretary and the Secretary of the Interior.

(c) CONSIDERATION.—The Choctaw Nation shall pay—

(1) to the Secretary an amount that is equal to the fair market value of the land transferred under subsection (a), as determined by the Secretary, which funds may be accepted and expended by the Secretary; and

(2) all costs and administrative expenses associated with the transfer of land under subsection (a), including the costs of—

(A) the survey under subsection (b)(2);
(B) compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) any coordination necessary with respect to requirements related to endangered species, cultural resources, clean water, and clean air.

**TITLE IV—WATER RESOURCES INFRASTRUCTURE**

**SEC. 401. PROJECT AUTHORIZATIONS.**

The following projects for water resources development and conservation and other purposes, as identified in the reports titled “Report to Congress on Future Water Resources Development” submitted to Congress pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed by Congress, are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports or decision documents designated in this section:

(1) **NAVIGATION.**—
<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report or Decision Document</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. AK</td>
<td>Elim Subsistence Harbor</td>
<td>March 12, 2021</td>
<td>Federal: $74,905,000&lt;br&gt;Non-Federal: $1,896,000&lt;br&gt;Total: $76,801,000</td>
</tr>
</tbody>
</table>

1

(2) Flood risk management.—

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report or Decision Document</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. AL</td>
<td>Selma</td>
<td>October 7, 2021</td>
<td>Federal: $15,533,100&lt;br&gt;Non-Federal: $8,363,900&lt;br&gt;Total: $23,897,000</td>
</tr>
<tr>
<td>2. CA</td>
<td>Lower Cache Creek, Yolo County, Woodland, and Vicinity</td>
<td>June 21, 2021</td>
<td>Federal: $215,152,000&lt;br&gt;Non-Federal: $115,851,000&lt;br&gt;Total: $331,003,000</td>
</tr>
<tr>
<td>3. OR</td>
<td>Portland Metro Levee System</td>
<td>August 20, 2021</td>
<td>Federal: $77,111,100&lt;br&gt;Non-Federal: $41,521,300&lt;br&gt;Total: $118,632,400</td>
</tr>
<tr>
<td>4. NE</td>
<td>Papillion Creek and Tributaries Lakes</td>
<td>January 24, 2022</td>
<td>Federal: $91,491,400&lt;br&gt;Non-Federal: $52,156,300&lt;br&gt;Total: $143,647,700</td>
</tr>
<tr>
<td>5. AL</td>
<td>Valley Creek, Bessemer and Birmingham</td>
<td>October 29, 2021</td>
<td>Federal: $17,725,000&lt;br&gt;Non-Federal: $9,586,000&lt;br&gt;Total: $27,311,000</td>
</tr>
</tbody>
</table>

