

§ 701b–16. Management of flood risk reduction projects

(a) In general

If 2 or more flood control projects are located within the same geographic area, the Secretary shall, at the request of the non-Federal interests for the affected projects, consider those projects as a single program for budgetary or project management purposes, if the Secretary determines that doing so would not be incompatible with the authorized project purposes.

(b) Cost share

(1) In general

If any work on a project to which subsection (a) applies is required solely because of impacts to that project from a navigation project, the cost of carrying out that work shall be shared in accordance with the cost-sharing requirements for the navigation project.

(2) Use of amounts

Work described in paragraph (1) may be carried out using amounts made available under subsection (a).

(Pub. L. 113–121, title III, § 3012, June 10, 2014, 128 Stat. 1284.)

Statutory Notes and Related Subsidiaries

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 113–121, set out as a note under section 2201 of this title.

§ 701b–17. Corps of Engineers Western Water Cooperative Committee

(a) Establishment

(1) In general

Not later than 90 days after December 23, 2022, the Secretary shall establish a Western Water Cooperative Committee (referred to in this section as the “Cooperative Committee”).

(2) Purpose

The purpose of the Cooperative Committee is to ensure that Corps of Engineers flood control projects in Western States are operated consistent with congressional directives by identifying opportunities to avoid or minimize conflicts between the operation of Corps of Engineers projects and water rights and water laws in such States.

(3) Membership

The Cooperative Committee shall be composed of—

- (A) the Assistant Secretary of the Army for Civil Works (or a designee);
- (B) the Chief of Engineers (or a designee);
- (C) 1 representative from each of the Western States, who may serve on the Western States Water Council, to be appointed by the Governor of each State;
- (D) 1 representative with legal experience from each of the Western States, to be appointed by the attorney general of each State; and
- (E) 1 employee from each of the impacted regional offices of the Bureau of Indian Affairs.

(4) Meetings

(A) In general

The Cooperative Committee shall meet not less than once each year in one of the Western States.

(B) Available to public

Each meeting of the Cooperative Committee shall be open and accessible to the public.

(C) Notification

The Cooperative Committee shall publish in the Federal Register adequate advance notice of a meeting of the Cooperative Committee.

(5) Duties

(A) In general

The Cooperative Committee shall develop and make recommendations to avoid or minimize conflicts between the operation of Corps of Engineers projects and the water rights and water laws of Western States.

(B) Limitation

In carrying out subparagraph (A), the Cooperative Committee shall—

- (i) make recommendations that only apply to Western States; and
- (ii) ensure that any recommended changes or modifications to policy or regulations for Corps of Engineers projects would not adversely affect water resources within the State of Missouri.

(6) Status updates

(A) In general

On an annual basis, the Secretary shall provide to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written report that includes—

- (i) a summary of the contents of meetings of the Cooperative Committee;
- (ii) any legislative proposal from a Western State proposed to the Cooperative Committee; and
- (iii) a description of any recommendations made by the Cooperative Committee under paragraph (5), including actions taken by the Secretary in response to such recommendations.

(B) Comment

(i) In general

Not later than 45 days following the conclusion of a meeting of the Cooperative Committee, the Secretary shall provide to members of the Cooperative Committee an opportunity to comment on the contents of the meeting and any recommendations made under paragraph (5).

(ii) Inclusion

Comments provided under clause (i) shall be included in the report provided under subparagraph (A).

(7) Compensation

(A) In general

Except as provided in subparagraph (B), the members of the Cooperative Committee shall serve without compensation.