

§ 2282e. Post-authorization change reports**(a) In general**

The completion of a post-authorization change report prepared by the Corps of Engineers for a water resources development project—

(1) may not be delayed as a result of consideration being given to changes in policy or priority with respect to project consideration; and

(2) shall be submitted, upon completion, to—

(A) the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Transportation and Infrastructure of the House of Representatives.

(b) Completion review

With respect to a post-authorization change report subject to review by the Secretary, the Secretary shall, not later than 120 days after the date of completion of such report—

(1) review the report; and

(2) provide to Congress any recommendations of the Secretary regarding modification of the applicable water resources development project.

(c) Prior reports

Not later than 120 days after December 16, 2016, with respect to any post-authorization change report that was completed prior to December 16, 2016, and is subject to a review by the Secretary that has yet to be completed, the Secretary shall complete review of, and provide recommendations to Congress with respect to, the report.

(d) Post-authorization change report inclusions

In this section, the term “post-authorization change report” includes—

(1) a general reevaluation report;

(2) a limited reevaluation report; and

(3) any other report that recommends the modification of an authorized water resources development project.

(Pub. L. 114-322, title I, §1132, Dec. 16, 2016, 130 Stat. 1653.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 2016, and also as part of the Water Infrastructure Improvements for the Nation Act, also known as the WIIN Act, and not as part of the Water Resources Development Act of 1986 which comprises this chapter.

Statutory Notes and Related Subsidiaries

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 1002 of Pub. L. 114-322, set out as a note under section 2201 of this title.

§ 2282f. Review of resiliency assessments**(a) Resiliency assessment****(1) In general**

Not later than 180 days after December 27, 2020, and in conjunction with the development of procedures under section 1962-4 of title 42,

the Secretary is directed to review, and where appropriate, revise the existing planning guidance documents and regulations of the Corps of Engineers on the assessment of the effects of sea level rise or inland flooding on future water resources development projects to ensure that such guidance documents and regulations are based on the best available, peer-reviewed science and data on the current and future effects of sea level rise or inland flooding on relevant communities.

(2) Coordination

In carrying out this subsection, the Secretary shall—

(A) coordinate the review with the Engineer Research and Development Center, other Federal and State agencies, and other relevant entities; and

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

(b) Assessment of benefits from addressing sea level rise and inland flooding resiliency in feasibility reports**(1) In general**

Upon the request of a non-Federal interest, in carrying out a feasibility study for a project for flood risk mitigation, hurricane and storm damage risk reduction, or ecosystem restoration under section 2282 of this title, the Secretary shall consider whether the need for the project is predicated upon or exacerbated by conditions related to sea level rise or inland flooding.

(2) Addressing sea level rise and inland flooding resiliency benefits

To the maximum extent practicable, in carrying out a study pursuant to paragraph (1), the Secretary shall document the potential effects of sea level rise or inland flooding on the project, and the expected benefits of the project relating to sea level rise or inland flooding, during the 50-year period after the date of completion of the project.

(Pub. L. 116-260, div. AA, title I, §113, Dec. 27, 2020, 134 Stat. 2626.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 2020, and not as part of the Water Resources Development Act of 1986 which comprises this chapter.

Statutory Notes and Related Subsidiaries

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 2 of div. AA of Pub. L. 116-260, set out as a note under section 2201 of this title.

§ 2282g. Scope of feasibility studies**(a) Flood risk management or hurricane and storm damage risk reduction**

In carrying out a feasibility study for a project for flood risk management or hurricane and storm damage risk reduction, the Secretary,