

**Suspend the Rules and Pass the Bill, S. 1811, With Amendments**

**(The amendments strike all after the enacting clause and insert a new text and a new title)**

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 1811**

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IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2019

Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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**AN ACT**

To make technical corrections to the America's Water Infrastructure Act of 2018, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the  
3 “Water Resources Development Act of 2020”.

4 (b) **TABLE OF CONTENTS.**—The table of contents for  
5 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Secretary defined.

**TITLE I—GENERAL PROVISIONS**

Sec. 101. Budgetary treatment expansion and adjustment for the Harbor Maintenance Trust Fund.

Sec. 102. Authorization of appropriations for navigation.

Sec. 103. Annual report to Congress on the Harbor Maintenance Trust Fund.

Sec. 104. Additional measures at donor ports and energy transfer ports.

Sec. 105. Construction of water resources development projects by non-Federal interests.

Sec. 106. Coast Guard anchorages.

Sec. 107. State contribution of funds for certain operation and maintenance costs.

Sec. 108. Great Lakes confined disposal facilities.

Sec. 109. Inland waterway projects.

Sec. 110. Implementation of water resources principles and requirements.

Sec. 111. Resiliency planning assistance.

Sec. 112. Project consultation.

Sec. 113. Review of resiliency assessments.

Sec. 114. Small flood control projects.

Sec. 115. Flood Protection Projects.

Sec. 116. Feasibility studies; review of natural and nature-based features.

Sec. 117. Federal interest determination.

Sec. 118. Pilot programs on the formulation of Corps of Engineers projects in rural communities and economically disadvantaged communities.

Sec. 119. Permanent measures to reduce emergency flood fighting needs for communities subject to repetitive flooding.

Sec. 120. Emergency response to natural disasters.

Sec. 121. Cost and benefit feasibility assessment.

Sec. 122. Expediting repairs and recovery from flooding.

Sec. 123. Review of Corps of Engineers assets.

Sec. 124. Sense of Congress on multipurpose projects.

Sec. 125. Beneficial use of dredged material; dredged material management plans.

Sec. 126. Aquatic ecosystem restoration for anadromous fish.

Sec. 127. Annual report to Congress on water resources infrastructure.

Sec. 128. Harmful algal bloom demonstration program.

Sec. 129. Missouri River interception-rearing complex construction.

Sec. 130. Materials, services, and funds for repair, restoration, or rehabilitation of projects.

Sec. 131. Levee safety.

Sec. 132. National Dam Safety Program.

- Sec. 133. Rehabilitation of Corps of Engineers constructed pump stations.
- Sec. 134. Non-Federal Project Implementation Pilot Program.
- Sec. 135. Cost sharing provisions for territories and Indian Tribes.
- Sec. 136. Review of contracting policies.
- Sec. 137. Criteria for funding environmental infrastructure projects.
- Sec. 138. Aging infrastructure.
- Sec. 139. Uniformity of notification systems.
- Sec. 140. Coastal storm damage reduction contracts.
- Sec. 141. Dam remediation for ecosystem restoration.
- Sec. 142. Levee accreditation process; levee certifications.
- Sec. 143. Project partnership agreement.
- Sec. 144. Acceptance of funds for harbor dredging.
- Sec. 145. Replacement capacity.
- Sec. 146. Reviewing hydropower at Corps of Engineers facilities.
- Sec. 147. Repair and restoration of embankments.
- Sec. 148. Coastal mapping.
- Sec. 149. Interim risk reduction measures.
- Sec. 150. Maintenance dredging permits.
- Sec. 151. High water-low water preparedness.
- Sec. 152. Treatment of certain benefits and costs.
- Sec. 153. Lease deviations.
- Sec. 154. Sense of Congress on Arctic deep draft port development.
- Sec. 155. Small water storage projects.
- Sec. 156. Planning Assistance to States.
- Sec. 157. Forecast-informed reservoir operations.
- Sec. 158. Data for water allocation, supply, and demand.
- Sec. 159. Inland waterways pilot program.
- Sec. 160. Definition of economically disadvantaged community.
- Sec. 161. Studies of water resources development projects by non-Federal interests.
- Sec. 162. Leveraging Federal infrastructure for increased water supply.
- Sec. 163. Sense of Congress on removal of unauthorized, manmade, flammable materials on Corps property.
- Sec. 164. Enhanced development program.
- Sec. 165. Continuing authority programs.

## TITLE II—STUDIES AND REPORTS

- Sec. 201. Authorization of proposed feasibility studies.
- Sec. 202. Expedited completions.
- Sec. 203. Expedited modifications of existing feasibility studies.
- Sec. 204. Assistance to non-Federal sponsors; feasibility analysis.
- Sec. 205. Selma, Alabama.
- Sec. 206. Report on Corps of Engineers facilities in Appalachia.
- Sec. 207. Additional studies under North Atlantic Coast Comprehensive Study.
- Sec. 208. South Atlantic coastal study.
- Sec. 209. Comprehensive study of the Sacramento River, Yolo Bypass, California.
- Sec. 210. Lake Okeechobee regulation schedule, Florida.
- Sec. 211. Great Lakes coastal resiliency study.
- Sec. 212. Report on the status of restoration in the Louisiana coastal area.
- Sec. 213. Lower Mississippi River comprehensive management study.
- Sec. 214. Upper Mississippi River Comprehensive Plan.
- Sec. 215. Upper Missouri River Basin mainstem dam fish loss research.
- Sec. 216. Lower and Upper Missouri River Comprehensive Flood Protection.

- Sec. 217. Portsmouth Harbor and Piscataqua River and Rye Harbor, New Hampshire.
- Sec. 218. Cougar and Detroit Dams, Willamette River Basin, Oregon.
- Sec. 219. Port Orford, Oregon.
- Sec. 220. Wilson Creek and Sloan Creek, Fairview, Texas.
- Sec. 221. Study on water supply and water conservation at water resources development projects.
- Sec. 222. Report to Congress on authorized studies and projects.
- Sec. 223. Completion of reports and materials.
- Sec. 224. Emergency flooding protection for lakes.
- Sec. 225. Report on debris removal.
- Sec. 226. Report on antecedent hydrologic conditions.
- Sec. 227. Subsurface drain systems research and development.
- Sec. 228. Report on corrosion prevention activities.
- Sec. 229. Annual reporting on dissemination of information.
- Sec. 230. Report on benefits calculation for flood control structures.

### TITLE III—DEAUTHORIZATIONS AND MODIFICATIONS

- Sec. 301. Deauthorization of inactive projects.
- Sec. 302. Abandoned and inactive noncoal mine restoration.
- Sec. 303. Tribal partnership program.
- Sec. 304. Lakes program.
- Sec. 305. Rehabilitation of Corps of Engineers constructed dams.
- Sec. 306. Chesapeake Bay Environmental Restoration and Protection Program.
- Sec. 307. Upper Mississippi River System Environmental Management Program.
- Sec. 308. Upper Mississippi River protection.
- Sec. 309. Theodore Ship Channel, Mobile, Alabama.
- Sec. 310. McClellan-Kerr Arkansas River Navigation System.
- Sec. 311. Ouachita and Black Rivers, Arkansas and Louisiana.
- Sec. 312. Lake Isabella, California.
- Sec. 313. Lower San Joaquin River flood control project.
- Sec. 314. Sacramento River, Glenn-Colusa, California.
- Sec. 315. San Diego River and Mission Bay, San Diego County, California.
- Sec. 316. San Francisco, California, Waterfront Area.
- Sec. 317. Western Pacific Interceptor Canal, Sacramento River, California.
- Sec. 318. Rio Grande Environmental Management Program, Colorado, New Mexico, and Texas.
- Sec. 319. New London Harbor Waterfront Channel, Connecticut.
- Sec. 320. Wilmington Harbor, Delaware.
- Sec. 321. Wilmington Harbor South Disposal Area, Delaware.
- Sec. 322. Washington Harbor, District of Columbia.
- Sec. 323. Big Cypress Seminole Indian Reservation Water Conservation Plan, Florida.
- Sec. 324. Central Everglades, Florida.
- Sec. 325. Miami River, Florida.
- Sec. 326. Julian Keen, Jr. Lock and Dam, Moore Haven, Florida.
- Sec. 327. Taylor Creek Reservoir and Levee L-73 (Section 1), Upper St. Johns River Basin, Florida.
- Sec. 328. Extinguishment of flowage easements, Rough River Lake, Kentucky.
- Sec. 329. Calcasieu River and Pass, Louisiana.
- Sec. 330. Camden Harbor, Maine.
- Sec. 331. Cape Porpoise Harbor, Maine, anchorage area designation.
- Sec. 332. Baltimore, Maryland.

- Sec. 333. Thad Cochran Lock and Dam, Amory, Mississippi.
- Sec. 334. Missouri river reservoir sediment management.
- Sec. 335. Portsmouth, New Hampshire.
- Sec. 336. Rahway flood risk management feasibility study, New Jersey.
- Sec. 337. San Juan-Chama project; Abiquiu Dam, New Mexico.
- Sec. 338. Flushing Bay and Creek Federal Navigation Channel, New York.
- Sec. 339. Rush River and Lower Branch Rush River, North Dakota.
- Sec. 340. Pawcatuck River, Little Narragansett Bay and Watch Hill Cove, Rhode Island and Connecticut.
- Sec. 341. Harris County, Texas.
- Sec. 342. Cap Sante Waterway, Washington.
- Sec. 343. Local government reservoir permit review.
- Sec. 344. Project modifications for improvement of environment.
- Sec. 345. Aquatic ecosystem restoration.
- Sec. 346. Surplus water contracts and water storage agreements.
- Sec. 347. No wake zones in navigation channels.
- Sec. 348. Limitation on contract execution in the Arkansas River Basin.
- Sec. 349. Waiver of non-Federal share of damages related to certain contract claims.
- Sec. 350. Reduced pricing for certain water supply storage.
- Sec. 351. Flood control and other purposes.
- Sec. 352. Additional assistance for critical projects.
- Sec. 353. Project modification authorizations.
- Sec. 354. Completion of maintenance and repair activities.
- Sec. 355. Project reauthorizations.
- Sec. 356. Conveyances.
- Sec. 357. Lake Eufaula advisory committee.
- Sec. 358. Repeal of Missouri River Task Force, North Dakota.
- Sec. 359. Repeal of Missouri River Task Force, South Dakota.
- Sec. 360. Conforming amendments.

#### TITLE IV—WATER RESOURCES INFRASTRUCTURE

- Sec. 401. Project authorizations.
- Sec. 402. Special rules.
- Sec. 403. Authorization of projects based on feasibility studies prepared by non-Federal interests.

#### TITLE V—OTHER MATTERS

- Sec. 501. Update on Invasive Species Policy Guidance.
- Sec. 502. Aquatic invasive species research.
- Sec. 503. Terrestrial noxious weed control pilot program.
- Sec. 504. Invasive species risk assessment, prioritization, and management.
- Sec. 505. Invasive species mitigation and reduction.
- Sec. 506. Aquatic invasive species prevention.
- Sec. 507. Invasive species in alpine lakes pilot program.
- Sec. 508. Murder hornet eradication pilot program.
- Sec. 509. Asian carp prevention and control pilot program.
- Sec. 510. Invasive species in noncontiguous States and territories pilot program.
- Sec. 511. Soil moisture and snowpack monitoring.
- Sec. 512. Great Lakes St. Lawrence Seaway Development Corporation.

1 **SEC. 2. SECRETARY DEFINED.**

2 In this Act, the term “Secretary” means the Sec-  
3 retary of the Army.

4 **TITLE I—GENERAL PROVISIONS**

5 **SEC. 101. BUDGETARY TREATMENT EXPANSION AND AD-**

6 **JUSTMENT FOR THE HARBOR MAINTENANCE**

7 **TRUST FUND.**

8 (a) IN GENERAL.—Section 14003 of division B of the  
9 CARES Act (Public Law 116–136) is amended to read  
10 as follows:

11 “SEC. 14003. Section 251(b)(2) of the Balanced  
12 Budget and Emergency Deficit Control Act of 1985 (2  
13 U.S.C. 901(b)(2)) is amended by adding at the end the  
14 following:

15 ““(H) HARBOR MAINTENANCE ACTIVI-  
16 TIES.—If, for any fiscal year, appropriations for  
17 the Construction, Mississippi River and Tribu-  
18 taries, and Operation and Maintenance ac-  
19 counts of the Corps of Engineers are enacted  
20 that are derived from the Harbor Maintenance  
21 Trust Fund established under section 9505(a)  
22 of the Internal Revenue Code of 1986 and that  
23 the Congress designates in statute as being for  
24 harbor operations and maintenance activities,  
25 then the adjustment for that fiscal year shall be  
26 the total of such appropriations that are derived

1 from such Fund and designated as being for  
2 harbor operations and maintenance activities,  
3 but shall not exceed the sum of—

4 “(i) the amount deposited into the  
5 Harbor Maintenance Trust Fund in the  
6 fiscal year that is two years prior to the  
7 fiscal year for which the adjustment is  
8 being made; and

9 “(ii) \$2,000,000,000.