2

(3) Hurricane and storm damage risk reduction.—
<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report or Decision Document</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. CT</td>
<td>Fairfield and New Haven Counties</td>
<td>January 19, 2021</td>
<td>Federal: $92,937,000</td>
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<td></td>
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<td>Non-Federal: $50,043,000</td>
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<td>Total: $142,980,000</td>
</tr>
<tr>
<td>2. PR</td>
<td>San Juan Metro</td>
<td>September 16, 2021</td>
<td>Federal: $245,418,000</td>
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<td></td>
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<td></td>
<td>Non-Federal: $131,333,000</td>
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<td>Total: $376,751,000</td>
</tr>
<tr>
<td>3. FL</td>
<td>Florida Keys, Monroe County</td>
<td>September 24, 2021</td>
<td>Federal: $1,513,531,000</td>
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<td></td>
<td></td>
<td></td>
<td>Non-Federal: $814,978,000</td>
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<td>Total: $2,328,509,000</td>
</tr>
<tr>
<td>4. FL</td>
<td>Okaloosa County</td>
<td>October 7, 2021</td>
<td>Initial Federal: $19,822,000</td>
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<td></td>
<td></td>
<td>Initial Non-Federal: $11,535,000</td>
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<td>Initial Total: $31,357,000</td>
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<td>Renourishment Federal: $71,045,000</td>
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<td>Renourishment Non-Federal: $73,787,000</td>
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<td>Renourishment Total: $144,832,000</td>
</tr>
<tr>
<td>5. SC</td>
<td>Folly Beach</td>
<td>October 26, 2021</td>
<td>Initial Federal: $45,490,000</td>
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<td></td>
<td>Initial Non-Federal: $5,054,000</td>
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<td></td>
<td>Initial Total: $50,544,000</td>
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<td>Renourishment Federal: $164,424,000</td>
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<td>Renourishment Non-Federal: $26,767,000</td>
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<td></td>
<td></td>
<td>Renourishment Total: $191,191,000</td>
</tr>
<tr>
<td>6. FL</td>
<td>Pinellas County</td>
<td>October 29, 2021</td>
<td>Initial Federal: $8,627,000</td>
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<td></td>
<td></td>
<td></td>
<td>Initial Non-Federal: $5,332,000</td>
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<td></td>
<td>Initial Total: $13,959,000</td>
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<td></td>
<td></td>
<td>Renourishment Federal: $92,000,000</td>
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<td></td>
<td>Renourishment Non-Federal: $101,690,000</td>
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<td></td>
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<td></td>
<td>Renourishment Total: $193,690,000</td>
</tr>
<tr>
<td>A. State</td>
<td>B. Name</td>
<td>C. Date of Report or Decision Document</td>
<td>D. Estimated Costs</td>
</tr>
<tr>
<td>---------</td>
<td>-------------------------------------------------------------------------</td>
<td>----------------------------------------</td>
<td>-----------------------------------------</td>
</tr>
<tr>
<td>NY</td>
<td>South Shore of Staten Island, Fort Wadsworth to Oakwood Beach</td>
<td>October 27, 2016</td>
<td>Federal: $371,310,000 Non-Federal: $199,940,000 Total: $571,250,000</td>
</tr>
<tr>
<td>LA</td>
<td>Upper Barataria Basin</td>
<td>January 28, 2022</td>
<td>Federal: $1,005,001,000 Non-Federal: $541,155,000 Total: $1,546,156,000</td>
</tr>
</tbody>
</table>

(4) Hurricane and storm damage reduction and ecosystem restoration.—

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report or Decision Document</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>TX</td>
<td>Coastal Texas Protection and Restoration Feasibility Study</td>
<td>September 16, 2021</td>
<td>Federal: $19,237,894,000 Non-Federal: $11,668,393,000 Total: $30,906,287,000</td>
</tr>
</tbody>
</table>

(5) Ecosystem restoration.—

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report or Decision Document</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>CA</td>
<td>Prado Basin Ecosystem Restoration, San Bernardino, Riverside and Orange Counties</td>
<td>April 22, 2021</td>
<td>Federal: $33,976,000 Non-Federal: $18,294,000 Total: $52,270,000</td>
</tr>
</tbody>
</table>

(6) Modifications and other projects.—
SEC. 402. STORM DAMAGE PREVENTION AND REDUCTION, COASTAL EROSION, AND ICE AND GLACIAL DAMAGE, ALASKA.

(a) In General.—The Secretary shall establish a program to carry out structural and nonstructural projects for storm damage prevention and reduction, coastal erosion, and ice and glacial damage in the State of Alaska, including—

(1) relocation of affected communities; and

(2) construction of replacement facilities.

(b) Cost Share.—The non-Federal interest shall share in the cost to study, design, and construct a project carried out under this section in accordance with sections 103 and 105 of the Water Resources Development Act of 1986 (33 U.S.C. 2213, 2215), except that, in the case of

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report or Decision Document</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. LA</td>
<td>Lake Pontchartrain and Vicinity</td>
<td>December 16, 2021</td>
<td>Federal: $807,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Non-Federal: $434,000,000</td>
</tr>
<tr>
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<td></td>
<td></td>
<td>Total: $1,241,000,000</td>
</tr>
<tr>
<td>2. LA</td>
<td>West Bank and Vicinity</td>
<td>December 17, 2021</td>
<td>Federal: $431,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Non-Federal: $232,000,000</td>
</tr>
<tr>
<td></td>
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<td>Total: $663,000,000</td>
</tr>
<tr>
<td>3. GA</td>
<td>Brunswick Harbor, Glynn County</td>
<td>March 11, 2022</td>
<td>Federal: $10,774,500</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>Non-Federal: $3,594,500</td>
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<td>Total: $14,369,000</td>
</tr>
<tr>
<td>4. DC</td>
<td>Washington, DC and Vicinity</td>
<td>July 22, 2021</td>
<td>Federal: $17,740,000</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Non-Federal: $0</td>
</tr>
<tr>
<td></td>
<td></td>
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<td>Total: $17,740,000</td>
</tr>
</tbody>
</table>
a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)), the non-Federal share shall be 10 percent.

