

**(4) Public availability**

Upon submission of each plan to the Secretary under this subsection, each District Commander shall make the plan publicly available, including on a publicly available website.

**(5) Transmission to Congress**

As soon as practicable after receiving a plan under subsection (a), the Secretary shall transmit the plan to Congress.

**(6) Regional sediment management plans**

A plan developed under this section—

(A) shall be in addition to regional sediment management plans prepared under section 2326(a) of this title; and

(B) shall not be subject to the limitations in section 2326(g) of this title.

(Pub. L. 116–260, div. AA, title I, § 125(c), Dec. 27, 2020, 134 Stat. 2638.)

**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.

**§ 2326i. Beneficial use of dredged material****(a) In general**

The Secretary is authorized to carry out projects for the beneficial use of dredged material, including projects for the purposes of—

(1) promoting resiliency and reducing the risk to property and infrastructure of flooding and storm damage;

(2) promoting public safety;

(3) protecting, restoring, and creating aquatic ecosystem habitats;

(4) stabilizing stream systems and enhancing shorelines;

(5) promoting recreation;

(6) supporting risk management adaptation strategies;

(7) reducing the costs of dredging and dredged material placement or disposal, such as projects that use dredged material for—

(A) construction or fill material;

(B) civic improvement objectives; and

(C) other innovative uses and placement alternatives that produce public economic or environmental benefits; and

(8) recovering lost storage capacity in reservoirs due to sediment accumulation, if the project also has a purpose described in any of paragraphs (1) through (7).

**(b) Project selection**

In carrying out this section, the Secretary shall—

(1) identify and carry out projects for the beneficial use of dredged material;

(2) consult with relevant State agencies in selecting projects; and

(3) select projects solely on the basis of—

(A) the environmental, economic, and social benefits of the projects, including monetary and nonmonetary benefits; and

(B) the need for a diversity of project types and geographical project locations.

**(c) Regional beneficial use teams****(1) In general**

The Secretary shall establish regional beneficial use teams to identify and assist in the implementation of projects under this section.

**(2) Composition****(A) Leadership**

For each regional beneficial use team established under paragraph (1), the Secretary shall appoint the Commander of the relevant division of the Corps of Engineers to serve as the head of the team.

**(B) Membership**

The membership of each regional beneficial use team shall include—

(i) representatives of relevant Corps of Engineers districts and divisions;

(ii) representatives of relevant State and local agencies; and

(iii) representatives of Federal agencies and such other entities as the Secretary determines appropriate, consistent with the purposes of this section.

**(d) Considerations**

The Secretary shall carry out this section in a manner that—

(1) maximizes the beneficial placement of dredged material from Federal and non-Federal navigation channels;

(2) incorporates, to the maximum extent practicable, 2 or more Federal navigation, flood control, storm damage reduction, or environmental restoration projects;

(3) coordinates the mobilization of dredges and related equipment, including through the use of such efficiencies in contracting and environmental permitting as can be implemented under existing laws and regulations;

(4) fosters Federal, State, and local collaboration;

(5) implements best practices to maximize the beneficial use of dredged sand and other sediments; and

(6) ensures that the use of dredged material is consistent with all applicable environmental laws.

**(e) Cost sharing****(1) In general**

Projects carried out under this section shall be subject to the cost-sharing requirements applicable to projects carried out under section 2326 of this title.

**(2) Additional costs**

Notwithstanding paragraph (1), if the cost of transporting and depositing dredged material for a project carried out under this section exceeds the cost of carrying out those activities pursuant to any other water resources project in accordance, if applicable, with the Federal standard (as defined in section 335.7 of title 33,

Code of Federal Regulations), the Secretary may not require the non-Federal interest to bear the additional cost of such activities.

**(f) Report**

Not later than 2 years after December 16, 2016, and annually thereafter, 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 includes—

- (1) a description of the projects selected to be carried out under this section;
- (2) documentation supporting each of the projects selected;
- (3) the findings of regional beneficial use teams regarding project selection; and
- (4) any recommendations of the Secretary or regional beneficial use teams with respect to the implementation of this section.

**(g) Exemption from other standards**

The projects carried out under this section shall be carried out notwithstanding the definition of the term “Federal standard” in section 335.7 of title 33, Code of Federal Regulations.