10 “(I) CERTAIN HARBOR MAINTENANCE AC-  
11 TIVITIES.—If, for any of fiscal years 2021  
12 through 2030, appropriations for the Operation  
13 and Maintenance account of the Corps of Engi-  
14 neers are enacted that the Congress designates  
15 in statute as being to carry out subsection (c)  
16 of section 2106 of the Water Resources Reform  
17 and Development Act of 2014 (33 U.S.C.  
18 2238c), then the adjustment for that fiscal year  
19 shall be the total of such appropriations for  
20 that fiscal year designated as being to carry out  
21 such subsection, but shall not exceed—

22 “(i) \$50,000,000 for fiscal year  
23 2021;

24 “(ii) \$50,000,000 for fiscal year  
25 2022;

1                   “(iii) \$56,000,000 for fiscal year  
2                   2023;  
3                   “(iv) \$58,000,000 for fiscal year  
4                   2024;  
5                   “(v) \$60,000,000 for fiscal year  
6                   2025;  
7                   “(vi) \$62,000,000 for fiscal year  
8                   2026;  
9                   “(vii) \$64,000,000 for fiscal year  
10                  2027;  
11                  “(viii) \$66,000,000 for fiscal year  
12                  2028;  
13                  “(ix) \$68,000,000 for fiscal year  
14                  2029; and  
15                  “(x) \$70,000,000 for fiscal year  
16                  2030.’”.

17           (b) EFFECTIVE DATE.—The amendment made by  
18 subsection (a) shall take effect as if included in the enact-  
19 ment of the CARES Act (Public Law 116–136).

20 **SEC. 102. AUTHORIZATION OF APPROPRIATIONS FOR NAVI-**  
21 **GATION.**

22           (a) AUTHORIZATION.—

23               (1) IN GENERAL.—In carrying out subsection  
24 (c) of section 210 of the Water Resources Develop-  
25 ment Act of 1986 (33 U.S.C. 2238), for each fiscal



1 year, of the funds made available under such section  
2 (including funds appropriated from the Harbor  
3 Maintenance Trust Fund), the Secretary is author-  
4 ized to make expenditures to pay for operation and  
5 maintenance costs of the harbors and inland harbors  
6 referred to in subsection (a)(2) of such section, to  
7 the extent there are identifiable operations and  
8 maintenance needs, of—

9 (A) not less than 15 percent of such funds  
10 for emerging harbor projects, including eligible  
11 breakwater and jetty needs at such harbor  
12 projects;

13 (B) not less than 13 percent of such funds  
14 for projects that are located within the Great  
15 Lakes Navigation System;

16 (C) 12 percent of such funds for expanded  
17 uses carried out at donor ports and energy  
18 transfer ports, of which—

19 (i)  $\frac{1}{3}$  shall be provided to energy  
20 transfer ports; and

21 (ii)  $\frac{2}{3}$  shall be provided to donor  
22 ports;

23 (D) not less than 17 percent of such funds  
24 for projects that are assigned to commercial  
25 strategic seaports; and

1           (E) any remaining funds for operation and  
2 maintenance costs of any harbor or inland har-  
3 bor referred to in such subsection (a)(2) based  
4 on an equitable allocation of such funds among  
5 such harbors and inland harbors, in accordance  
6 with subsection (c)(1) of such section 210.

7           (2) DEFINITIONS.—In this subsection:

8           (A) COMMERCIAL STRATEGIC SEAPORT.—  
9           The term “commercial strategic seaport” means  
10 a commercial harbor supporting the coordina-  
11 tion of efficient port operations during peace-  
12 time and national defense emergencies that is  
13 designated as strategic through the National  
14 Port Readiness Network.

15           (B) DONOR PORT; ENERGY TRANSFER  
16 PORT.—The terms “donor port” and “energy  
17 transfer port” have the meanings given those  
18 terms in section 2106 of the Water Resources  
19 Reform and Development Act of 2014 (33  
20 U.S.C. 2238e).

21           (C) EMERGING HARBOR PROJECT; GREAT  
22 LAKES NAVIGATION SYSTEM.—The terms  
23 “emerging harbor project” and “Great Lakes  
24 Navigation System” have the meanings given  
25 those terms in section 210 of the Water Re-

1 sources Development Act of 1986 (33 U.S.C.  
2 2238).

3 (3) EFFECTIVE DATE.—This subsection shall  
4 take effect on October 1, 2022.

5 (b) ADDITIONAL USES.—

6 (1) OPERATION AND MAINTENANCE OF HARBOR  
7 PROJECTS.—Section 210(c)(3) of the Water Re-  
8 sources Development Act of 1986 (33 U.S.C.  
9 2238(c)(3)) is amended—

10 (A) by striking “Notwithstanding” and in-  
11 serting the following:

12 “(A) ALLOCATION.—Notwithstanding”;

13 and

14 (B) by adding at the end the following:

15 “(B) ADDITIONAL USES AT EMERGING  
16 HARBORS.—

17 “(i) USES.—In each fiscal year, the  
18 Secretary may use not more than  
19 \$5,000,000 of funds allocated for emerging  
20 harbor projects under paragraph (1) to  
21 pay for the costs of up to 10 projects for  
22 maintenance dredging of a marina or  
23 berthing area, in an emerging harbor, that  
24 includes an area that is located adjacent  
25 to, or is accessible by, a Federal navigation

1 project, subject to clauses (ii) and (iii) of  
2 this subparagraph.

3 “(ii) ELIGIBLE EMERGING HAR-  
4 BORS.—The Secretary may use funds as  
5 authorized under clause (i) at an emerging  
6 harbor that—

7 “(I) supports commercial activi-  
8 ties, including commercial fishing op-  
9 erations, commercial fish processing  
10 operations, recreational and sport  
11 fishing, and commercial boat yards; or

12 “(II) supports activities of the  
13 Secretary of the department in which  
14 the Coast Guard is operating.

15 “(iii) COST-SHARING REQUIRE-  
16 MENTS.—The Secretary shall require a  
17 non-Federal interest to contribute not less  
18 than 25 percent of the costs for mainte-  
19 nance dredging of that portion of a main-  
20 tenance dredging project described in  
21 clause (i) that is located outside of the  
22 Federal navigation project, which may be  
23 provided as an in-kind contribution, includ-  
24 ing through the use of dredge equipment

1 owned by non-Federal interest to carry out  
2 such activities.”.

3 (2) ASSESSMENT OF HARBORS AND INLAND  
4 HARBORS.—Section 210(e)(2)(A)(ii) of the Water  
5 Resources Development Act of 1986 (33 U.S.C.  
6 2238(e)(2)(A)(ii)) is amended by inserting “uses de-  
7 scribed in subsection (e)(3)(B) and” after “costs  
8 for”.

9 (3) DEFINITIONS.—Section 210(f) of the Water  
10 Resources Development Act of 1986 (33 U.S.C.  
11 2238(f)) is amended—

12 (A) by striking paragraph (6);

13 (B) by redesignating paragraphs (3)  
14 through (5) as paragraphs (4) through (6), re-  
15 spectively;

16 (C) by striking paragraph (2) and insert-  
17 ing the following:

18 “(2) EMERGING HARBOR.—The term ‘emerging  
19 harbor’ means a harbor or inland harbor referred to  
20 in subsection (a)(2) that transits less than  
21 1,000,000 tons of cargo annually.

22 “(3) EMERGING HARBOR PROJECT.—The term  
23 ‘emerging harbor project’ means a project that is as-  
24 signed to an emerging harbor.”; and

1 (D) in paragraph (4) (as so redesignated),  
2 by adding at the end the following:

3 “(C) An in-water improvement, if the im-  
4 provement—

5 “(i) is for the seismic reinforcement of  
6 a wharf or other berthing structure, or the  
7 repair or replacement of a deteriorating  
8 wharf or other berthing structure, at a  
9 port facility;

10 “(ii) benefits commercial navigation at  
11 the harbor; and

12 “(iii) is located in, or adjacent to, a  
13 berth that is accessible to a Federal navi-  
14 gation project.

15 “(D) An activity to maintain slope stability  
16 at a berth in a harbor that is accessible to a  
17 Federal navigation project if such activity bene-  
18 fits commercial navigation at the harbor.”.

19 **SEC. 103. ANNUAL REPORT TO CONGRESS ON THE HARBOR**  
20 **MAINTENANCE TRUST FUND.**

21 Section 330 of the Water Resources Development Act  
22 of 1992 (26 U.S.C. 9505 note; 106 Stat. 4851) is amend-  
23 ed—

24 (1) in subsection (a)—

1 (A) by striking “and annually thereafter,”  
2 and inserting “and annually thereafter concu-  
3 rent with the submission of the President’s an-  
4 nual budget request to Congress,”; and

5 (B) by striking “Public Works and Trans-  
6 portation” and inserting “Transportation and  
7 Infrastructure”; and

8 (2) in subsection (b)(1) by adding at the end  
9 the following:

10 “(D) A description of the expected expend-  
11 itures from the trust fund to meet the needs of  
12 navigation for the fiscal year of the budget re-  
13 quest.”.

14 **SEC. 104. ADDITIONAL MEASURES AT DONOR PORTS AND**  
15 **ENERGY TRANSFER PORTS.**

16 (a) INTERIM AUTHORIZATION.—Section 2106(f) of  
17 the Water Resources Reform and Development Act of  
18 2014 (33 U.S.C. 2238c(f)) is amended—

19 (1) in paragraph (1), by striking “2020” and  
20 inserting “2022”; and

21 (2) by striking paragraph (3).

22 (b) IN GENERAL.—

23 (1) DEFINITIONS.—Section 2106(a) of the  
24 Water Resources Reform and Development Act of  
25 2014 (33 U.S.C. 2238c(a)) is amended—

1 (A) in paragraph (3)(A)—

2 (i) by amending clause (ii) to read as  
3 follows:

4 “(ii) at which the total amount of har-  
5 bor maintenance taxes collected (including  
6 the estimated taxes related to domestic  
7 cargo and cruise passengers) comprise not  
8 less than \$15,000,000 annually of the total  
9 funding of the Harbor Maintenance Trust  
10 Fund on an average annual basis for the  
11 previous 3 fiscal years;”;

12 (ii) in clause (iii)—

13 (I) by inserting “(including the  
14 estimated taxes related to domestic  
15 cargo and cruise passengers)” after  
16 “taxes collected”; and

17 (II) by striking “5 fiscal years”  
18 and inserting “3 fiscal years”; and

19 (iii) in clause (iv), by striking “in fis-  
20 cal year 2012” and inserting “on an aver-  
21 age annual basis for the previous 3 fiscal  
22 years”;

23 (B) in paragraph (5)(B), by striking “in  
24 fiscal year 2012” each place it appears and in-



1           serting “on an average annual basis for the pre-  
2           vious 3 fiscal years”;

3           (C) by redesignating paragraph (8) as  
4           paragraph (9) and inserting after paragraph  
5           (7) the following:

6           “(8) HARBOR MAINTENANCE TRUST FUND.—  
7           The term ‘Harbor Maintenance Trust Fund’ means  
8           the Harbor Maintenance Trust Fund established by  
9           section 9505 of the Internal Revenue Code of  
10          1986.”; and

11          (D) in paragraph (9), as so redesignated—

12           (i) by amending subparagraph (B) to  
13           read as follows:

14           “(B) at which the total amount of harbor  
15           maintenance taxes collected (including the esti-  
16           mated taxes related to domestic cargo and  
17           cruise passengers) comprise annually more than  
18           \$5,000,000 but less than \$15,000,000 of the  
19           total funding of the Harbor Maintenance Trust  
20           Fund on an average annual basis for the pre-  
21           vious 3 fiscal years;”;

22           (ii) in subparagraph (C)—

23           (I) by inserting “(including the  
24           estimated taxes related to domestic

1 cargo and cruise passengers)” after  
2 “taxes collected”; and  
3 (II) by striking “5 fiscal years”  
4 and inserting “3 fiscal years”; and  
5 (iii) in subparagraph (D), by striking  
6 “in fiscal year 2012” and inserting “on an  
7 average annual basis for the previous 3 fis-  
8 cal years”.

9 (2) REPORT TO CONGRESS; AUTHORIZATION OF  
10 APPROPRIATIONS.—Section 2106 of the Water Re-  
11 sources Reform and Development Act of 2014 (33  
12 U.S.C. 2238e) is amended—

13 (A) by striking subsection (e) and redesign-  
14 ating subsections (f) and (g) as subsections (e)  
15 and (f), respectively; and

16 (B) in subsection (e), as so redesignated,  
17 by amending paragraph (1) to read as follows:

18 “(1) IN GENERAL.—There are authorized to be  
19 appropriated to carry out this section—

20 “(A) \$56,000,000 for fiscal year 2023;

21 “(B) \$58,000,000 for fiscal year 2024;

22 “(C) \$60,000,000 for fiscal year 2025;

23 “(D) \$62,000,000 for fiscal year 2026;

24 “(E) \$64,000,000 for fiscal year 2027;

25 “(F) \$66,000,000 for fiscal year 2028;

1 “(G) \$68,000,000 for fiscal year 2029; and

2 “(H) \$70,000,000 for fiscal year 2030.”.

3 (3) EFFECTIVE DATE.—The amendments made  
4 by this subsection shall take effect on October 1,  
5 2022.

6 **SEC. 105. CONSTRUCTION OF WATER RESOURCES DEVEL-**  
7 **OPMENT PROJECTS BY NON-FEDERAL INTER-**  
8 **ESTS.**

9 (a) STUDIES AND ENGINEERING.—Section 204(c)(1)  
10 of the Water Resources Development Act of 1986 (33  
11 U.S.C. 2232(c)(1)) is amended by striking “under sub-  
12 section (b)” and inserting “under this section”.