(c) REPEAL.—Section 116 of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (123 Stat. 2851), is repealed.

(d) TREATMENT.—The program authorized by subsection (a) shall be considered a continuation of the program authorized by section 116 of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (123 Stat. 2851) (as in effect on the day before the date of enactment of this Act).

SEC. 403. EXPEDITED COMPLETION OF PROJECTS.

The Secretary shall expedite completion of the following projects:

(1) Project for flood risk management, Cumberland, Maryland, restoration and rewatering of the Chesapeake and Ohio Canal, authorized by section 580 of the Water Resources Development Act of 1999 (113 Stat. 375).

(2) Project for flood risk management, Tulsa and West–Tulsa Levee System, Tulsa County, Okla-
homa, authorized by section 401(2) of the Water Re-

(3) Project for flood risk management, Little
Colorado River at Winslow, Navajo County, Arizona,
authorized by section 401(2) of the Water Resources

(4) Project for flood risk management, Rio De
Flag, Flagstaff, Arizona, authorized by section
101(b)(3) of the Water Resources Development Act

(5) Project for flood risk management, Rose
and Palm Garden Washes, Arizona, authorized by
section 205 of the Flood Control Act of 1948 (33
U.S.C. 701s).

(6) Project for ecosystem restoration, El
Corazon, Arizona, authorized by section 206 of the
Water Resources Development Act of 1996 (33

(7) Projects for ecosystem restoration, Chesap-
apeake Bay Comprehensive Water Resources and
Restoration Plan, Chesapeake Bay Environmental
Restoration and Protection Program, authorized by
section 510 of the Water Resources Development


(13) Project for navigation, including maintenance and channel deepening, McClellan–Kerr Arkansas River Navigation System.

(14) Project for dam safety modifications, Bluestone Dam, West Virginia.

(15) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Branford Harbor.

(16) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Guilford Harbor and Sluice Channel, Connecticut.

(17) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Milford Harbor, Connecticut.


(19) Project for mitigation of shore damage from navigation works, Camp Ellis Beach, Saco, Maine, pursuant to section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i).


(21) Project for navigation, Kentucky Lock Addition, Kentucky.

(23) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Portsmouth Back Channels and Sagamore Creek, Portsmouth, New Castle, and Rye, New Hampshire, authorized by section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577).

(24) Maintenance dredging and other authorized activities to address the impacts of shoaling affecting the project for navigation, Portsmouth Harbor and Piscataqua River, Portsmouth, New Castle, and Newington, New Hampshire, and Kittery and Elliot, Maine, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173).

SEC. 404. SPECIAL RULES.

(a) The following conditions apply to the project described in section 403(19):
(1) The project is authorized to be carried out under section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) at a Federal cost of $45,000,000.

(2) The project may include Federal participation in periodic nourishment.

(3) For purposes of subsection (b) of section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i), the Secretary shall determine that the navigation works to which the shore damages are attributable were constructed at full Federal expense.

(b) The following conditions apply to the project described in section 403(20):

(1) The project is authorized to be carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) at a Federal cost of $15,000,000.

(2) If the Secretary includes in the project a measure on Federal land under the jurisdiction of another Federal agency, the Secretary may enter into an agreement with the Federal agency that provides for the Secretary—

(A) to construct the measure; and
(B) to operate and maintain the measure using funds provided to the Secretary by the non-Federal interest for the project.

(3) If the Secretary includes in the project a measure for fish passage at a dam licensed for hydropower, the Secretary shall include in the project costs all costs for the measure, except that those costs that are in excess of the costs to provide fish passage at the dam if hydropower improvements were not in place shall be a 100 percent non-Federal expense.

