

**(2) Use of natural and nature-based features**

In carrying out a project under this section, the Secretary shall, to the maximum extent practicable, seek to incorporate natural features and nature-based features (as those terms are defined in section 2289a(a) of this title).

**(3) Consideration**

In carrying out a project under this section, the Secretary shall, where appropriate, maximize the use of features for the reclamation, recycling, and reuse of flood water and stormwater associated with the project.

**(4) Items provided by non-Federal interest****(A) In general**

The non-Federal interest for a project carried out under this section shall provide all land, easements, rights-of-way, and relocations necessary for the project.

**(B) Credit**

The value of the land, easements, rights-of-way, and relocations provided under subparagraph (A) shall be credited toward the non-Federal share of the cost of the project.

**(5) Agreements**

Construction of a project under this section shall be initiated only after a non-Federal interest has entered into a binding agreement with the Secretary to pay—

(A) the non-Federal share of the costs of construction required under this section; and

(B) 100 percent of any operation, maintenance, replacement, and rehabilitation costs associated with the project, in accordance with regulations prescribed by the Secretary.

**(c) Cost-share****(1) Study**

Subject to paragraph (3), the Federal share of the cost of a study carried out under this section shall be 50 percent, except that the first \$100,000 of the cost of the study shall be at Federal expense.

**(2) Construction**

Subject to paragraph (3), the non-Federal share of the cost of a project carried out under this section shall be 35 percent.

**(3) Limitation**

The total Federal amount expended for a study or project under this section shall be not more than \$10,000,000.

**(d) Authorization of appropriations**

There is authorized to be appropriated to the Secretary to carry out this section \$50,000,000 for each fiscal year.

(Pub. L. 118-272, div. A, title I, §1108, Jan. 4, 2025, 138 Stat. 3006.)

**Editorial Notes**

## CODIFICATION

Section was enacted as part of the Water Resources Development Act of 2024, and also as part of the Thom-

as R. Carper Water Resources Development Act of 2024, 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 div. A of Pub. L. 118-272, set out as a note under section 2201 of this title.

**§ 2290. Flood control in Trust Territory of the Pacific Islands**

The Secretary is authorized to use the authority contained in section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), section 2 of the Flood Control Act of August 28, 1937 (33 U.S.C. 701g), section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r), section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), section 3 of the Act entitled “An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property”, approved August 13, 1946 (33 U.S.C. 426g), and section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) in the Trust Territory of the Pacific Islands.

(Pub. L. 99-662, title IX, §915(h), Nov. 17, 1986, 100 Stat. 4191.)

**Executive Documents**

## TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

**§ 2291. Federal Project Repayment District**

(a) The Secretary may enter into a contract providing for the payment or recovery of an appropriate share of the costs of a project under his responsibility with a Federal Project Repayment District or other political subdivision of a State prior to the construction, operation, improvement, or financing of such project. The Federal Project Repayment District shall include lands and improvements which receive identifiable benefits from the construction or operation of such project. Such districts shall be established in accordance with State law, shall have specific boundaries which may be changed from time to time based upon further evaluations of benefits, and shall have the power to recover benefits through any cost-recovery approach that is consistent with State law and satisfies the applicable cost-recovery requirement under subsection (b).

(b) Prior to execution of an agreement pursuant to subsection (a) of this section, the Secretary shall require and approve a study from the State or political subdivision demonstrating that the revenues to be derived from a contract under this section, or an agreement with a Federal Project Repayment District, will be sufficient to equal or exceed the cost recovery requirements over the term of repayment required by Federal law.

(Pub. L. 99-662, title IX, §916, Nov. 17, 1986, 100 Stat. 4191; Pub. L. 100-676, §15, Nov. 17, 1988, 102 Stat. 4026.)

**Editorial Notes**

## AMENDMENTS

1988—Subsec. (a). Pub. L. 100-676 substituted “have the power to recover benefits through any cost-recovery approach that is consistent with State law and satisfies the applicable cost-recovery requirement under subsection (b)” for “include the power to collect a portion of the transfer price from any transaction involving the sale, transfer, or change in beneficial ownership of lands and improvements within the district boundaries”.

