

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE FOR H.R. 7776
OFFERED BY MR. DEFAZIO OF OREGON**

Page 31, beginning on line 19, strike “constructed by the Secretary”.

Page 45, line 24, strike “; and” and insert a semicolon.

Page 46, line 6, strike the period and insert “; and”.

Page 46, after line 6, insert the following:

- 1 (3) identification of methods to prioritize the
- 2 use of dredged material to benefit water resources
- 3 development projects in areas experiencing
- 4 vulnerabilities to coastal land loss.

Page 49, line 7, strike “; and” and insert “, including a description of any effects of such subsection on the timelines for review of proposals of other entities that have not contributed funds under such subsection; and”.

Page 58, after line 12, insert the following:

1 **SEC. 1___ . CONTRACTS WITH INSTITUTIONS OF HIGHER**
2 **EDUCATION TO PROVIDE ASSISTANCE.**

3 Section 206 of the Flood Control Act of 1960 (33
4 U.S.C. 709a) is amended by adding at the end the fol-
5 lowing:

6 “(e) CAPACITY TO PROVIDE ASSISTANCE.—In car-
7 rying out this section, the Secretary may work with or con-
8 tract with an institution of higher education, as deter-
9 mined appropriate by the Secretary.”.

10 **SEC. 1___ . SENSE OF CONGRESS ON THE MISSISSIPPI**
11 **RIVER-GULF OUTLET, LOUISIANA.**

12 It is the sense of Congress that—

13 (1) sections 7012(b) and 7013 of the Water Re-
14 sources Development Act of 2007 (121 Stat. 1280),
15 together with the Emergency Supplemental Appro-
16 priations Act for Defense, the Global War on Terror,
17 and Hurricane Recovery, 2006 (Public Law 109–
18 234), authorize and direct the Secretary to close and
19 restore the ecosystem adversely affected by the con-
20 struction and operation of the Mississippi River-Gulf
21 Outlet, Louisiana, at full Federal expense; and

22 (2) the Secretary should quickly begin construc-
23 tion of such project using existing authorities.

Page 62, after line 14, insert the following:

1 (25) KENTUCKY RIVER AND NORTH FORK KEN-
2 TUCKY RIVER, KENTUCKY.—Project for flood risk
3 management on the Kentucky River and North Fork
4 Kentucky River near Beattyville and Jackson, Ken-
5 tucky.

Page 64, line 19, insert “Franklin, Amite,” before
“and Jefferson”.

Page 74, after line 12, insert the following:

6 (1) Project for ecosystem restoration, Tres
7 Rios, Arizona, authorized by section 101(b)(4) of the
8 Water Resources Development Act of 2000 (114
9 Stat. 2577).

Page 84, after line 19, insert the following:

10 (b) OPPORTUNITY FOR PARTICIPATION.—In carrying
11 out subsection (a), the Secretary shall provide interested
12 stakeholders, including representatives from the commer-
13 cial dredging industry, with an opportunity to submit com-
14 ments to the Secretary.

Page 87, after line 5, insert the following:

15 **SEC. 2 ____ . OUACHITA RIVER WATERSHED, ARKANSAS AND**
16 **LOUISIANA.**

17 The Secretary shall conduct a review of projects in
18 the Ouachita River watershed, Arkansas and Louisiana,

1 under section 216 of the Flood Control Act of 1970 (33
2 U.S.C. 549a).

3 **SEC. 2 ____ . REPORT ON SANTA BARBARA STREAMS, LOWER**
4 **MISSION CREEK, CALIFORNIA.**

5 Not later than 1 year after the date of enactment
6 of this section, the Secretary shall submit to the Com-
7 mittee on Transportation and Infrastructure of the House
8 of Representatives and the Committee on Environment
9 and Public Works of the Senate, and make publicly avail-
10 able (including on a publicly available website), a report
11 that provides an updated economic review of the remain-
12 ing portions of the project for flood damage reduction,
13 Santa Barbara streams, Lower Mission Creek, California,
14 authorized by section 101(b) of the Water Resources De-
15 velopment Act of 2000 (114 Stat. 2577), taking into con-
16 sideration work already completed by the non-Federal in-
17 terest.

Page 87, line 17, insert “and State” after “Fed-
eral”.