**(h) Redesignated (g)**

**(i), (j) Omitted**

(Pub. L. 114–322, title I, §1122, Dec. 16, 2016, 130 Stat. 1645; Pub. L. 115–270, title I, §1130, Oct. 23, 2018, 132 Stat. 3780; Pub. L. 116–260, div. AA, title I, §125(b)(1), Dec. 27, 2020, 134 Stat. 2638; Pub. L. 118–272, div. A, title I, §1130(a), Jan. 4, 2025, 138 Stat. 3018.)

**Editorial Notes**

**CODIFICATION**

Section was formerly set out as a note under section 2326 of this title.

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.

Section is based on section 1122 of Pub. L. 114–322. Subsecs. (i) and (j) of section 1122 of Pub. L. 114–322 amended section 2326 of this title and section 1962d–5f of Title 42, The Public Health and Welfare, respectively.

**AMENDMENTS**

2025—Subsec. (a). Pub. L. 118–272, §1130(a)(1)(A), substituted “The Secretary is authorized” for “Not later than 90 days after December 16, 2016, the Secretary shall establish a pilot program” in introductory provisions.

Subsec. (a)(1). Pub. L. 118–272, §1130(a)(1)(B), added par. (1) and struck out former par. (1) which read as follows: “reducing storm damage to property and infrastructure;”.

Subsec. (b). Pub. L. 118–272, §1130(a)(2)(A), substituted “this section” for “the pilot program” in introductory provisions.

Subsec. (b)(1). Pub. L. 118–272, §1130(a)(2)(B), added par. (1) and struck out former par. (1) which read as follows: “identify for inclusion in the pilot program and carry out 35 projects for the beneficial use of dredged material;”.

Subsec. (c)(1). Pub. L. 118–272, §1130(a)(3), substituted “The” for “In carrying out the pilot program, the” and “under this section” for “under the pilot program”.

Subsec. (d). Pub. L. 118–272, §1130(a)(4), substituted “this section” for “the pilot program” in introductory provisions.

Subsec. (f)(1). Pub. L. 118–272, §1130(a)(5)(A), substituted “this section” for “the pilot program”.

Subsec. (f)(4). Pub. L. 118–272, §1130(a)(5)(B), substituted “the implementation of this section” for “the pilot program”.

Subsecs. (g), (h). Pub. L. 118–272, §1130(a)(6), redesignated subsec. (h) as (g) and struck out former subsec. (g) which provided that the pilot program would terminate after completion of the 35 projects carried out pursuant to subsec. (b)(1).

2020—Subsec. (a)(8). Pub. L. 116–260, §125(b)(1)(A), added par. (8).

Subsecs. (b)(1), (g). Pub. L. 116–260, §125(b)(1)(B), (C), substituted “35” for “20”.

2018—Subsecs. (b)(1), (g). Pub. L. 115–270 substituted “20” for “10”.

**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.

**§ 2326j. Transfer of suitable dredged material**

**(1) In general**

The Secretary is authorized to make available to a non-Federal interest, at no additional cost, dredged material that the Secretary has determined is in excess of the amounts identified as needed for use by the Secretary.

**(2) Responsibility**

The non-Federal interest shall be responsible for all costs to remove and transport such material, and shall certify that the non-Federal interest is responsible for any and all liability related to the removal of such material or the use of such material once it is removed.

(Pub. L. 118–272, div. A, title I, §1130(e), Jan. 4, 2025, 138 Stat. 3020.)

**Editorial Notes**

**CODIFICATION**

Section was enacted as part of the Water Resources Development Act of 2024, and also as part of the Thomas 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 Pub. L. 118–272, set out as a note under section 2201 of this title.

**§ 2327. Definition of rehabilitation for inland waterway projects**

For purposes of laws relating to navigation on inland and intracoastal waterways of the United States, the term “rehabilitation” means—

(1) major project feature restoration—

(A) which consists of structural work on an inland navigation facility operated and maintained by the Corps of Engineers;

(B) which will significantly extend the physical life of the feature;

(C) which is economically justified by a benefit-cost analysis;

(D) which will take at least 2 years to complete; and