13 (b) ASSUMPTION OF MAINTENANCE OF A LOCALLY  
14 PREFERRED PLAN.—Section 204(f) of the Water Re-  
15 sources Development Act of 1986 (33 U.S.C. 2232(f)) is  
16 amended to read as follows:

17 “(f) OPERATION AND MAINTENANCE.—

18 “(1) ASSUMPTION OF MAINTENANCE.—When-  
19 ever a non-Federal interest carries out improvements  
20 to a federally authorized harbor or inland harbor,  
21 the Secretary shall be responsible for operation and  
22 maintenance in accordance with section 101(b) if—

23 “(A) before construction of the improve-  
24 ments—

1                   “(i) the Secretary determines that the  
2                   improvements are feasible and consistent  
3                   with the purposes of this title; and

4                   “(ii) the Secretary and the non-Fed-  
5                   eral interest execute a written agreement  
6                   relating to operation and maintenance of  
7                   the improvements;

8                   “(B) the Secretary certifies that the  
9                   project or separable element of the project is  
10                  constructed in accordance with applicable per-  
11                  mits and appropriate engineering and design  
12                  standards; and

13                  “(C) the Secretary does not find that the  
14                  project or separable element is no longer fea-  
15                  sible.

16                  “(2) FEDERAL FINANCIAL PARTICIPATION IN  
17                  THE COSTS OF A LOCALLY PREFERRED PLAN.—In  
18                  the case of improvements determined by the Sec-  
19                  retary pursuant to paragraph (1)(A)(i) to deviate  
20                  from the national economic development plan, the  
21                  Secretary shall be responsible for all operation and  
22                  maintenance costs of such improvements, as de-  
23                  scribed in section 101(b), including costs in excess  
24                  of the costs of the national economic development

1 plan, if the Secretary determines that the improve-  
2 ments satisfy the requirements of paragraph (1).”.

3 (c) REPORT.—A non-Federal interest may submit to  
4 the Secretary a report on improvements to a federally au-  
5 thorized harbor or inland harbor to be carried out by the  
6 non-Federal interest, containing any information nec-  
7 essary for the Secretary determine whether the improve-  
8 ments satisfy the requirements of section 204(f)(1) of the  
9 Water Resources Development Act of 1986 (33 U.S.C.  
10 2232), including—

11 (1) the economic justification for the improve-  
12 ments;

13 (2) details of the project improvement plan and  
14 design;

15 (3) proposed arrangements for the work to be  
16 performed; and

17 (4) documents relating to any applicable per-  
18 mits required for the project improvements.

19 (d) PROJECT STUDIES SUBJECT TO INDEPENDENT  
20 PEER REVIEW.—The Secretary shall not be required to  
21 subject a project study for a project with a cost of less  
22 than \$200,000,000, which the Secretary determines satis-  
23 fies the requirements of section 204(f)(1) of the Water  
24 Resources Development Act of 1986 (33 U.S.C. 2232), to  
25 independent peer review under section 2034(a)(3)(A)(i) of

1 the Water Resources Development Act of 2007 (33 U.S.C.  
2 2343(a)(3)(A)(i)).

3 **SEC. 106. COAST GUARD ANCHORAGES.**

4 The Secretary may perform dredging at Federal ex-  
5 pense within and adjacent to anchorages established by  
6 the Coast Guard pursuant to existing authorities.

7 **SEC. 107. STATE CONTRIBUTION OF FUNDS FOR CERTAIN**  
8 **OPERATION AND MAINTENANCE COSTS.**

9 In carrying out eligible operations and maintenance  
10 activities within the Great Lakes Navigation System pur-  
11 suant to section 210 of the Water Resources Development  
12 Act of 1986 (33 U.S.C. 2238) in a State that has imple-  
13 mented any additional State limitation on the disposal of  
14 dredged material in the open waters of such State, the  
15 Secretary may, pursuant to section 5 of the Act of June  
16 22, 1936 (33 U.S.C. 701h), receive from such State, and  
17 expend, such funds as may be contributed by the State  
18 to cover the additional costs for operations and mainte-  
19 nance activities for a harbor or inland harbor within such  
20 State that result from such limitation.

21 **SEC. 108. GREAT LAKES CONFINED DISPOSAL FACILITIES.**

22 (a) MITIGATION.—The Secretary may relocate access  
23 to the Port of Cleveland confined disposal facility, owned  
24 or operated by a non-Federal interest, in which material  
25 dredged by the Corps of Engineers is placed.

1 (b) COST-SHARE.—The cost to relocate access to the  
2 confined disposal facility described in subsection (a) shall  
3 be shared in accordance with the cost share applicable to  
4 operation and maintenance of the Federal navigation  
5 project from which material placed in the confined dis-  
6 posal facility is dredged.

7 (c) TERMINATION.—The authority provided under  
8 this section shall terminate on December 31, 2024.

9 **SEC. 109. INLAND WATERWAY PROJECTS.**

10 Notwithstanding section 102 of the Water Resources  
11 Development Act of 1986 (33 U.S.C. 2212), for a project  
12 for navigation on the inland waterways receiving a con-  
13 struction appropriation during any of fiscal years 2021  
14 through 2031, 35 percent of the costs of construction of  
15 the project shall be paid from amounts appropriated from  
16 the Inland Waterways Trust Fund until such construction  
17 of the project is complete.

18 **SEC. 110. IMPLEMENTATION OF WATER RESOURCES PRIN-**

19 **CIPLES AND REQUIREMENTS.**

20 (a) IN GENERAL.—Not later than 180 days after the  
21 date of enactment of this Act, the Secretary shall issue  
22 final agency-specific procedures necessary to implement  
23 the principles and requirements and the interagency  
24 guidelines.

1 (b) DEVELOPMENT OF FUTURE WATER RESOURCES  
2 DEVELOPMENT PROJECTS.—The procedures required by

3 subsection (a) shall ensure that the Secretary, in the for-  
4 mulation of future water resources development projects—

5 (1) develops such projects in accordance with—

6 (A) the guiding principles established by  
7 the principles and requirements; and

8 (B) the national water resources planning  
9 policy established by section 2031(a) of the  
10 Water Resources Development Act of 2007 (42  
11 U.S.C. 1962–3(a)); and

12 (2) fully identifies and analyzes national eco-  
13 nomic development benefits, regional economic devel-  
14 opment benefits, environmental quality benefits, and  
15 other societal effects.

16 (c) REVIEW AND UPDATE.—Every 5 years, the Sec-  
17 retary shall review and, where appropriate, revise the pro-  
18 cedures required by subsection (a).

19 (d) PUBLIC REVIEW, NOTICE, AND COMMENT.—In  
20 issuing, reviewing, and revising the procedures required by  
21 this section, the Secretary shall—

22 (1) provide notice to interested non-Federal  
23 stakeholders of the Secretary’s intent to revise the  
24 procedures;



1           (2) provide opportunities for interested non-  
2 Federal stakeholders to engage with, and provide  
3 input and recommendations to, the Secretary on the  
4 revision of the procedures; and

5           (3) solicit and consider public and expert com-  
6 ments.

7 (e) DEFINITIONS.—In this section:

8           (1) INTERAGENCY GUIDELINES.—The term  
9 “interagency guidelines” means the interagency  
10 guidelines contained in the document finalized by  
11 the Council on Environmental Quality pursuant to  
12 section 2031 of the Water Resources Development  
13 Act of 2007 (42 U.S.C. 1962–3) in December 2014,  
14 to implement the principles and requirements.

15           (2) PRINCIPLES AND REQUIREMENTS.—The  
16 term “principles and requirements” means the prin-  
17 ciples and requirements contained in the document  
18 prepared by the Council on Environmental Quality  
19 pursuant to section 2031 of the Water Resources  
20 Development Act of 2007 (42 U.S.C. 1962–3), enti-  
21 tled “Principles and Requirements for Federal In-  
22 vestments in Water Resources”, and dated March  
23 2013.

1 **SEC. 111. RESILIENCY PLANNING ASSISTANCE.**

2 (a) IN GENERAL.—Section 206(a) of the Flood Con-  
3 trol Act of 1960 (33 U.S.C. 709a(a)) is amended by in-  
4 serting “, to avoid repetitive flooding impacts, to antici-  
5 pate, prepare, and adapt to changing climatic conditions  
6 and extreme weather events, and to withstand, respond to,  
7 and recover rapidly from disruption due to the flood haz-  
8 ards” after “in planning to ameliorate the flood hazard”.

9 (b) PRIORITIZING FLOOD RISK RESILIENCY TECH-  
10 NICAL ASSISTANCE.—In carrying out section 206 of the  
11 Flood Control Act of 1960 (33 U.S.C. 709a), the Sec-  
12 retary shall prioritize the provision of technical assistance  
13 to support flood risk resiliency planning efforts of eco-  
14 nomically disadvantaged communities or communities sub-  
15 ject to repetitive flooding.

16 **SEC. 112. PROJECT CONSULTATION.**

17 (a) REPORTS REQUIRED.—Not later than 180 days  
18 after the date of enactment of this Act, the Secretary shall  
19 submit the following reports:

20 (1) The report required under section 1214 of  
21 the Water Resources Development Act of 2018 (132  
22 Stat. 3809).

23 (2) The report required under section  
24 1120(a)(3) of the Water Resources Development Act  
25 of 2016 (130 Stat. 1643).

26 (b) ENVIRONMENTAL JUSTICE UPDATES.—

1           (1) IN GENERAL.—In the formulation of water  
2           development resources projects, the Secretary shall  
3           comply with any existing Executive order regarding  
4           environmental justice in effect as of the date of en-  
5           actment of this Act to address any disproportionate  
6           and adverse human health or environmental effects  
7           on minority communities, low-income communities,  
8           and Indian Tribes.

9           (2) UPDATE.—Not later than 1 year after the  
10          date of enactment of this Act, the Secretary shall re-  
11          view, and shall update, where appropriate, any poli-  
12          cies, regulations, and guidance of the Corps of Engi-  
13          neers necessary to implement any Executive order  
14          described in paragraph (1) with respect to water re-  
15          sources development projects.

16          (3) REQUIREMENTS.—In updating the policies,  
17          regulations, or guidance under paragraph (2), the  
18          Secretary shall—

19                 (A) provide notice to interested non-Fed-  
20                 eral stakeholders, including representatives of  
21                 minority communities, low-income communities,  
22                 and Indian Tribes;

23                 (B) provide opportunities for interested  
24                 stakeholders to comment on potential updates  
25                 of policies, regulations, or guidance;

1 (C) consider the recommendations from  
2 the reports submitted under subsection (a); and

3 (D) promote the meaningful involvement of  
4 minority communities, low-income communities,  
5 and Indian Tribes.

6 (c) COMMUNITY ENGAGEMENT.—In carrying out a  
7 water resources development project, the Secretary shall,  
8 to the extent practicable—

9 (1) promote the meaningful involvement of mi-  
10 nority communities, low-income communities, and  
11 Indian Tribes;

12 (2) provide guidance and technical assistance to  
13 such communities or Tribes to increase under-  
14 standing of the project development and implemen-  
15 tation activities, regulations, and policies of the  
16 Corps of Engineers; and

17 (3) cooperate with State, Tribal, and local gov-  
18 ernments with respect to activities carried out pur-  
19 suant to this subsection.

20 (d) TRIBAL LANDS AND CONSULTATION.—In car-  
21 rying out water resources development projects, the Sec-  
22 retary shall, to the extent practicable and in accordance  
23 with the Tribal Consultation Policy affirmed and formal-  
24 ized by the Secretary on November 1, 2012 (or a successor  
25 policy)—

1           (1) promote meaningful involvement with In-  
2           dian Tribes specifically on any Tribal lands near or  
3           adjacent to any water resources development  
4           projects, for purposes of identifying lands of ances-  
5           tral, cultural, or religious importance;

6           (2) consult with Indian Tribes specifically on  
7           any Tribal areas near or adjacent to any water re-  
8           sources development projects, for purposes of identi-  
9           fying lands, waters, and other resources critical to  
10          the livelihood of the Indian Tribes; and

11          (3) cooperate with Indian Tribes to avoid, or  
12          otherwise find alternate solutions with respect to,  
13          such areas.

14 **SEC. 113. REVIEW OF RESILIENCY ASSESSMENTS.**

15       (a) RESILIENCY ASSESSMENT.—

16           (1) IN GENERAL.—Not later than 180 days  
17           after the date of enactment of this section, and in  
18           conjunction with the development of procedures  
19           under section 110 of this Act, the Secretary is di-  
20           rected to review, and where appropriate, revise the  
21           existing planning guidance documents and regula-  
22           tions of the Corps of Engineers on the assessment  
23           of the effects of sea level rise or inland flooding on  
24           future water resources development projects to en-  
25           sure that such guidance documents and regulations

1 are based on the best available, peer-reviewed  
2 science and data on the current and future effects  
3 of sea level rise or inland flooding on relevant com-  
4 munities.

5 (2) COORDINATION.—In carrying out this sub-  
6 section, the Secretary shall—

7 (A) coordinate the review with the Engi-  
8 neer Research and Development Center, other  
9 Federal and State agencies, and other relevant  
10 entities; and

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

14 (b) ASSESSMENT OF BENEFITS FROM ADDRESSING  
15 SEA LEVEL RISE AND INLAND FLOODING RESILIENCY IN  
16 FEASIBILITY REPORTS.—

17 (1) IN GENERAL.—Upon the request of a non-  
18 Federal interest, in carrying out a feasibility study  
19 for a project for flood risk mitigation, hurricane and  
20 storm damage risk reduction, or ecosystem restora-  
21 tion under section 905 of the Water Resources De-  
22 velopment Act of 1986 (33 U.S.C. 2282), the Sec-  
23 retary shall consider whether the need for the  
24 project is predicated upon or exacerbated by condi-  
25 tions related to sea level rise or inland flooding.