Page 91, after line 6, insert the following:

18 **SEC. 2 ____ . STUDY ON SHELLFISH HABITAT AND SEAGRASS,**
19 **FLORIDA CENTRAL GULF COAST.**

20 (a) IN GENERAL.—Not later than 24 months after
21 the date of enactment of this Act, the Secretary shall carry

1 out a study, and submit to the Committee on Transpor-
2 tation and Infrastructure of the House of Representatives
3 and the Committee on Environment and Public Works of
4 the Senate a report, on projects and activities carried out
5 through the Engineer Research and Development Center
6 to restore shellfish habitat and seagrass in coastal estu-
7 aries in the Florida Central Gulf Coast.

8 (b) REQUIREMENTS.—In conducting the study under
9 subsection (a), the Secretary shall—

10 (1) consult with independent expert scientists
11 and other regional stakeholders with relevant exper-
12 tise and experience; and

13 (2) coordinate with Federal, State, and local
14 agencies providing oversight for both short- and
15 long-term monitoring of the projects and activities
16 described in subsection (a).

17 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
18 authorized to be appropriated to carry out this section
19 \$2,000,000, to remain available until expended.

20 **SEC. 2 ____ . NORTHERN ESTUARIES ECOSYSTEM RESTORA-**
21 **TION, FLORIDA.**

22 (a) DEFINITIONS.—In this section:

23 (1) CENTRAL AND SOUTHERN FLORIDA
24 PROJECT.—The term “Central and Southern Florida
25 Project” has the meaning given that term in section

1 601 of the Water Resources Development Act of
2 2000.

3 (2) NORTHERN ESTUARIES.—The term “north-
4 ern estuaries” means the Caloosahatchee Estuary,
5 Charlotte Harbor, Indian River Lagoon, Lake Worth
6 Lagoon, and St. Lucie River Estuary.

7 (3) SOUTH FLORIDA ECOSYSTEM.—

8 (A) IN GENERAL.—The term “South Flor-
9 ida ecosystem” means the area consisting of the
10 land and water within the boundary of the
11 South Florida Water Management District in
12 effect on July 1, 1999.

13 (B) INCLUSIONS.—The term “South Flor-
14 ida ecosystem” includes—

- 15 (i) the Everglades;
16 (ii) the Florida Keys;
17 (iii) the contiguous near-shore coastal
18 water of South Florida; and
19 (iv) Florida’s Coral Reef.

20 (4) STUDY AREA.—The term “study area”
21 means all lands and waters within—

22 (A) the northern estuaries;

23 (B) the South Florida ecosystem; and

24 (C) the study area boundaries of the In-
25 dian River Lagoon National Estuary Program

1 and the Coastal and Heartland Estuary Part-
2 nership, authorized pursuant to section 320 of
3 the Federal Water Pollution Control Act.

4 (b) PROPOSED COMPREHENSIVE PLAN.—

5 (1) DEVELOPMENT.—The Secretary shall de-
6 velop, in cooperation with the non-Federal sponsors
7 of the Central and Southern Florida project and any
8 relevant Federal, State, and Tribal agencies, a pro-
9 posed comprehensive plan for the purpose of restor-
10 ing, preserving, and protecting the northern estu-
11 aries.

12 (2) INCLUSIONS.—In carrying out paragraph
13 (1), the Secretary shall develop a proposed com-
14 prehensive plan that provides for ecosystem restora-
15 tion within the northern estuaries, including the
16 elimination of harmful discharges from Lake Okee-
17 chobee.

18 (3) SUBMISSION.—Not later than 3 years after
19 the date of enactment of this Act, the Secretary
20 shall submit to Congress for approval—

21 (A) the proposed comprehensive plan devel-
22 oped under this subsection; and

23 (B) recommendations for future feasibility
24 studies within the study area for the ecosystem
25 restoration of the northern estuaries.

1 (4) INTERIM REPORTS.—Not later than 1 year
2 after the date of enactment of this Act, and annually
3 thereafter until the submission of the proposed com-
4 prehensive plan under paragraph (3), the Secretary
5 shall submit to Congress an interim report on the
6 development of the proposed comprehensive plan.

7 (5) ADDITIONAL STUDIES AND ANALYSES.—
8 Notwithstanding the submission of the proposed
9 comprehensive plan under paragraph (3), the Sec-
10 retary shall continue to conduct such studies and
11 analyses after the date of such submission as are
12 necessary for the purpose of restoring, preserving,
13 and protecting the northern estuaries.