SEC. 405. CHATTahooCHeE RIVER PROGRAM.

(a) Establishment.—

(1) In general.—The Secretary shall establish a program to provide environmental assistance to non-Federal interests in the Chattahoochee River Basin.

(2) Form.—The assistance under paragraph (1) shall be in the form of design and construction assistance for water-related resource protection and restoration projects affecting the Chattahoochee River Basin, based on the comprehensive plan under subsection (b), including projects for—

(A) sediment and erosion control;

(B) protection of eroding shorelines;
(C) ecosystem restoration, including restoration of submerged aquatic vegetation;

(D) protection of essential public works;

(E) beneficial uses of dredged material;

and

(F) other related projects that may enhance the living resources of the Chattahoochee River Basin.

(b) **Comprehensive Plan.**—

(1) In General.—Not later than 2 years after the date of enactment of this Act, the Secretary, in cooperation with State and local governmental officials and affected stakeholders, shall develop a comprehensive Chattahoochee River Basin restoration plan to guide the implementation of projects under subsection (a)(2).

(2) Coordination.—The restoration plan described in paragraph (1) shall, to the maximum extent practicable, consider and avoid duplication of any ongoing or planned actions of other Federal, State, and local agencies and nongovernmental organizations.

(3) Prioritization.—The restoration plan described in paragraph (1) shall give priority to projects eligible under subsection (a)(2) that will
also improve water quality or quantity or use natural hydrological features and systems.

(c) Agreement.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into an agreement with a non-Federal interest for the design and construction of a project carried out pursuant to the comprehensive Chattahoochee River Basin restoration plan described in subsection (b).

(2) REQUIREMENTS.—Each agreement entered into under this subsection shall provide for—

(A) the development by the Secretary, in consultation with appropriate Federal, State, and local officials, of a resource protection and restoration plan, including appropriate engineering plans and specifications and an estimate of expected resource benefits; and

(B) the establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation and maintenance of the project by the non-Federal interest.

(d) Cost Sharing.—

(1) FEDERAL SHARE.—Except as provided in paragraph (2)(B), the Federal share of the total
project costs of each agreement entered into under this section shall be 75 percent.

(2) NON-FEDERAL SHARE.—

(A) VALUE OF LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.—In determining the non-Federal contribution toward carrying out an agreement entered into under this section, the Secretary shall provide credit to a non-Federal interest for the value of land, easements, rights-of-way, and relocations provided by the non-Federal interest, except that the amount of credit provided for a project under this paragraph may not exceed 25 percent of the total project costs.

(B) OPERATION AND MAINTENANCE COSTS.—The non-Federal share of the costs of operation and maintenance of activities carried out under an agreement under this section shall be 100 percent.

(e) COOPERATION.—In carrying out this section, the Secretary shall cooperate with—

(1) the heads of appropriate Federal agencies, including—

(A) the Administrator of the Environmental Protection Agency;
(B) the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration;

(C) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service; and

(D) the heads of such other Federal agencies as the Secretary determines to be appropriate; and

(2) agencies of a State or political subdivision of a State.

(f) PROTECTION OF RESOURCES.—A project established under this section shall be carried out using such measures as are necessary to protect environmental, historic, and cultural resources.

(g) PROJECT CAP.—The total cost of a project carried out under this section may not exceed $15,000,000.

(h) SAVINGS PROVISION.—Nothing in this section—

(1) establishes any express or implied reserved water right in the United States for any purpose;

(2) affects any water right in existence on the date of enactment of this Act;

(3) preempts or affects any State water law or interstate compact governing water; or
(4) affects any Federal or State law in existence on the date of enactment of this Act regarding water quality or water quantity.

(i) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $90,000,000.

SEC. 406. LOWER MISSISSIPPI RIVER BASIN DEMONSTRATION PROGRAM.

(a) Definition.—In this section, the term “Lower Mississippi River Basin” means the portion of the Mississippi River that begins at the confluence of the Ohio River and flows to the Gulf of Mexico, and its tributaries and distributaries.

(b) Establishment.—

(1) In general.—The Secretary shall establish a program to provide assistance to non-Federal interests in the Lower Mississippi River Basin.