1           (2) ADDRESSING SEA LEVEL RISE AND INLAND  
2 FLOODING RESILIENCY BENEFITS.—To the max-  
3 imum extent practicable, in carrying out a study  
4 pursuant to paragraph (1), the Secretary shall docu-  
5 ment the potential effects of sea level rise or inland  
6 flooding on the project, and the expected benefits of  
7 the project relating to sea level rise or inland flood-  
8 ing, during the 50-year period after the date of com-  
9 pletion of the project.

10 **SEC. 114. SMALL FLOOD CONTROL PROJECTS.**

11       Section 205 of the Flood Control Act of 1948 (33  
12 U.S.C. 701s) is amended by inserting “, and projects that  
13 use natural features or nature-based features (as those  
14 terms are defined in section 1184(a) of the Water Re-  
15 sources Development Act of 2016 (33 U.S.C. 2289a(a)),”  
16 after “nonstructural projects”.

17 **SEC. 115. FLOOD PROTECTION PROJECTS.**

18       (a) GENERAL CONSIDERATIONS.—Section 73(a) of  
19 the Water Resources Development Act of 1974 (33 U.S.C.  
20 701b–11(a)) is amended by striking “including” and all  
21 that follows through the period at the end and inserting  
22 the following: “, with a view toward formulating the most  
23 economically, socially, and environmentally acceptable  
24 means of reducing or preventing flood damage, includ-  
25 ing—

1           “(1) floodproofing of structures, including  
2 through elevation;

3           “(2) floodplain regulation;

4           “(3) acquisition of floodplain land for rec-  
5 reational, fish and wildlife, and other public pur-  
6 poses;

7           “(4) relocation; and

8           “(5) the use of a feature described in section  
9 1184(a) of the Water Infrastructure Improvements  
10 for the Nation Act (33 U.S.C. 2289a(a)).”.

11       (b) CONFORMING AMENDMENT.—Section 103(b) of  
12 the Water Resources Development Act of 1986 (33 U.S.C.  
13 2213) is amended—

14           (1) in the subsection heading, by striking  
15 “NONSTRUCTURAL FLOOD CONTROL PROJECTS”  
16 and inserting “PROJECTS USING NONSTRUCTURAL,  
17 NATURAL, OR NATURE-BASED FEATURES”; and

18           (2) in paragraph (1)—

19               (A) by striking “nonstructural flood con-  
20 trol measures” and inserting “a flood risk man-  
21 agement or hurricane and storm damage risk  
22 reduction measure using a nonstructural fea-  
23 ture, or a natural feature or nature-based fea-  
24 ture (as those terms are defined in section



1 1184(a) of the Water Resources Development  
2 Act of 2016 (33 U.S.C. 2289a(a)),”;

3 (B) by striking “cash during construction  
4 of the project” and inserting “cash during con-  
5 struction for a nonstructural feature if the costs  
6 of land, easements, rights-of-way, dredged ma-  
7 terial disposal areas, and relocations for such  
8 feature are estimated to exceed 35 percent”.

9 **SEC. 116. FEASIBILITY STUDIES; REVIEW OF NATURAL AND**  
10 **NATURE-BASED FEATURES.**

11 (a) TECHNICAL CORRECTION.—Section 1149(c) of  
12 the Water Resources Development Act of 2018 (33 U.S.C.  
13 2282 note; 132 Stat. 3787) is amended by striking “nat-  
14 ural infrastructure alternatives” and inserting “natural  
15 feature or nature-based feature alternatives (as such  
16 terms are defined in section 1184 of the Water Resources  
17 Development Act of 2016 (32 U.S.C. 2289a))”.

18 (b) SUMMARY OF ANALYSIS.—To the maximum ex-  
19 tent practicable, the Secretary shall include in each feasi-  
20 bility report developed under section 905 of the Water Re-  
21 sources Development Act of 1986 (33 U.S.C. 2282) for  
22 a project that contains a flood risk management or hurri-  
23 cane and storm damage risk reduction element, a sum-  
24 mary of the natural feature or nature-based feature alter-  
25 natives, along with their long-term costs and benefits, that

1 were evaluated in the development of the feasibility report,  
2 and, if such alternatives were not included in the rec-  
3 ommended plan, an explanation of why such alternatives  
4 were not included in the recommended plan.

5 **SEC. 117. FEDERAL INTEREST DETERMINATION.**

6 Section 905 of the Water Resources Development Act  
7 of 1986 (33 U.S.C. 2282) is amended by inserting after  
8 subsection (a) the following:

9 “(b) FEDERAL INTEREST DETERMINATION.—

10 “(1) IN GENERAL.—

11 “(A) ECONOMICALLY DISADVANTAGED  
12 COMMUNITIES.—In preparing a feasibility re-  
13 port under subsection (a) for a study that will  
14 benefit an economically disadvantaged commu-  
15 nity, upon request by the non-Federal interest  
16 for the study, the Secretary shall first deter-  
17 mine the Federal interest in carrying out the  
18 study and the projects that may be proposed in  
19 the study.

20 “(B) OTHER COMMUNITIES.—

21 “(i) AUTHORIZATION.—In preparing a  
22 feasibility report under subsection (a) for a  
23 study that will benefit a covered commu-  
24 nity, upon request by the non-Federal in-  
25 terest for the study, the Secretary may,

1 with respect to not more than 3 studies in  
2 each fiscal year, first determine the Fed-  
3 eral interest in carrying out the study and  
4 the projects that may be proposed in the  
5 study.

6 “(ii) COVERED COMMUNITIES.—In  
7 this subparagraph, the term ‘covered com-  
8 munity’ means a community that—

9 “(I) is not an economically dis-  
10 advantaged community; and

11 “(II) the Secretary finds has a  
12 compelling need for the Secretary to  
13 make a determination under clause  
14 (i).

15 “(2) COST SHARE.—The costs of a determina-  
16 tion under paragraph (1)—

17 “(A) shall be at Federal expense; and

18 “(B) shall not exceed \$200,000.

19 “(3) DEADLINE.—A determination under para-  
20 graph (1) shall be completed by not later than 120  
21 days after the date on which funds are made avail-  
22 able to the Secretary to carry out the determination.

23 “(4) TREATMENT.—

24 “(A) TIMING.—The period during which a  
25 determination is being completed under para-

1 graph (1) for a study shall not be included for  
2 purposes of the deadline to complete a final fea-  
3 sibility report under section 1001(a)(1) of the  
4 Water Resources Reform and Development Act  
5 of 2014 (33 U.S.C. 2282c(a)(1)).

6 “(B) COST.—The cost of a determination  
7 under paragraph (1) shall not be included for  
8 purposes of the maximum Federal cost under  
9 section 1001(a)(2) of the Water Resources Re-  
10 form and Development Act of 2014 (33 U.S.C.  
11 2282c(a)(2)).

12 “(5) REPORT TO NON-FEDERAL INTEREST.—If,  
13 based on a determination under paragraph (1), the  
14 Secretary determines that a study or project is not  
15 in the Federal interest because the project will not  
16 result, or is unlikely to result, in a recommended  
17 plan that will produce national economic develop-  
18 ment benefits greater than cost, but may result in  
19 a technically sound and environmentally acceptable  
20 plan that is otherwise consistent with section 904 of  
21 the Water Resources Development Act of 1986 (33  
22 U.S.C. 2281), the Secretary shall issue a report to  
23 the non-Federal interest with recommendations on  
24 how the non-Federal interest might modify the pro-

1       posal such that the project could be in the Federal  
2       interest and feasible.”.

3       **SEC. 118. PILOT PROGRAMS ON THE FORMULATION OF**  
4                   **CORPS OF ENGINEERS PROJECTS IN RURAL**  
5                   **COMMUNITIES AND ECONOMICALLY DIS-**  
6                   **ADVANTAGED COMMUNITIES.**

7       (a) IN GENERAL.—The Secretary shall establish and  
8       implement pilot programs, in accordance with this section,  
9       to evaluate opportunities to address the flood risk manage-  
10      ment and hurricane and storm damage risk reduction  
11      needs of rural communities and economically disadvan-  
12      taged communities.

13      (b) ECONOMICALLY DISADVANTAGED COMMUNITY  
14      FLOOD PROTECTION AND HURRICANE AND STORM DAM-  
15      AGE REDUCTION STUDY PILOT PROGRAM.—

16           (1) IN GENERAL.—Not later than 180 days  
17           after the date of enactment of this Act, the Sec-  
18           retary shall establish and implement a pilot program  
19           to carry out feasibility studies, in accordance with  
20           this subsection, for flood risk management and hur-  
21           ricane and storm damage risk reduction projects for  
22           economically disadvantaged communities, in coordi-  
23           nation with non-Federal interests.

24           (2) PARTICIPATION IN PILOT PROGRAM.—In  
25           carrying out paragraph (1), the Secretary shall—

1 (A) publish a notice in the Federal Reg-  
2 ister that requests from non-Federal interests  
3 proposals for the potential feasibility study of a  
4 flood risk management project or hurricane and  
5 storm damage risk reduction project for an eco-  
6 nomically disadvantaged community;

7 (B) upon request of a non-Federal interest  
8 for such a project, provide technical assistance  
9 to such non-Federal interest in the formulation  
10 of a proposal for a potential feasibility study to  
11 be submitted to the Secretary under the pilot  
12 program; and

13 (C) review such proposals and select 10  
14 feasibility studies for such projects to be carried  
15 out by the Secretary, in coordination with the  
16 non-Federal interest, under this pilot program.

17 (3) SELECTION CRITERIA.—In selecting a feasi-  
18 bility study under paragraph (2)(C), the Secretary  
19 shall consider whether—

20 (A) the percentage of people living in pov-  
21 erty in the county or counties (or county-equiv-  
22 alent entity or entities) in which the project is  
23 located is greater than the percentage of people  
24 living in poverty in the State, based on census  
25 bureau data;

1 (B) the percentage of families with income  
2 above the poverty threshold but below the aver-  
3 age household income in the county or counties  
4 (or county-equivalent entity or entities) in  
5 which the project is located is greater than such  
6 percentage for the State, based on census bu-  
7 reau data;

8 (C) the percentage of the population that  
9 identifies as belonging to a minority or indige-  
10 nous group in the county or counties (or coun-  
11 ty-equivalent entity or entities) in which the  
12 project is located is greater than the average  
13 such percentage in the State, based on census  
14 bureau data; and

15 (D) the project is addressing flooding or  
16 hurricane or storm damage effects that have a  
17 disproportionate impact on a rural community,  
18 a minority community, or an Indian Tribe.

19 (4) ADMINISTRATION.—Notwithstanding the re-  
20 quirements of section 105(a)(1)(A) of the Water Re-  
21 sources Development Act of 1986 (33 U.S.C. 2215),  
22 the Federal share of the cost of a feasibility study  
23 carried out under the pilot program shall be 100  
24 percent.

1           (5) STUDY REQUIREMENTS.—Feasibility studies  
2 carried out under this subsection shall, to the max-  
3 imum extent practicable, incorporate natural fea-  
4 tures or nature-based features (as such terms are  
5 defined in section 1184 of the Water Resources De-  
6 velopment Act of 2016 (33 U.S.C. 2289a)), or a  
7 combination of such features and nonstructural fea-  
8 tures, that avoid or reduce at least 50 percent of  
9 flood or storm damages in one or more of the alter-  
10 natives included in the final alternatives evaluated.

11           (6) NOTIFICATION.—The Secretary shall notify  
12 the Committee on Transportation and Infrastructure  
13 of the House of Representatives and the Committee  
14 on Environment and Public Works of the Senate of  
15 the selection of each feasibility study under the pilot  
16 program.

17           (7) COMPLETION.—Upon completion of a feasi-  
18 bility report for a feasibility study selected to be car-  
19 ried out under this subsection, the Secretary shall  
20 transmit the report to Congress for authorization,  
21 and shall include the report in the next annual re-  
22 port submitted under section 7001 of the Water Re-  
23 sources Reform and Development Act of 2014 (33  
24 U.S.C. 2282d).



1           (c) PILOT PROGRAM FOR THE RECOMMENDATION OF  
2 FLOOD PROTECTION AND HURRICANE AND STORM DAM-  
3 AGE REDUCTION PROJECTS IN RURAL COMMUNITIES AND  
4 ECONOMICALLY DISADVANTAGED COMMUNITIES.—

5           (1) IN GENERAL.—Not later than 180 days  
6 after the date of enactment of this Act, the Sec-  
7 retary shall establish and implement a pilot program  
8 to evaluate, and make recommendations to Congress  
9 on, flood risk management projects and hurricane  
10 and storm damage risk reduction projects in rural  
11 communities or economically disadvantaged commu-  
12 nities, without demonstrating that each project is  
13 justified solely by national economic development  
14 benefits.

15           (2) CONSIDERATIONS.—In carrying out this  
16 subsection, the Secretary may make a recommenda-  
17 tion to Congress on up to 10 projects, without dem-  
18 onstrating that the project is justified solely by na-  
19 tional economic development benefits, if the Sec-  
20 retary determines that—

21           (A) the community to be served by the  
22 project is an economically disadvantaged com-  
23 munity or a rural community;

24           (B) the long-term life safety, economic via-  
25 bility, and environmental sustainability of the

1 community would be threatened without the  
2 project; and

3 (C) the project is consistent with the re-  
4 quirements of section 1 of the Flood Control  
5 Act of 1936 (33 U.S.C. 701a).

6 (3) CONSISTENCY.—In carrying out this sub-  
7 section, the Secretary shall ensure that project rec-  
8 ommendations are consistent with the principles and  
9 requirements and the interagency guidelines, as such  
10 terms are defined in section 110 of this Act, includ-  
11 ing the consideration of quantifiable monetary and  
12 nonmonetary benefits of the project.

