

115TH CONGRESS  
2D SESSION

# S. 3789

To provide for certain water resources development activities of the Corps of Engineers, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

DECEMBER 19, 2018

Mr. KENNEDY introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To provide for certain water resources development activities of the Corps of Engineers, and for other purposes.

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

3 **SECTION 1. DEFINITIONS.**

4 In this Act:

5 (1) SECRETARY.—The term “Secretary” means  
6 the Secretary of the Army.

7 (2) STATE.—The term “State” means the State  
8 of Louisiana.

1 **SEC. 2. CREDIT FOR WORK PERFORMED BY THE STATE.**

2 (a) IN GENERAL.—On request of the State, the Sec-  
3 retary shall credit any work performed or to be performed  
4 by the State that is part of the comprehensive coastal pro-  
5 tection master plan described in section 7002(c) of the  
6 Water Resources Development Act of 2007 (121 Stat.  
7 1271; 128 Stat. 1319) as an offset against any out-  
8 standing or future cost-share obligation of the State under  
9 the Greater New Orleans Hurricane and Storm Damage  
10 Risk Reduction System.

11 (b) REQUIREMENTS.—The State shall describe in  
12 each request under subsection (a)—

13 (1) the work performed or to be performed by  
14 the State for which the credit is requested;

15 (2) the amount of the requested credit;

16 (3) the 1 or more projects authorized under  
17 title VII of the Water Resources Development Act of  
18 2007 (121 Stat. 1270) that the State proposes to  
19 deauthorize in exchange for a credit under sub-  
20 section (a); and

21 (4) the date on which the work performed was  
22 completed or the scheduled date of completion of the  
23 work to be performed, as applicable.

24 (c) CREDIT LIMITATIONS AND REQUIREMENTS.—

1           (1) PER REQUEST.—The Secretary shall ensure  
2           that the total amount of the credit provided to the  
3           State for each request—

4                   (A) is equal to the cost of the work per-  
5                   formed or to be performed by the State; but

6                   (B) does not exceed the Federal share of  
7                   the cost of the 1 or more projects identified  
8                   under subsection (b)(3) for that request.

9           (2) TOTAL LIMITATION.—The total amount of  
10          credit provided to the State under this section may  
11          not exceed the Federal share of the cost of the  
12          projects authorized under title VII of the Water Re-  
13          sources Development Act of 2007 (121 Stat. 1270)  
14          as authorized.

15          (3) DEAUTHORIZED PROJECTS.—A project list-  
16          ed in a request under subsection (b)(3) may be a de-  
17          authorized project, if that deauthorized project was  
18          deauthorized before the date that is 1 year after the  
19          date of enactment of this Act.

20          (d) DEAUTHORIZATION.—

21               (1) IN GENERAL.—Not later than 30 days after  
22               the date on which the Secretary receives a request  
23               under subsection (a), the Secretary shall submit to  
24               Congress a copy of the request, including any pro-  
25               posed deauthorization under subsection (b)(3).

1           (2) CONGRESSIONAL REVIEW.—After the expi-  
 2           ration of the 180-day period beginning on the date  
 3           on which the request is submitted to Congress under  
 4           paragraph (1), the project proposed to be deauthor-  
 5           ized shall be deauthorized, unless Congress passes a  
 6           joint resolution disapproving the deauthorization be-  
 7           fore the end of that period.

8 **SEC. 3. SENSE OF CONGRESS RELATING TO PORT OF IBE-**  
 9 **RIA NAVIGATION PROJECT.**

10       It is the sense of Congress that—

11           (1) the project for navigation, Port of Iberia,  
 12           Louisiana, authorized by section 1001(25) of the  
 13           Water Resources Development Act of 2007 (121  
 14           Stat. 1053; 128 Stat. 1351) is valuable; and

15           (2) not later than 180 days after the date of  
 16           enactment of this Act, the Corps of Engineers  
 17           should expeditiously complete the post-authorization  
 18           change report for the project described in paragraph  
 19           (1).

20 **SEC. 4. SENSE OF CONGRESS RELATING TO CERTAIN**  
 21 **FLOOD PROTECTION PROJECTS, JEAN LA-**  
 22 **FITTE, LOUISIANA.**

23       It is the sense of Congress that—

24           (1) ongoing cooperation between the Louisiana  
 25           Coastal Protection and Restoration Authority and

1 the Lafitte Area Independent Levee District relating  
 2 to flood protection projects in Jean Lafitte, Lou-  
 3 isiana, and the vicinity should continue; and

4 (2) to the maximum extent practicable, the Sec-  
 5 retary should support that cooperation in a manner  
 6 that is consistent with Louisiana's Comprehensive  
 7 Master Plan for a Sustainable Coast.

8 **SEC. 5. RED RIVER BELOW DENISON DAM, ARKANSAS, LOU-**  
 9 **ISIANA, AND TEXAS.**

10 The Secretary shall—

11 (1) review whether the project for flood control,  
 12 Red River below Denison Dam, Arkansas, Lou-  
 13 isiana, and Texas, authorized by section 10 of the  
 14 Flood Control Act of 1946 (60 Stat. 647, chapter  
 15 596) should be modified to incorporate the Cherokee  
 16 Park Levee, Caddo Parish, Louisiana;

17 (2) determine whether to include the modifica-  
 18 tion in the report submitted to Congress pursuant to  
 19 section 7001 of the Water Resources Reform and  
 20 Development Act of 2014 (33 U.S.C. 2282d); and

21 (3) if the Secretary determines to include the  
 22 modification as described in paragraph (2), submit  
 23 to Congress a notification of that determination.

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