14 (c) LIMITATION.—Nothing in this section shall be
15 construed to require the alteration or amendment of the
16 schedule for completion of the Comprehensive Everglades
17 Restoration Plan.

Page 93, after line 23, insert the following:

18 **SEC. 2 ____ . REVIEW OF RECREATIONAL HAZARDS AT THE**
19 **BANKS OF THE MISSISSIPPI RIVER, LOU-**
20 **ISIANA.**

21 The Secretary shall—

22 (1) carry out a review of potential threats to
23 human life and safety from use of designated rec-

1 recreational areas at the banks of the Mississippi River,
2 Louisiana; and

3 (2) install such technologies and other meas-
4 ures, including sirens, strobe lights, and signage at
5 such recreational areas that the Secretary, based on
6 the review carried out under paragraph (1), deter-
7 mines necessary for alerting the public of hazardous
8 water conditions or to otherwise minimize or elimi-
9 nate any identified threats to human life and safety.

Page 100, line 7, insert “the widening and deep-
ening of” before “Anchorage F”.

Beginning on page 112, line 18, strike section 229
and insert the following:

10 **SEC. 2 ____. ELECTRONIC PREPARATION AND SUBMISSION**
11 **OF APPLICATIONS.**

12 Section 2040(f) of the Water Resources Development
13 Act of 2007 (33 U.S.C. 2345(f)) is amended—

14 (1) in paragraph (1), by striking “Water Re-
15 sources Development Act of 2016” and inserting
16 “Water Resources Development Act of 2022”; and

17 (2) by striking paragraph (2) and inserting the
18 following:

19 “(2) **REPORT ON ELECTRONIC SYSTEM IMPLE-**
20 **MENTATION.**—The Secretary shall submit to the

1 Committee on Transportation and Infrastructure of
2 the House of Representatives and the Committee on
3 Environment and Public Works of the Senate a
4 quarterly report describing the status of the imple-
5 mentation of this section.”.

Page 118, line 6, strike “fish landings” and insert
“fishery landings and aquaculture harvest”.

Page 118, after line 19, insert the following:

6 **SEC. 2 ____. REPORT ON CORROSION PREVENTION ACTIVI-**
7 **TIES.**

8 Not later than 180 days after the date of enactment
9 of this Act, the Secretary shall submit to the Committee
10 on Transportation and Infrastructure of the House of
11 Representatives and the Committee on Environment and
12 Public Works of the Senate, and make publicly available,
13 a report that describes—

14 (1) the extent to which the Secretary has car-
15 ried out section 1033 of the Water Resources Re-
16 form and Development Act of 2014 (33 U.S.C.
17 2350);

18 (2) the extent to which the Secretary has incor-
19 porated corrosion prevention activities (as defined in
20 such section) at water resources development

1 projects constructed or maintained by the Secretary
2 since the date of enactment of such section; and

3 (3) in instances where the Secretary has not in-
4 corporated corrosion prevention activities at such
5 water resources development projects since such
6 date, an explanation as to why such corrosion pre-
7 vention activities have not been incorporated.

Page 127, after line 23, insert the following:

8 “(7) the Caloosahatchee and St. Lucie Rivers,
9 Florida;”

Page 129, after line 18, insert the following:

10 **SEC. 3 ____ . ST. FRANCIS LAKE CONTROL STRUCTURE.**

11 (a) IN GENERAL.—The Secretary shall set the ordi-
12 nary high water mark for water impounded behind the St.
13 Francis Lake Control Structure, for which flood control
14 measures are authorized under section 204 of the Flood
15 Control Act of 1965 (79 Stat. 1077), at 208 feet mean
16 sea level.

17 (b) OPERATION BY PROJECT MANAGER.—In setting
18 the ordinary high water mark under subsection (a), the
19 Secretary shall ensure that the project manager for the
20 St. Francis Lake Control Structure may continue oper-
21 ating such structure in accordance with the instructions
22 set forth in the document titled “St. Francis Lake Control

1 Structure Standing Instructions to the Project Manager”
2 and published in January 1982 by the Corps of Engineers,
3 Memphis District.