13 (4) PRIORITIZATION.—The Secretary may give  
14 equivalent budgetary consideration and priority to  
15 projects recommended under this subsection.

16 (d) GEOGRAPHIC DIVERSITY.—In selecting feasibility  
17 studies under subsection (b)(2)(C) or in making project  
18 recommendations under subsection (c), the Secretary shall  
19 consider the geographic diversity among proposed  
20 projects.

21 (e) REPORT.—Not later than 5 years and 10 years  
22 after the date of enactment of this Act, the Secretary shall  
23 submit to the Committee on Transportation and Infra-  
24 structure of the House of Representatives and the Com-  
25 mittee on Environment and Public Works of the Senate,

1 and make publicly available, a report detailing the results  
2 of the pilot programs carried out under this section, in-  
3 cluding—

4 (1) a description of proposals received from  
5 non-Federal interests pursuant to subsection  
6 (b)(2)(A);

7 (2) a description of technical assistance pro-  
8 vided to non-Federal interests under subsection  
9 (b)(2)(B);

10 (3) a description of proposals selected under  
11 subsection (b)(2)(C) and criteria used to select such  
12 proposals;

13 (4) a description of the projects evaluated or  
14 recommended by the Secretary under subsection (c);

15 (5) a description of the quantifiable monetary  
16 and nonmonetary benefits associated with the  
17 projects recommended under subsection (c); and

18 (6) any recommendations to Congress on how  
19 the Secretary can address the flood risk manage-  
20 ment and hurricane and storm damage risk reduc-  
21 tion needs of economically disadvantaged commu-  
22 nities.

23 (f) STATE DEFINED.—In this section, the term  
24 “State” means each of the several States, the District of

1 Columbia, and each of the commonwealths, territories, and  
2 possessions of the United States.

3 (g) SUNSET.—The authority to commence a feasi-  
4 bility study under subsection (b), and the authority make  
5 a recommendation under subsection (c), shall terminate  
6 on the date that is 10 years after the date of enactment  
7 of this Act.

8 **SEC. 119. PERMANENT MEASURES TO REDUCE EMERGENCY**  
9 **FLOOD FIGHTING NEEDS FOR COMMUNITIES**  
10 **SUBJECT TO REPETITIVE FLOODING.**

11 (a) DEFINITIONS.—In this section:

12 (1) AFFECTED COMMUNITY.—The term “af-  
13 fected community” means a legally constituted pub-  
14 lic body (as that term is used in section 221(b) of  
15 the Flood Control Act of 1970 (42 U.S.C. 1962d–  
16 5b(b))—

17 (A) with jurisdiction over an area that has  
18 been subject to flooding in two or more events  
19 in any 10-year period; and

20 (B) that has received emergency flood-  
21 fighting assistance, including construction of  
22 temporary barriers by the Secretary, under sec-  
23 tion 5 of the Act of August 18, 1941 (33  
24 U.S.C. 701n) with respect to such flood events.

1           (2) NATURAL FEATURE; NATURE-BASED FEA-  
2           TURE.—The terms “natural feature” and “nature-  
3           based feature” have the meanings given those terms  
4           in section 1184 of the Water Resources Development  
5           Act of 2016 (33 U.S.C. 2289a).

6           (b) PROGRAM.—

7           (1) IN GENERAL.—The Secretary is authorized  
8           to carry out a program to study, design, and con-  
9           struct water resources development projects through  
10          measures involving, among other things, strength-  
11          ening, raising, extending, realigning, or otherwise  
12          modifying existing flood control works, designing  
13          new works, and incorporating natural features, na-  
14          ture-based features, or nonstructural features, as ap-  
15          propriate to provide flood and coastal storm risk  
16          management to affected communities.

17          (2) CONSIDERATIONS.—In carrying out para-  
18          graph (1), the Secretary shall, to the maximum ex-  
19          tent practical, review and, where appropriate, incor-  
20          porate natural features or nature-based features, or  
21          a combination of such features and nonstructural  
22          features, that avoid or reduce at least 50 percent of  
23          flood or storm damages in one or more of the alter-  
24          natives included in the final alternatives evaluated.

25          (3) CONSTRUCTION.—

1           (A) IN GENERAL.—The Secretary may  
2 carry out a project described in paragraph (1)  
3 without further congressional authorization if—

4           (i) the Secretary determines that the  
5 project—

6           (I) is advisable to reduce the risk  
7 of flooding for an affected community;  
8 and

9           (II) produces benefits that are in  
10 excess of the estimated costs; and

11           (ii) the Federal share of the cost of  
12 the construction does not exceed  
13 \$17,500,000.

14           (B) SPECIFIC AUTHORIZATION.—If the  
15 Federal share of the cost of a project described  
16 in paragraph (1) exceeds \$17,500,000, the Sec-  
17 retary shall submit the project recommendation  
18 to Congress for authorization prior to construc-  
19 tion, and shall include the project recommenda-  
20 tion in the next annual report submitted under  
21 section 7001 of the Water Resources Reform  
22 and Development Act of 2014.

23           (C) FINANCING.—

24           (i) CONTRIBUTIONS.—If, based on a  
25 study carried out pursuant to paragraph

1 (1), the Secretary determines that a  
2 project described in paragraph (1) will not  
3 produce benefits greater than cost, the  
4 Secretary shall allow the affected commu-  
5 nity to pay, or provide contributions equal  
6 to, an amount sufficient to make the re-  
7 maining costs of design and construction  
8 of the project equal to the estimated value  
9 of the benefits of the project.

10 (ii) EFFECT ON NON-FEDERAL  
11 SHARE.—Amounts provided by an affected  
12 community under clause (i) shall be in ad-  
13 dition to any payments or contributions  
14 the affected community is required to pro-  
15 vide toward the remaining costs of design  
16 and construction of the project under sec-  
17 tion 103 of the Water Resources Develop-  
18 ment Act of 1986 (33 U.S.C. 2213).

19 (4) ABILITY TO PAY.—

20 (A) IN GENERAL.—Any cost-sharing agree-  
21 ment for a project entered into pursuant to this  
22 section shall be subject to the ability of the af-  
23 fected community to pay.

24 (B) DETERMINATION.—The ability of any  
25 affected community to pay shall be determined

1 by the Secretary in accordance with procedures  
2 established by the Secretary.

3 (C) EFFECT OF REDUCTION.—Any reduc-  
4 tion in the non-Federal share of the cost of a  
5 project described in paragraph (1) as a result  
6 of a determination under this paragraph shall  
7 not be included in the Federal share for pur-  
8 poses of subparagraphs (A) and (B) of para-  
9 graph (3).

10 **SEC. 120. EMERGENCY RESPONSE TO NATURAL DISASTERS.**

11 Section 5 of the Act of August 18, 1941 (33 U.S.C.  
12 701n) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (2)(B)—

15 (i) in clause (i)(I), by inserting “, or  
16 provide contributions equal to,” after  
17 “pay”; and

18 (ii) in clause (ii)—

19 (I) in the heading, by inserting  
20 “AND CONTRIBUTIONS” after “OF  
21 PAYMENTS”;

22 (II) by inserting “or contribu-  
23 tions” after “Non-Federal payments”;  
24 and



1 (III) by inserting “or contribu-  
2 tions” after “non-Federal payments”;  
3 and

4 (B) by adding at the end the following:

5 “(5) FEASIBILITY STUDY.—

6 “(A) DETERMINATION.—Not later than  
7 180 days after receiving, from a non-Federal  
8 sponsor of a project to repair or rehabilitate a  
9 flood control work described in paragraph (1),  
10 a request to initiate a feasibility study to fur-  
11 ther modify the relevant flood control work to  
12 provide for an increased level of protection, the  
13 Secretary shall provide to the non-Federal spon-  
14 sor a written decision on whether the Secretary  
15 has the authority under section 216 of the  
16 Flood Control Act of 1970 (33 U.S.C. 549a) to  
17 undertake the requested feasibility study.

18 “(B) RECOMMENDATION.—If the Secretary  
19 determines under subparagraph (B) that the  
20 Secretary does not have the authority to under-  
21 take the requested feasibility study, the Sec-  
22 retary shall include the request for a feasibility  
23 study in the annual report submitted under sec-  
24 tion 7001 of the Water Resources Reform and  
25 Development Act of 2014.”; and

1 (2) in subsection (c)—

2 (A) in the subsection heading, by striking  
3 “LEVEE OWNERS MANUAL” and inserting  
4 “ELIGIBILITY”;

5 (B) in paragraph (1), in the heading, by  
6 striking “IN GENERAL” and inserting “LEVEE  
7 OWNER’S MANUAL”;

8 (C) by redesignating paragraphs (2) and  
9 (3) as paragraphs (3) and (4), respectively, and  
10 inserting after paragraph (1) the following:

11 “(2) COMPLIANCE.—

12 “(A) IN GENERAL.—Notwithstanding the  
13 status of compliance of a non-Federal interest  
14 with the requirements of a levee owner’s man-  
15 ual described in paragraph (1), or with any  
16 other eligibility requirement established by the  
17 Secretary related to the maintenance and up-  
18 keep responsibilities of the non-Federal interest,  
19 the Secretary shall consider the non-Federal in-  
20 terest to be eligible for repair and rehabilitation  
21 assistance under this section if the non-Federal  
22 interest—

23 “(i) enters into a written agreement  
24 with the Secretary that identifies any items  
25 of deferred or inadequate maintenance and

1                   upkeep identified by the Secretary prior to  
2                   the natural disaster; and

3                   “(ii) pays, during performance of the  
4                   repair and rehabilitation work, all costs to  
5                   address—

6                   “(I) any items of deferred or in-  
7                   adequate maintenance and upkeep  
8                   identified by the Secretary; and

9                   “(II) any repair or rehabilitation  
10                  work necessary to address damage the  
11                  Secretary attributes to such deferred  
12                  or inadequate maintenance or upkeep.

13                  “(B) ELIGIBILITY.—The Secretary may  
14                  only enter into one agreement under subpara-  
15                  graph (A) with any non-Federal interest.

16                  “(C) SUNSET.—The authority of the Sec-  
17                  retary to enter into agreements under para-  
18                  graph (2) shall terminate on the date that is 5  
19                  years after the date of enactment of this para-  
20                  graph.”; and

21                  (D) in paragraph (3) (as so redesignated),  
22                  by striking “this subsection” and inserting  
23                  “paragraph (1)”.

1 **SEC. 121. COST AND BENEFIT FEASIBILITY ASSESSMENT.**

2 Section 1161(b) of the Water Resources Development  
3 Act of 2018 (33 U.S.C. 701n note) is amended—

4 (1) in the matter preceding paragraph (1)—

5 (A) by striking the “three fiscal years pre-  
6 ceding” and inserting “five fiscal years pre-  
7 ceding”; and

8 (B) by striking “last day of the third fiscal  
9 year” and inserting “last day of the fifth fiscal  
10 year”;

11 (2) in paragraph (1), by inserting “, or provide  
12 contributions equal to,” before “an amount suffi-  
13 cient”; and

14 (3) by striking paragraph (2) and inserting the  
15 following:

16 “(2) the Secretary determines that the damage  
17 to the structure was not as a result of negligent op-  
18 eration or maintenance.”.

19 **SEC. 122. EXPEDITING REPAIRS AND RECOVERY FROM**  
20 **FLOODING.**

21 (a) **IN GENERAL.**—To the maximum extent prac-  
22 ticable, during the 5-year period beginning on the date of  
23 enactment of this Act, the Secretary shall prioritize and  
24 expedite the processing of applications for permits under  
25 section 10 of the Act of March 3, 1899 (33 U.S.C. 403),  
26 and section 404 of the Federal Water Pollution Control

1 Act (33 U.S.C. 1344), and permissions under section 14  
2 of the Act of March 3, 1899 (33 U.S.C. 408), to complete  
3 repairs, reconstruction (including improvements), and up-  
4 grades to flood control infrastructure damaged by flooding  
5 events during calendar years 2017 through 2020, includ-  
6 ing flooding events caused by ice jams.

7 (b) SAVINGS PROVISION.—Nothing in this section af-  
8 fects any obligation to comply with the requirements of  
9 any Federal law, including—

10 (1) the National Environmental Policy Act of  
11 1969 (42 U.S.C. 4321 et seq.);

12 (2) the Federal Water Pollution Control Act  
13 (33 U.S.C. 1251 et seq.); and

14 (3) the Endangered Species Act of 1973 (16  
15 U.S.C. 1531 et seq.).

16 **SEC. 123. REVIEW OF CORPS OF ENGINEERS ASSETS.**

17 Section 6002 of the Water Resources Reform and De-  
18 velopment Act of 2014 (128 Stat. 1349) is amended to  
19 read as follows:

20 **“SEC. 6002. REVIEW OF CORPS OF ENGINEERS ASSETS.**

21 “(a) ASSESSMENT.—The Secretary shall conduct an  
22 assessment of projects constructed by the Secretary for  
23 which the Secretary continues to have financial or oper-  
24 ational responsibility.

1       “(b) INVENTORY.—Not later than 18 months after  
2 the date of enactment of the Water Resources Develop-  
3 ment Act of 2020, the Secretary shall, based on the as-  
4 sessment carried out under subsection (a), develop an in-  
5 ventory of projects or portions of projects—

6               “(1) that are not needed for the missions of the  
7 Corps of Engineers;

8               “(2) the modification of which, including  
9 though the use of structural features, nonstructural  
10 features, or natural features or nature-based fea-  
11 tures (as those terms are defined in section 1184(a)  
12 of the Water Resources Development Act of 2016  
13 (33 U.S.C. 2289a(a)), could improve the sustainable  
14 operations of the project, or reduce operation and  
15 maintenance costs for the project; or

16               “(3) that are no longer having project purposes  
17 adequately met by the Corps of Engineers, because  
18 of deferment of maintenance or other challenges,  
19 and the divestment of which to a non-Federal entity  
20 could better meet the local and regional needs for  
21 operation and maintenance.

