

**WATER RESOURCES DEVELOPMENT ACT OF 1976 (secs 142 and 156)Public Law 94-587; enacted October 22, 1976**

[As Amended Through P.L. 118-272, Enacted January 4, 2025]

【Currency: This publication is a compilation of the text of Public Law 94-587. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

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SEC. 142. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to investigate the flood and related problems to those lands lying below the plane of mean higher high water along the San Francisco Bay shoreline of San Mateo, Santa Clara, Alameda, Napa, San Francisco, Marin, Sonoma, Contra Costa, and Solano Counties to the confluence of the Sacramento and San Joaquin Rivers with a view toward determining the feasibility of and the Federal interest in providing protection against tidal and fluvial flooding. The investigation shall evaluate the effects of any proposed improvements on wildlife preservation, agriculture, municipal and urban interests in coordination with Federal, State, regional, and local agencies with particular reference to preservation of existing marshland in the San Francisco Bay region.

(b) ADDITIONAL PURPOSES.—In carrying out subsection (a), the Secretary shall—

- (1) include the ocean shorelines of each county;
- (2) with respect to the bay and ocean shorelines of each county—
  - (A) investigate measures to adapt to rising sea levels;
  - (B) consider the needs of economically disadvantaged communities within the study area, including identification of areas in which infrastructure for transportation, wastewater, housing, and other economic assets of such communities are most vulnerable to flood or shoreline risks; and
  - (C) to the maximum extent practicable, consider the use of natural features or nature-based features and the beneficial use of dredged materials; and
- (3) with respect to the bay and ocean shorelines, and streams running to the bay and ocean shorelines, of each county, investigate the effects of proposed flood or shoreline protec-

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tion, coastal storm risk reduction, environmental infrastructure, and other measures or improvements on—

- (A) the local economy, including recreation;
- (B) aquatic ecosystem restoration, enhancement, or expansion efforts or opportunities;
- (C) public infrastructure protection and improvement;
- (D) stormwater runoff capacity and control measures, including those that may mitigate flooding;
- (E) erosion of beaches and coasts; and
- (F) any other measures or improvements relevant to adapting to rising sea levels.

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**SEC. 156. [42 U.S.C. 1962d–5f]**

(a) **IN GENERAL.**—The Secretary of the Army, acting through the Chief of Engineers, is authorized to provide periodic beach nourishment in the case of each water resources development project where such nourishment has been authorized for a limited period for such additional period as he determines necessary but in no event shall such additional period extend beyond the fiftieth year which begins after the date of initiation of construction of such project.

(b) **REVIEW.**—

(1) **IN GENERAL.**—Notwithstanding subsection (a), the Secretary shall, at the request of the non-Federal interest, carry out a study to determine the feasibility of extending the period of nourishment described in subsection (a) for a period not to exceed 50 additional years beyond the maximum period described in subsection (a).

(2) **TIMING.**—The additional years provided under paragraph (1) shall begin on the date of initiation of construction of congressionally authorized nourishment.

(c) **PLAN FOR REDUCING RISK TO PEOPLE AND PROPERTY.**—

(1) **IN GENERAL.**—As part of the review described in subsection (b), the non-Federal interest shall submit to the Secretary a plan for reducing risk to people and property during the life of the project.

(2) **INCLUSION OF PLAN IN RECOMMENDATION TO CONGRESS.**—The Secretary shall include the plan described in subsection (a) in the recommendations to Congress described in subsection (d).

(d) **REPORT TO CONGRESS.**—Upon completion of the review described in subsection (b), the Secretary shall—

(1) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives any recommendations of the Secretary related to the review; and

(2) include in the subsequent annual report to Congress required under section 7001 of the Water Resources Reform and Development Act of 2014, any recommendations that require specific congressional authorization.

(e) **SPECIAL RULE.**—Notwithstanding any other provision of this section, for any existing authorized water resources development project for which the maximum period for nourishment de-

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scribed in subsection (a) will expire within the 16-year period beginning on the date of enactment of the Water Resources Reform and Development Act of 2014, that project shall remain eligible for nourishment for an additional 12 years after the expiration of such period.