Page 134, after line 2, insert the following:

4 **SEC. 3 ___. MURRIETA CREEK, CALIFORNIA.**

5 Section 103 of title I of appendix B of Public Law
6 106–377 (114 Stat. 1441A–65) (relating to the project
7 for flood control, environmental restoration, and recre-
8 ation, Murrieta Creek, California), is amended—

9 (1) by striking “\$89,850,000” and inserting
10 “\$252,438,000”;

11 (2) by striking “\$57,735,000” and inserting
12 “\$162,511,500”; and

13 (3) by striking “\$32,115,000” and inserting
14 “\$89,926,500”.

Page 144, line 4, strike “STUDY” and insert “RE-
PORT”.

Page 144, after line 12, insert the following:

15 (d) CONFORMING AMENDMENT.—Section 129(b) of
16 the Water Resources Development Act of 2020 (134 Stat.
17 2643) is amended by redesignating paragraphs (2) and
18 (3) as paragraphs (3) and (4), respectively, and inserting
19 after paragraph (1) the following:

1 “(2) submits the report required by section
2 318(c) of the Water Resources Development Act of
3 2022;”.

Page 144, after line 12, insert the following:

4 **SEC. 3 ____ . ARGENTINE, EAST BOTTOMS, FAIRFAX-JERSEY**
5 **CREEK, AND NORTH KANSAS LEVEES UNITS,**
6 **MISSOURI RIVER AND TRIBUTARIES AT KAN-**
7 **SAS CITIES, MISSOURI AND KANSAS.**

8 Notwithstanding section 103 of the Water Resources
9 Development Act of 1986 (33 U.S.C. 2213), the Federal
10 share of the cost of the portion of the project for flood
11 damage reduction, Argentine, East Bottoms, Fairfax-Jer-
12 sey Creek, and North Kansas Levees units, Missouri River
13 and tributaries at Kansas Cities, Missouri and Kansas,
14 authorized by section 101 of the Water Resources Devel-
15 opment Act of 2007 (121 Stat. 1054), relating to the
16 Fairfax-Jersey Creek Levee unit, shall be 80 percent.

Page 151, beginning on line 23, strike “the Act of
August 30, 1935 (chapter 831, 49 Stat. 1034)” and in-
sert “section 202 of the National Industrial Recovery Act
(48 Stat. 201; 49 Stat. 1034; 72 Stat. 308)”.

Page 152, line 15, strike “35.148791, -90.05642”
and insert “35.1467861, -90.057003”.

Page 153, after line 2, insert the following:

1 **SEC. 3___ . CENTRAL WEST VIRGINIA.**

2 Section 571 of the Water Resources Development Act
3 of 1999 (113 Stat. 371) is amended by striking subsection
4 (a) and inserting the following:

5 “(a) DEFINITION OF CENTRAL WEST VIRGINIA.—In
6 this section, the term ‘central West Virginia’ means the
7 counties of Lewis, Upshur, Randolph, Hardy, Hampshire,
8 Morgan, Berkeley, Jefferson, Hancock, Ohio, Marshall,
9 Wetzell, Tyler, Pleasants, Wood, Doddridge, Monongalia,
10 Marion, Harrison, Taylor, Barbour, Preston, Tucker, Min-
11 eral, Grant, Brooke, and Ritchie, West Virginia.”.

Page 158, line 11, strike “19” and insert “176”.

Page 165, beginning on line 23, strike “water and
wastewater infrastructure, including stormwater manage-
ment, and water supply,” and insert “water and waste-
water infrastructure (including stormwater management),
water supply and related facilities, environmental restora-
tion, and surface water protection and development, in-
cluding flooding resilience measures for such infrastruc-
ture”.

Page 166, line 19, insert a comma after “infrastruc-
ture”.

Page 184, line 1, insert “114 Stat. 2763A–220;” be-
fore “121”.

Page 191, line 21, insert “; 119 Stat. 2255” after
“380”.

Page 193, after line 21, insert the following:

1 SEC. 3___. SENSE OF CONGRESS ON LEASE AGREEMENT.

2 It is the sense of Congress that the lease agreement
3 for land and water areas within the Prado Flood Control
4 Basin Project Area entered into between the Secretary
5 and the City of Corona, California, for operations of the
6 Corona Municipal Airport (Recreation Lease No.
7 DACW09–1–67–60), is a valid lease of land at a water
8 resources development project under section 4 of the Act
9 of December 22, 1944 (16 U.S.C. 460d).