22       “(c) CRITERIA.—In conducting the assessment under  
23 subsection (a) and developing the inventory under sub-  
24 section (b), the Secretary shall use the following criteria:

1           “(1) The extent to which the project aligns with  
2           the current missions of the Corps of Engineers.

3           “(2) The economic and environmental impacts  
4           of the project on existing communities in the vicinity  
5           of the project.

6           “(3) The extent to which the divestment or  
7           modification of the project could reduce operation  
8           and maintenance costs of the Corps of Engineers.

9           “(4) The extent to which the divestment or  
10          modification of the project is in the public interest.

11          “(5) The extent to which investment of addi-  
12          tional Federal resources in the project proposed for  
13          divestment or modification, including investment  
14          needed to bring the project to a good state of repair,  
15          is in the public interest.

16          “(6) The extent to which the authorized pur-  
17          pose of the project is no longer being met.

18          “(d) RECOMMENDATIONS OF NON-FEDERAL INTER-  
19          ESTS.—A non-Federal interest for a project may rec-  
20          ommend that the Secretary include such project in the as-  
21          sessment or inventory required under this section.

22          “(e) REPORT TO CONGRESS.—

23                 “(1) IN GENERAL.—Upon completion of the in-  
24                 ventory required by subsection (b), the Secretary  
25                 shall submit to the Committee on Environment and

1 Public Works of the Senate and the Committee on  
2 Transportation and Infrastructure of the House of  
3 Representatives, and make publicly available, a re-  
4 port containing the findings of the Secretary with  
5 respect to the assessment and inventory required  
6 under this section.

7 “(2) INCLUSION.—The Secretary shall list in an  
8 appendix any recommendation of a non-Federal in-  
9 terest made with respect to a project under sub-  
10 section (d) that the Secretary determines not to in-  
11 clude in the inventory developed under subsection  
12 (b), based on the criteria in subsection (c), including  
13 information about the request and the reasons for  
14 the Secretary’s determination.”.

15 **SEC. 124. SENSE OF CONGRESS ON MULTIPURPOSE**  
16 **PROJECTS.**

17 It is the sense of Congress that the Secretary, in co-  
18 ordination with non-Federal interests, should maximize  
19 the development, evaluation, and recommendation of  
20 project alternatives for future water resources develop-  
21 ment projects that produce multiple project benefits, such  
22 as navigation, flood risk management, and ecosystem res-  
23 toration benefits, including through the use of natural or  
24 nature-based features and the beneficial use of dredged  
25 material.



1 **SEC. 125. BENEFICIAL USE OF DREDGED MATERIAL;**  
2 **DREDGED MATERIAL MANAGEMENT PLANS.**

3 (a) NATIONAL POLICY ON THE BENEFICIAL USE OF  
4 DREDGED MATERIAL.—

5 (1) IN GENERAL.—It is the policy of the United  
6 States for the Corps of Engineers to maximize the  
7 beneficial use, in an environmentally acceptable  
8 manner, of suitable dredged material obtained from  
9 the construction or operation and maintenance of  
10 water resources development projects.

11 (2) PLACEMENT OF DREDGED MATERIALS.—

12 (A) IN GENERAL.—In evaluating the place-  
13 ment of dredged material obtained from the  
14 construction or operation and maintenance of  
15 water resources development projects, the Sec-  
16 retary shall consider—

17 (i) the suitability of the dredged mate-  
18 rial for a full range of beneficial uses; and

19 (ii) the economic and environmental  
20 benefits, efficiencies, and impacts (includ-  
21 ing the effects on living coral) of using the  
22 dredged material for beneficial uses, in-  
23 cluding, in the case of beneficial use activi-  
24 ties that involve more than one water re-  
25 sources development project, the benefits,

1 efficiencies, and impacts that result from  
2 the combined activities.

3 (B) CALCULATION OF FEDERAL STAND-  
4 ARD.—

5 (i) DETERMINATION.—The economic  
6 benefits and efficiencies from the beneficial  
7 use of dredged material considered by the  
8 Secretary under subparagraph (A) shall be  
9 included in any determination relating to  
10 the “Federal standard” by the Secretary  
11 under section 335.7 of title 33, Code of  
12 Federal Regulations, for the placement or  
13 disposal of such material.

14 (ii) REPORTS.—The Secretary shall  
15 submit to Congress—

16 (I) a report detailing the method  
17 and all of the factors utilized by the  
18 Corps of Engineers to determine the  
19 Federal standard referred to in clause  
20 (i); and

21 (II) for each evaluation under  
22 subparagraph (A), a report displaying  
23 the calculations for economic and en-  
24 vironmental benefits and efficiencies  
25 from the beneficial use of dredged ma-

1           terial (including, where appropriate,  
2           the utilization of alternative dredging  
3           equipment and dredging disposal  
4           methods) considered by the Secretary  
5           under such subparagraph for the  
6           placement or disposal of such mate-  
7           rial.

8           (C) SELECTION OF DREDGED MATERIAL  
9           DISPOSAL METHOD FOR CERTAIN PURPOSES.—  
10          Section 204(d) of the Water Resources Develop-  
11          ment Act of 1992 (33 U.S.C. 2326(d)) is  
12          amended—

13                 (i) in paragraph (1)—

14                         (I) in the matter preceding sub-  
15                         paragraph (A), by striking “In devel-  
16                         oping” and all that follows through  
17                         “the non-Federal interest,” and in-  
18                         serting “At the request of the non-  
19                         Federal interest for a water resources  
20                         development project involving the dis-  
21                         posal of dredged material, the Sec-  
22                         retary, using funds appropriated for  
23                         construction or operation and mainte-  
24                         nance of the project, may select”; and

1 (II) in subparagraph (B), by  
2 striking “flood and storm damage and  
3 flood reduction benefits” and inserting  
4 “hurricane and storm or flood risk re-  
5 duction benefits”; and

6 (ii) by adding at the end the fol-  
7 lowing:

8 “(5) SELECTION OF DREDGED MATERIAL DIS-  
9 POSAL METHOD FOR CERTAIN PURPOSES.—Activities  
10 carried out under this subsection—

11 “(A) shall be carried out using amounts  
12 appropriated for construction or operation and  
13 maintenance of the project involving the dis-  
14 posal of the dredged material; and

15 “(B) shall not carried out using amounts  
16 made available under subsection (g).”.

17 (b) BENEFICIAL USE OF DREDGED MATERIAL.—

18 (1) PILOT PROGRAM PROJECTS.—Section 1122  
19 of the Water Resources Development Act of 2016  
20 (33 U.S.C. 2326 note) is amended—

21 (A) in subsection (a)—

22 (i) in paragraph (6), by striking “;  
23 and” and inserting a semicolon;

1 (ii) in paragraph (7)(C), by striking  
2 the period at the end and inserting “;  
3 and”; and

4 (iii) by adding at the end the fol-  
5 lowing:

6 “(8) recovering lost storage capacity in res-  
7 ervoirs due to sediment accumulation, if the project  
8 also has a purpose described in any of paragraphs  
9 (1) through (7).”;

10 (B) in subsection (b)(1), by striking “20”  
11 and inserting “35”; and

12 (C) in subsection (g), by striking “20” and  
13 inserting “35”.

14 (2) SENSE OF CONGRESS.—It is the sense of  
15 Congress that the Secretary, in selecting projects for  
16 the beneficial use of dredged materials under section  
17 1122 of the Water Resources Development Act of  
18 2016 (33 U.S.C. 2326 note), should ensure the thor-  
19 ough evaluation of project submissions from rural,  
20 small, and economically disadvantaged communities.

21 (3) PROJECT SELECTION.—In selecting projects  
22 for the beneficial use of dredged materials under  
23 section 1122 of the Water Resources Development  
24 Act of 2016 (33 U.S.C. 2326 note), the Secretary  
25 shall prioritize the selection of at least one project

1 for the utilization of thin layer placement of dredged  
2 fine and coarse grain sediment and at least one  
3 project for recovering lost storage capacity in res-  
4 ervoires due to sediment accumulation authorized by  
5 subsection (a)(8) of such section, to the extent that  
6 a non-Federal interest has submitted an application  
7 for such project purposes that otherwise meets the  
8 requirements of such section.

9 (4) TEMPORARY EASEMENTS.—Section 1148 of  
10 the Water Resources Development Act of 2018 (33  
11 U.S.C. 2326 note) is amended—

12 (A) in subsection (a)—

13 (i) by striking “grant” and inserting  
14 “approve”; and

15 (ii) by striking “granting” and insert-  
16 ing “approving”; and

17 (B) in subsection (b), by striking “grants”  
18 and inserting “approves”.

19 (c) FIVE-YEAR REGIONAL DREDGED MATERIAL  
20 MANAGEMENT PLANS.—

21 (1) IN GENERAL.—Not later than 1 year after  
22 the date of enactment of this Act, and annually  
23 thereafter, the District Commander of each district  
24 of the Corps of Engineers that obtains dredged ma-  
25 terial through the construction or operation and

1 maintenance of a water resources development  
2 project shall, at Federal expense, develop and submit  
3 to the Secretary a 5-year dredged material manage-  
4 ment plan in coordination with relevant State agen-  
5 cies and stakeholders.

6 (2) SCOPE.—Each plan developed under this  
7 subsection shall include—

8 (A) a dredged material budget for each  
9 watershed or littoral system within the district;

10 (B) an estimate of the amount of dredged  
11 material likely to be obtained through the con-  
12 struction or operation and maintenance of all  
13 water resources development projects projected  
14 to be carried out within the district during the  
15 5-year period following submission of the plan,  
16 and the estimated timing for obtaining such  
17 dredged material;

18 (C) an identification of potential water re-  
19 sources development projects projected to be  
20 carried out within the district during such 5-  
21 year period that are suitable for, or that re-  
22 quire, the placement of dredged material, and  
23 an estimate of the amount of dredged material  
24 placement capacity of such projects;

25 (D) an evaluation of—

1 (i) the suitability of the dredged mate-  
2 rial for a full range of beneficial uses; and

3 (ii) the economic and environmental  
4 benefits, efficiencies, and impacts (includ-  
5 ing the effects on living coral) of using the  
6 dredged material for beneficial uses, in-  
7 cluding, in the case of beneficial use activi-  
8 ties that involve more than one water re-  
9 sources development project, the benefits,  
10 efficiencies, and impacts that result from  
11 the combined activities;

12 (E) the district-wide goals for beneficial  
13 use of the dredged material, including any ex-  
14 pected cost savings from aligning and coordi-  
15 nating multiple projects (including projects  
16 across Corps districts) in the use of the dredged  
17 material; and

18 (F) a description of potential beneficial use  
19 projects identified through stakeholder sollicita-  
20 tion and coordination.

21 (3) PUBLIC COMMENT.—In developing each  
22 plan under this subsection, each District Com-  
23 mander shall provide notice and an opportunity for  
24 public comment, including a solicitation for stake-  
25 holders to identify beneficial use projects, in order to



1 ensure, to the extent practicable, that beneficial use  
2 of dredged material is not foregone in a particular  
3 fiscal year or dredging cycle.

4 (4) PUBLIC AVAILABILITY.—Upon submission  
5 of each plan to the Secretary under this subsection,  
6 each District Commander shall make the plan pub-  
7 licly available, including on a publicly available  
8 website.

9 (5) TRANSMISSION TO CONGRESS.—As soon as  
10 practicable after receiving a plan under subsection  
11 (a), the Secretary shall transmit the plan to Con-  
12 gress.

13 (6) REGIONAL SEDIMENT MANAGEMENT  
14 PLANS.—A plan developed under this section—

15 (A) shall be in addition to regional sedi-  
16 ment management plans prepared under section  
17 204(a) of the Water Resources Development  
18 Act of 1992 (33 U.S.C. 2326(a)); and

19 (B) shall not be subject to the limitations  
20 in section 204(g) of the Water Resources Devel-  
21 opment Act of 1992 (33 U.S.C. 2326(g)).

22 (d) DREDGE PILOT PROGRAM.—

23 (1) REVISIONS.—Section 1111 of the Water  
24 Resources Development Act of 2018 (33 U.S.C.  
25 2326 note) is amended—

1 (A) in subsection (a), by striking “for the  
2 operation and maintenance of harbors and in-  
3 land harbors” and all that follows through the  
4 period at the end and inserting the following:

5 “for the operation and maintenance of—

6 “(1) harbors and inland harbors referred to in  
7 section 210(a)(2) of the Water Resources Develop-  
8 ment Act of 1986 (33 U.S.C. 2238(a)(2)); or

9 “(2) inland and intracoastal waterways of the  
10 United States described in section 206 of the Inland  
11 Waterways Revenue Act of 1978 (33 U.S.C.  
12 1804).”; and

13 (B) in subsection (b), by striking “or in-  
14 land harbors” and inserting “, inland harbors,  
15 or inland or intracoastal waterways”.

16 (2) COORDINATION WITH EXISTING AUTHORI-  
17 TIES.—The Secretary may carry out the dredge pilot  
18 program authorized by section 1111 of the Water  
19 Resources Development Act of 2018 (33 U.S.C.  
20 2326 note) in coordination with Federal regional  
21 dredge demonstration programs in effect on the date  
22 of enactment of this Act.