**§ 2292. Surveying and mapping**

Any surveying or mapping services to be performed in connection with a water resources project which is or has been authorized to be undertaken by the Secretary shall be procured in accordance with title IX of the Federal Property and Administrative Services Act of 1949.<sup>1</sup>

(Pub. L. 99-662, title IX, § 918, Nov. 17, 1986, 100 Stat. 4192.)

**Editorial Notes**

## REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, referred to in text, is act June 30, 1949, ch. 288, 63 Stat. 377. Title IX of the Act, which was classified generally to subchapter VI (§ 541 et seq.) of chapter 10 of former Title 40, Public Buildings, Property, and Works, was repealed and reenacted by Pub. L. 107-217, §§ 1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1304, as chapter 11 (§ 1101 et seq.) of Title 40, Public Buildings, Property, and Works. For disposition of sections of former Title 40 to revised Title 40, see Table preceding section 101 of Title 40. For complete classification of this Act to the Code, see Tables.

**Statutory Notes and Related Subsidiaries**

## GEOMATIC DATA

Pub. L. 115-270, title I, § 1118, Oct. 23, 2018, 132 Stat. 3776, provided that:

“(a) IN GENERAL.—The Secretary [of the Army] shall develop guidance for the acceptance and use of information obtained from a non-Federal interest through geomatic techniques, including remote sensing and land surveying, cartography, geographic information systems, global navigation satellite systems, photogrammetry, or other remote means, in carrying out any authority of the Secretary.

“(b) CONSIDERATIONS.—In carrying out this section, the Secretary shall ensure that use of information described in subsection (a) meets the data quality and operational requirements of the Secretary.

“(c) SAVINGS CLAUSE.—Nothing in this section—

“(1) requires the Secretary to accept information that the Secretary determines does not meet the guidance developed under this section; or

“(2) changes the current statutory or regulatory requirements of the Corps of Engineers.”

**§ 2292a. National coastal mapping program****(a) In general**

The Secretary is authorized to carry out a national coastal mapping program to provide recurring national coastal mapping along the coasts of the United States to support Corps of Engineers navigation, flood risk management, environmental restoration, and emergency operations missions.

<sup>1</sup> See References in Text note below.

**(b) Scope**

In carrying out the program under subsection (a), the Secretary—

(1) shall disseminate coastal mapping data and new or advanced geospatial information and remote sensing tools for coastal mapping derived from the analysis of such data to the Corps of Engineers, other Federal agencies, States, and other stakeholders;

(2) shall implement coastal surveying based on findings of the national coastal mapping study carried out under section 8110 of the Water Resources Development Act of 2022 (136 Stat. 3702);

(3) shall conduct research and development on bathymetric LiDAR and ancillary technologies necessary to advance coastal mapping capabilities in order to exploit data with increased efficiency and greater accuracy;

(4) with respect to any region affected by a hurricane rated category 3 or higher, shall—

(A) conduct coastal mapping of such region;

(B) determine volume changes at Federal projects in such region;

(C) quantify damage to navigation infrastructure in such region;

(D) assess environmental impacts to such region, measure any coastal impacts; and

(E) make any data gathered under this paragraph publicly available not later than 2 weeks after the acquisition of such data;

(5) at the request of another Federal entity or a State or local government entity, may provide subject matter expertise, mapping services, and technology evolution assistance;

(6) may enter into an agreement with another Federal agency or a State agency to accept funds from such agency to expand the coverage of the program to efficiently meet the needs of such agency;

(7) shall coordinate with representatives of the Naval Meteorology and Oceanography Command, the National Oceanic and Atmospheric Administration, United States Geological Survey, and any other representative of a Federal agency that the Secretary determines necessary, to support any relevant Federal, State, or local agency through participation in working groups, committees, and organizations;

(8) may maintain the panel of senior leaders established under section 8110(e) of the Water Resources Development Act of 2022; and

(9) may convene an annual coastal mapping community of practice meeting to discuss and identify technical topics and challenges to inform such panel in carrying out the duties of such panel.

**(c) Authorization of appropriations**

There is authorized to be appropriated to carry out this section for each fiscal year \$15,000,000, to remain available until expended.

(Pub. L. 118-272, div. A, title I, § 1123, Jan. 4, 2025, 138 Stat. 3015.)

**Editorial Notes**

## REFERENCES IN TEXT

Section 8110 of the Water Resources Development Act of 2022, referred to in subsec. (b)(2), (8), is section 8110