(2) Form.—

(A) In general.—The assistance under paragraph (1) shall be in the form of design and construction assistance for flood or coastal storm risk management or aquatic ecosystem restoration projects in the Lower Mississippi River Basin, based on the comprehensive plan under subsection (c).
(B) Assistance.—Projects under subparagraph (A) may include measures for—

(i) sediment control;

(ii) protection of eroding riverbanks and streambanks and shorelines;

(iii) channel modifications;

(iv) beneficial uses of dredged material; or

(v) other related projects that may enhance the living resources of the Lower Mississippi River Basin.

(c) Comprehensive Plan.—

(1) In general.—Not later than 2 years after the date of enactment of this Act, the Secretary, in cooperation with State and local governmental officials and affected stakeholders, shall develop a comprehensive Lower Mississippi River Basin plan to guide the implementation of projects under subsection (b)(2).

(2) Coordination.—The plan described in paragraph (1) shall, to the maximum extent practicable, consider and avoid duplication of any ongoing or planned actions of other Federal, State, and local agencies and nongovernmental organizations.
(3) **Prioritization.**—To the maximum extent practicable, the plan described in paragraph (1) shall give priority to projects eligible under subsection (b)(2) that will also improve water quality, reduce hypoxia in the Lower Mississippi River or Gulf of Mexico, or use a combination of structural and nonstructural measures.

(d) **Agreement.**—

(1) **In General.**—Before providing assistance under this section, the Secretary shall enter into an agreement with a non-Federal interest for the design and construction of a project carried out pursuant to the comprehensive Lower Mississippi River Basin plan described in subsection (c).

(2) **Requirements.**—Each agreement entered into under this subsection shall provide for the establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation and maintenance of the project by the non-Federal interest.

(e) **Cost Sharing.**—

(1) **Federal Share.**—The Federal share of the cost to design and construct a project under each agreement entered into under this section shall be 75 percent.
(2) Non-Federal share.—

(A) Value of land, easements, rights-of-way, and relocations.—In determining the non-Federal contribution toward carrying out an agreement entered into under this section, the Secretary shall provide credit to a non-Federal interest for the value of land, easements, rights-of-way, and relocations provided by the non-Federal interest, except that the amount of credit provided for a project under this paragraph may not exceed 25 percent of the cost to design and construct the project.

(B) Operation and maintenance costs.—The non-Federal share of the costs of operation and maintenance of activities carried out under an agreement under this section shall be 100 percent.

(f) Cooperation.—In carrying out this section, the Secretary shall cooperate with—

(1) the heads of appropriate Federal agencies,

including—

(A) the Secretary of Agriculture;
(B) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service; and

(C) the heads of such other Federal agencies as the Secretary determines to be appropriate; and

(2) agencies of a State or political subdivision of a State.

(g) PROJECT CAP.—The total cost of a project carried out under this section may not exceed $15,000,000.

(h) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the results of the program under this section, including a recommendation on whether the program should be reauthorized.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $90,000,000.

SEC. 407. FORECAST-INFORMED RESERVOIR OPERATIONS.

(a) IN GENERAL.—The Secretary is authorized to carry out a research study pilot program at 1 or more dams owned and operated by the Secretary in the North
Atlantic Division of the Corps of Engineers to assess the viability of forecast-informed reservoir operations in the eastern United States.

(b) REPORT.—Not later than 1 year after completion of the research study pilot program under subsection (a), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the study pilot program.

SEC. 408. MISSISSIPPI RIVER MAT SINKING UNIT.

The Secretary shall expedite the replacement of the Mississippi River mat sinking unit.

SEC. 409. SENSE OF CONGRESS RELATING TO OKATIBBEE LAKE.

It is the sense of Congress that—

(1) there is significant shoreline sloughing and erosion at the Okatibbee Lake portion of the project for flood protection, Chunky Creek, Chickasawhay and Pascagoula Rivers, Mississippi, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1183), which has the potential to impact infrastructure, damage property, and put lives at risk; and
(2) addressing shoreline sloughing and erosion at a project of the Secretary, including at a location leased by non-Federal entities such as Okatibbee Lake, is an activity that is eligible to be carried out by the Secretary as part of the operation and maintenance of the project.