1 **SEC. 126. AQUATIC ECOSYSTEM RESTORATION FOR ANAD-**  
2 **ROMOUS FISH.**

3 (a) ANADROMOUS FISH HABITAT AND PASSAGE.—  
4 Section 206 of the Water Resources Development Act of  
5 1996 (33 U.S.C. 2330) is amended—

6 (1) in subsection (a), by adding at the end the  
7 following:

8 “(3) ANADROMOUS FISH HABITAT AND PAS-  
9 SAGE.—

10 “(A) MEASURES.—A project under this  
11 section may include measures to improve habi-  
12 tat or passage for anadromous fish, including—

13 “(i) installing fish bypass structures  
14 on small water diversions;

15 “(ii) modifying tide gates; and

16 “(iii) restoring or reconnecting  
17 floodplains and wetlands that are impor-  
18 tant for anadromous fish habitat or pas-  
19 sage.

20 “(B) BENEFITS.—A project that includes  
21 measures under this paragraph shall be formu-  
22 lated to maximize benefits for the anadromous  
23 fish species benefitted by the project.”; and

24 (2) by adding at the end the following:

25 “(g) PRIORITIZATION.—The Secretary shall give  
26 projects that include measures described in subsection

1 (a)(3) equal priority for implementation as other projects  
2 under this section.”.

3 **SEC. 127. ANNUAL REPORT TO CONGRESS ON WATER RE-**  
4 **SOURCES INFRASTRUCTURE.**

5 (a) IN GENERAL.—Section 7001 of the Water Re-  
6 sources Reform and Development Act of 2014 (33 U.S.C.  
7 2282d) is amended—

8 (1) in subsection (c)—

9 (A) in paragraph (1)—

10 (i) in subparagraph (B)(ii)(III), by in-  
11 sserting “, regional, or local” after “na-  
12 tional”; and

13 (ii) by adding at the end the fol-  
14 lowing:

15 “(D) MODIFICATIONS OF PROJECTS CAR-  
16 RIED OUT PURSUANT TO CONTINUING AUTHOR-  
17 ITY PROGRAMS.—

18 “(i) IN GENERAL.—With respect to a  
19 project being carried out pursuant to a  
20 continuing authority program for which a  
21 proposed modification is necessary because  
22 the project is projected to exceed, in the  
23 coming fiscal year, the maximum Federal  
24 cost of the project, the Secretary shall in-  
25 clude a proposed modification in the an-

1           nual report if the proposed modification  
2           will result in completion of construction  
3           the project and the justification for the  
4           modification is not the result of a change  
5           in the scope of the project.

6           “(ii) INCLUSION.—For each proposed  
7           modification included in an annual report  
8           under clause (i), the Secretary shall in-  
9           clude in the annual report—

10                   “(I) a justification of why the  
11                   modification is necessary;

12                   “(II) an estimate of the total cost  
13                   and timeline required to complete con-  
14                   struction of the project; and

15                   “(III) an indication of continued  
16                   support by the non-Federal interest  
17                   and the financial ability of the non-  
18                   Federal interest to provide the re-  
19                   quired cost-share.

20           “(iii) DEFINITION.—For the purposes  
21           of this subparagraph, the term ‘continuing  
22           authority program’ means any of—

23                   “(I) section 14 of the Flood Con-  
24                   trol Act of 1946 (33 U.S.C. 701r);

1 “(II) section 3 of the Act of Au-  
2 gust 13, 1946 (33 U.S.C. 426g);

3 “(III) section 107 of the River  
4 and Harbor Act of 1960 (33 U.S.C.  
5 577);

6 “(IV) section 111 of the River  
7 and Harbor Act of 1968 (33 U.S.C.  
8 426i);

9 “(V) section 204 of the Water  
10 Resources Development Act of 1992  
11 (33 U.S.C. 2326);

12 “(VI) section 205 of the Flood  
13 Control Act of 1948 (33 U.S.C.  
14 701s);

15 “(VII) section 206 of the Water  
16 Resources Development Act of 1996  
17 (33 U.S.C. 2330);

18 “(VIII) section 2 of the Act of  
19 August 28, 1937 (33 U.S.C. 701g);  
20 and

21 “(IX) section 1135 of the Water  
22 Resources Development Act of 1986  
23 (33 U.S.C. 2309a).”; and

24 (B) in paragraph (4)(B)—

1 (i) in clause (i), by striking “and” at  
2 the end;

3 (ii) by redesignating clause (ii) as  
4 clause (iii); and

5 (iii) by inserting after clause (i) the  
6 following:

7 “(ii) the Secretary shall not include  
8 proposals in the appendix of the annual re-  
9 port that otherwise meet the criteria for  
10 inclusion in the annual report solely on the  
11 basis that the proposals are for the pur-  
12 poses of navigation, flood risk manage-  
13 ment, ecosystem restoration, or municipal  
14 or agricultural water supply; and”;

15 (2) in subsection (g)(5), by striking “if author-  
16 ized” and all that follows through “2016”.

17 (b) OVER-BUDGET CAP PROGRAMS.—For any project  
18 carried out under a continuing authority program, as such  
19 term is defined in section 7001(c)(1)(D) of the Water Re-  
20 sources Reform and Development Act of 2014 (33 U.S.C.  
21 2282d)), for which the Secretary is required to include a  
22 proposed modification in an annual report under such sec-  
23 tion 7001(c)(1)(D), the Secretary shall, to the extent prac-  
24 ticable, inform the non-Federal interest of the process for  
25 carrying out the project pursuant to section 105 of the

1 Water Resources Development Act of 1986 (33 U.S.C.  
2 2215) and whether the Secretary has the authority to  
3 complete a feasibility study for the project.

4 (c) ANNUAL REPORT ON STATUS OF FEASIBILITY  
5 STUDIES.—Concurrent with each report submitted under  
6 section 7001 of the Water Resources Reform and Develop-  
7 ment Act of 2014 (33 U.S.C. 2282d), the Secretary shall  
8 submit to the Committee on Transportation and Infra-  
9 structure of the House of Representatives and the Com-  
10 mittee on Environment and Public Works of the Senate  
11 a report that provides for an accounting of all outstanding  
12 feasibility studies being conducted by the Secretary, in-  
13 cluding, for each such study, its length, cost, and expected  
14 completion date.

15 **SEC. 128. HARMFUL ALGAL BLOOM DEMONSTRATION PRO-**  
16 **GRAM.**

17 (a) IN GENERAL.—The Secretary shall carry out a  
18 demonstration program to determine the causes of, and  
19 implement measures to effectively detect, prevent, treat,  
20 and eliminate, harmful algal blooms associated with water  
21 resources development projects.

22 (b) CONSULTATION; USE OF EXISTING DATA AND  
23 PROGRAM AUTHORITIES.—In carrying out the demonstra-  
24 tion program under subsection (a), the Secretary shall—



1           (1) consult with the heads of appropriate Fed-  
2           eral and State agencies; and

3           (2) make maximum use of existing Federal and  
4           State data and ongoing programs and activities of  
5           Federal and State agencies, including the activities  
6           of the Secretary carried out through the Engineer  
7           Research and Development Center pursuant to sec-  
8           tion 1109 of the Water Resources Development Act  
9           of 2018 (33 U.S.C. 610 note).

10          (c) FOCUS AREAS.—In carrying out the demonstra-  
11          tion program under subsection (a), the Secretary shall un-  
12          dertake program activities related to harmful algal blooms  
13          in the Great Lakes, the tidal and inland waters of the  
14          State of New Jersey, the coastal and tidal waters of the  
15          State of Louisiana, the waterways of the counties that  
16          comprise the Sacramento-San Joaquin Delta, California,  
17          the Allegheny Reservoir Watershed, New York, and Lake  
18          Okeechobee, Florida.

19          (d) ADDITIONAL FOCUS AREAS.—In addition to the  
20          areas described in subsection (c), in carrying out the dem-  
21          onstration program under subsection (a), the Secretary  
22          shall undertake program activities related to harmful algal  
23          blooms at any Federal reservoir located in the Upper Mis-  
24          souri River Basin or the North Platte River Basin, at the  
25          request and expense of another Federal agency.

1 (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
2 authorized to be appropriated to the Secretary  
3 \$25,000,000 to carry out this section. Such sums shall  
4 remain available until expended.

5 **SEC. 129. MISSOURI RIVER INTERCEPTION-REARING COM-**  
6 **PLEX CONSTRUCTION.**

7 (a) REPORT.—Not later than 1 year after the date  
8 of enactment of this Act, and annually thereafter, the Sec-  
9 retary shall submit to the Committee on Transportation  
10 and Infrastructure of the House of Representatives and  
11 the Committee on Environment and Public Works of the  
12 Senate a report on the effects of any interception-rearing  
13 complex constructed on the Missouri River on—

- 14 (1) flood risk management and navigation; and  
15 (2) the population recovery of the pallid stur-  
16 geon, including baseline population counts.

17 (b) NO ADDITIONAL IRC CONSTRUCTION.—The Sec-  
18 retary may not authorize construction of an interception-  
19 rearing complex on the Missouri River until the Sec-  
20 retary—

- 21 (1) submits the report required by subsection  
22 (a);  
23 (2) acting through the Engineer Research and  
24 Development Center, conducts further research on  
25 interception-rearing complex design, including any

1 effects on existing flows, flood risk management, and  
2 navigation; and

3 (3) develops a plan—

4 (A) to repair dikes and revetments that are  
5 affecting flood risk and bank erosion; and

6 (B) to establish, repair, or improve water  
7 control structures at the headworks of con-  
8 structed shallow water habitat side-channels.

9 (c) FUTURE IRC CONSTRUCTION.—

10 (1) PUBLIC COMMENT.—The Secretary shall  
11 provide an opportunity for comment from the public  
12 and the Governor of each affected State on any pro-  
13 posals to construct an interception-rearing complex  
14 after the date of enactment of this Act.

15 (2) PERIOD.—The public comment period re-  
16 quired by paragraph (1) shall be not less than 90  
17 days for each proposal to construct an interception-  
18 rearing complex on the Missouri River.

19 **SEC. 130. MATERIALS, SERVICES, AND FUNDS FOR REPAIR,**  
20 **RESTORATION, OR REHABILITATION OF**  
21 **PROJECTS.**

22 (a) DEFINITIONS.—In this section:

23 (1) COVERED AREA.—The term “covered area”  
24 means an area—

1 (A) for which the Governor of a State has  
2 requested a determination that an emergency  
3 exists; or

4 (B) covered by an emergency or major dis-  
5 aster declaration declared under the Robert T.  
6 Stafford Disaster Relief and Emergency Assist-  
7 ance Act (42 U.S.C. 5121 et seq.).

8 (2) EMERGENCY PERIOD.—The term “emer-  
9 gency period” means—

10 (A) with respect to a covered area de-  
11 scribed in paragraph (1)(A), the period during  
12 which the Secretary determines an emergency  
13 exists; and

14 (B) with respect to a covered area de-  
15 scribed in paragraph (1)(B), the period during  
16 which the applicable declaration is in effect.

17 (b) IN GENERAL.—In any covered area, the Secretary  
18 is authorized to accept and use materials, services, and  
19 funds, during the emergency period, from a non-Federal  
20 interest or private entity to repair, restore, or rehabilitate  
21 a federally authorized water resources development  
22 project, and to provide reimbursement to such non-Fed-  
23 eral interest or private entity for such materials, services,  
24 and funds, in the Secretary’s sole discretion, and subject

1 to the availability of appropriations, if the Secretary deter-  
2 mines that reimbursement is in the public interest.

3 (c) ADDITIONAL REQUIREMENT.—The Secretary  
4 may only reimburse for the use of materials or services  
5 accepted under this section if such materials or services  
6 meet the Secretary’s specifications and comply with all ap-  
7 plicable laws and regulations that would apply if such ma-  
8 terials and services were acquired by the Secretary, includ-  
9 ing sections 3141 through 3148 and 3701 through 3708  
10 of title 40, United States Code, section 8302 of title 41,  
11 United States Code, and the National Environmental Pol-  
12 icy Act of 1969.

13 (d) AGREEMENTS.—

14 (1) IN GENERAL.—Prior to the acceptance of  
15 materials, services, or funds under this section, the  
16 Secretary and the non-Federal interest or private  
17 entity shall enter into an agreement that specifies—

18 (A) the non-Federal interest or private en-  
19 tity shall hold and save the United States free  
20 from any and all damages that arise from use  
21 of materials or services of the non-Federal in-  
22 terest or private entity, except for damages due  
23 to the fault or negligence of the United States  
24 or its contractors;

1 (B) the non-Federal interest or private en-  
2 tity shall certify that the materials or services  
3 comply with all applicable laws and regulations  
4 under subsection (c); and

5 (C) any other term or condition required  
6 by the Secretary.

7 (2) EXCEPTION.—If an agreement under para-  
8 graph (1) was not entered prior to materials or serv-  
9 ices being contributed, a non-Federal interest or pri-  
10 vate entity shall enter into an agreement with the  
11 Secretary that—

12 (A) specifies the value, as determined by  
13 the Secretary, of those materials or services  
14 contributed and eligible for reimbursement; and

15 (B) ensures that the materials or services  
16 comply with subsection (c) and paragraph (1).

17 **SEC. 131. LEVEE SAFETY.**

18 Section 9004 of the Water Resources Development  
19 Act of 2007 (33 U.S.C. 3303) is amended by adding at  
20 the end the following:

21 “(d) IDENTIFICATION OF DEFICIENCIES.—

22 “(1) IN GENERAL.—For each levee included in  
23 an inventory established under subsection (b) or for  
24 which the Secretary has conducted a review under  
25 subsection (c), the Secretary shall—

1           “(A) identify the specific engineering and  
2 maintenance deficiencies, if any; and

3           “(B) describe the recommended remedies  
4 to correct each deficiency identified under sub-  
5 paragraph (A), and, if requested by owner of a  
6 non-Federal levee, the associated costs of those  
7 remedies.

8           “(2) CONSULTATION.—In identifying defi-  
9 ciencies and describing remedies for a levee under  
10 paragraph (1), the Secretary shall consult with rel-  
11 evant non-Federal interests, including by providing  
12 an opportunity for comment by those non-Federal  
13 interests.”.

14 **SEC. 132. NATIONAL DAM SAFETY PROGRAM.**

15           (a) DEFINITIONS.—Section 2 of the National Dam  
16 Safety Program Act (33 U.S.C. 467) is amended—

17                   (1) in paragraph (4)—

18                           (A) in subparagraph (A)—

19                                   (i) by striking clause (iii) and insert-  
20 ing the following:

21   “(iii) has an emergency action plan  
22 that—

23   “(I) is approved by the relevant  
24 State dam safety agency; or

1                   “(II) is in conformance with  
2                   State law and pending approval by the  
3                   relevant State dam safety agency;”;

4                   and

5                   (ii) by striking clause (iv) and insert-  
6                   ing the following:

7                   “(iv) fails to meet minimum dam safe-  
8                   ty standards of the State in which the dam  
9                   is located, as determined by the State; and

10                  “(v) poses an unacceptable risk to the  
11                  public, as determined by the Adminis-  
12                  trator, in consultation with the Board.”;

13                  and

14                  (B) in subparagraph (B)(i), by inserting  
15                  “under a hydropower project with an authorized  
16                  installed capacity of greater than 1.5  
17                  megawatts” after “dam”; and

18                  (2) in paragraph (10)—

19                  (A) in the heading, by striking “NON-FED-  
20                  ERAL SPONSOR” and inserting “ELIGIBLE SUB-  
21                  RECIPIENT”; and

22                  (B) by striking “The term ‘non-Federal  
23                  sponsor’” and inserting “The term ‘eligible  
24                  subrecipient’”.



1 (b) REHABILITATION OF HIGH HAZARD POTENTIAL  
2 DAMS.—

3 (1) ESTABLISHMENT OF PROGRAM.—Section  
4 8A(a) of the National Dam Safety Program Act (33  
5 U.S.C. 467f–2(a)) is amended by striking “to non-  
6 Federal sponsors” and inserting “to States with  
7 dam safety programs”.

8 (2) ELIGIBLE ACTIVITIES.—Section 8A(b) of  
9 the National Dam Safety Program Act (33 U.S.C.  
10 467f–2(b)) is amended, in the matter preceding  
11 paragraph (1), by striking “for a project may be  
12 used for” and inserting “to a State may be used by  
13 the State to award grants to eligible subrecipients  
14 for”.

15 (3) AWARD OF GRANTS.—Section 8A(c) of the  
16 National Dam Safety Program Act (33 U.S.C.  
17 467f–2(c)) is amended—

18 (A) in paragraph (1)(A), by striking “non-  
19 Federal sponsor” and inserting “State”; and

20 (B) in paragraph (2)—

21 (i) in subparagraph (A), by striking  
22 “an eligible high hazard potential dam to  
23 a non-Federal sponsor” and inserting “eli-  
24 gible high hazard potential dams to a  
25 State”;

1 (ii) in subparagraph (B)—

2 (I) in the subparagraph heading,  
3 by striking “PROJECT GRANT” and in-  
4 serting “GRANT”;

5 (II) by striking “project grant  
6 agreement with the non-Federal spon-  
7 sor” and inserting “grant agreement  
8 with the State”; and

9 (III) by striking “project,” and  
10 inserting “projects for which the  
11 grant is awarded,”;

12 (iii) by amending subparagraph (C) to  
13 read as follows:

14 “(C) GRANT ASSURANCE.—As part of a  
15 grant agreement under subparagraph (B), the  
16 Administrator shall require that each eligible  
17 subrecipient to which the State awards a grant  
18 under this section provides an assurance, with  
19 respect to the dam to be rehabilitated by the el-  
20 igible subrecipient, that the dam owner will  
21 carry out a plan for maintenance of the dam  
22 during the expected life of the dam.”; and

23 (iv) in subparagraph (D), by striking  
24 “A grant provided under this section shall  
25 not exceed” and inserting “A State may

1 not award a grant to an eligible sub-  
2 recipient under this section that exceeds,  
3 for any 1 dam,”.

4 (4) REQUIREMENTS.—Section 8A(d) of the Na-  
5 tional Dam Safety Program Act (33 U.S.C. 467f-  
6 2(d)) is amended—

7 (A) in paragraph (1), by inserting “to an  
8 eligible subrecipient” after “this section”;

9 (B) in paragraph (2)—

10 (i) in the paragraph heading, by strik-  
11 ing “NON-FEDERAL SPONSOR” and insert-  
12 ing “ELIGIBLE SUBRECIPIENT”;

13 (ii) in the matter preceding subpara-  
14 graph (A), by striking “the non-Federal  
15 sponsor shall” and inserting “an eligible  
16 subrecipient shall, with respect to the dam  
17 to be rehabilitated by the eligible sub-  
18 recipient”;

19 (iii) by amending subparagraph (A) to  
20 read as follows:

21 “(A) demonstrate that the community in  
22 which the dam is located participates in, and  
23 complies with, all applicable Federal flood in-  
24 surance programs, including demonstrating that  
25 such community is participating in the National

1 Flood Insurance Program, and is not on proba-  
2 tion, suspended, or withdrawn from such Pro-  
3 gram;”;

4 (iv) in subparagraph (B), by striking  
5 “have” and inserting “beginning not later  
6 than 2 years after the date on which the  
7 Administrator publishes criteria for hazard  
8 mitigation plans under paragraph (3),  
9 demonstrate that the Tribal or local gov-  
10 ernment with jurisdiction over the area in  
11 which the dam is located has”; and

12 (v) in subparagraph (C), by striking  
13 “50-year period” and inserting “expected  
14 life of the dam”; and

15 (C) by adding at the end the following:

16 “(3) HAZARD MITIGATION PLAN CRITERIA.—  
17 Not later than 1 year after the date of enactment  
18 of this paragraph, the Administrator, in consultation  
19 with the Board, shall publish criteria for hazard  
20 mitigation plans required under paragraph (2)(B).”.

21 (5) FLOODPLAIN MANAGEMENT PLANS.—Sec-  
22 tion 8A(e) of the National Dam Safety Program Act  
23 (33 U.S.C. 467f–2(e)) is amended—

24 (A) in paragraph (1)—

1 (i) in the matter preceding subpara-  
2 graph (A), by striking “the non-Federal  
3 sponsor” and inserting “an eligible sub-  
4 recipient”; and

5 (ii) in subparagraph (B), by striking  
6 “1 year” and inserting “2 years” each  
7 place it appears; and

8 (B) by striking paragraph (3) and insert-  
9 ing the following:

10 “(3) PLAN CRITERIA AND TECHNICAL SUP-  
11 PORT.—The Administrator, in consultation with the  
12 Board, shall provide criteria, and may provide tech-  
13 nical support, for the development and implementa-  
14 tion of floodplain management plans prepared under  
15 this subsection.”.

16 (6) CONTRACTUAL REQUIREMENTS.—Section  
17 8A(i)(1) of the National Dam Safety Program Act  
18 (33 U.S.C. 467f–2(i)(1)) is amended by striking “a  
19 non-Federal sponsor” and inserting “an eligible sub-  
20 recipient”.

21 **SEC. 133. REHABILITATION OF CORPS OF ENGINEERS CON-**  
22 **STRUCTED PUMP STATIONS.**

23 (a) DEFINITIONS.—In this section:

24 (1) ELIGIBLE PUMP STATION.—The term “eli-  
25 gible pump station” means a pump station—

1 (A) constructed, in whole or in part, by the  
2 Corps of Engineers for flood risk management  
3 purposes;

4 (B) that the Secretary has identified as  
5 having a major deficiency; and

6 (C) the failure of which the Secretary has  
7 determined would impair the function of a flood  
8 risk management project constructed by the  
9 Corps of Engineers.

10 (2) REHABILITATION.—

11 (A) IN GENERAL.—The term “rehabilita-  
12 tion”, with respect to an eligible pump station,  
13 means to address a major deficiency of the eli-  
14 gible pump station caused by long-term deg-  
15 radation of the foundation, construction mate-  
16 rials, or engineering systems or components of  
17 the eligible pump station.

18 (B) INCLUSIONS.—The term “rehabilita-  
19 tion”, with respect to an eligible pump station,  
20 includes—

21 (i) the incorporation into the eligible  
22 pump station of—

- 23 (I) current design standards;  
24 (II) efficiency improvements; and  
25 (III) associated drainage; and

1 (ii) increasing the capacity of the eli-  
2 gible pump station, subject to the condition  
3 that the increase shall—

4 (I) significantly decrease the risk  
5 of loss of life and property damage; or

6 (II) decrease total lifecycle reha-  
7 bilitation costs for the eligible pump  
8 station.

9 (b) AUTHORIZATION.—The Secretary may carry out  
10 rehabilitation of an eligible pump station, if the Secretary  
11 determines that the rehabilitation is feasible.

12 (c) COST SHARING.—The non-Federal interest for  
13 the eligible pump station shall—

14 (1) provide 35 percent of the cost of rehabilita-  
15 tion of an eligible pump station carried out under  
16 this section; and

17 (2) provide all land, easements, rights-of-way,  
18 and necessary relocations associated with the reha-  
19 bilitation described in subparagraph (A), at no cost  
20 to the Federal Government.

21 (d) AGREEMENT REQUIRED.—The rehabilitation of  
22 an eligible pump station pursuant to this section shall be  
23 initiated only after a non-Federal interest has entered into  
24 a binding agreement with the Secretary—

1 (1) to pay the non-Federal share of the costs of  
2 rehabilitation under subsection (c); and

3 (2) to pay 100 percent of the operation and  
4 maintenance costs of the rehabilitated eligible pump  
5 station, in accordance with regulations promulgated  
6 by the Secretary.

7 (e) TREATMENT.—The rehabilitation of an eligible  
8 pump station pursuant to this section shall not be consid-  
9 ered to be a separable element of the associated flood risk  
10 management project constructed by the Corps of Engi-  
11 neers.

12 (f) AUTHORIZATION OF APPROPRIATIONS.—There is  
13 authorized to be appropriated to carry out this section  
14 \$60,000,000, to remain available until expended.

15 **SEC. 134. NON-FEDERAL PROJECT IMPLEMENTATION**  
16 **PILOT PROGRAM.**

17 (a) REAUTHORIZATION; IMPLEMENTATION GUID-  
18 ANCE.—Section 1043(b) of the Water Resources Reform  
19 and Development Act of 2014 (33 U.S.C. 2201 note) is  
20 amended—

21 (1) in paragraph (7), by striking “the date that  
22 is 5 years after the date of enactment of this Act”  
23 and inserting “September 30, 2026”;

24 (2) in paragraph (8), by striking “2023” and  
25 inserting “2026”; and



1 (3) by adding at the end the following:

2 “(9) IMPLEMENTATION GUIDANCE.—

3 “(A) IN GENERAL.—Not later than 120  
4 days after the date of enactment of this para-  
5 graph, the Secretary shall issue guidance for  
6 the implementation of the pilot program that,  
7 to the extent practicable, identifies—

8 “(i) the metrics for measuring the  
9 success of the pilot program;

10 “(ii) a process for identifying future  
11 projects to participate in the pilot pro-  
12 gram;

13 “(iii) measures to address the risks of  
14 a non-Federal interest constructing  
15 projects under the pilot program, including  
16 which entity bears the risk for projects  
17 that fail to meet the Corps of Engineers  
18 standards for design or quality;

19 “(iv) the laws and regulations that a  
20 non-Federal interest must follow in car-  
21 rying out a project under the pilot pro-  
22 gram; and

23 “(v) which entity bears the risk in the  
24 event that a project carried out under the  
25 pilot program fails to be carried out in ac-

1 cordance with the project authorization or  
2 this subsection.

3 “(B) NEW PROJECT PARTNERSHIP AGREE-  
4 MENTS.—The Secretary may not enter into a  
5 project partnership agreement under this sub-  
6 section during the period beginning on the date  
7 of enactment of this paragraph and ending on  
8 the date on which the Secretary issues the guid-  
9 ance under subparagraph (A).”.

10 (b) NON-FEDERAL PROJECT IMPLEMENTATION FOR  
11 COMPREHENSIVE EVERGLADES RESTORATION PLAN  
12 PROJECTS.—

13 (1) IN GENERAL.—In carrying out the pilot  
14 program authorized under section 1043(b) of the  
15 Water Resources Reform and Development Act of  
16 2014 (33 U.S.C. 2201 note), the Secretary is au-  
17 thorized to include a project authorized by sub-  
18 section (b), (c), or (d) of section 601 of the Water  
19 Resources Development Act of 2000, in accordance  
20 with such section 1043(b).

21 (2) ELIGIBILITY.—In the case of a project de-  
22 scribed in paragraph (1) for which the non-Federal  
23 interest has initiated construction in compliance with  
24 authorities governing the provision of in-kind con-  
25 tributions for such project, the Secretary shall take

1 into account the value of any in-kind contributions  
2 carried out by the non-Federal interest for such  
3 project prior to the date of execution of the project  
4 partnership agreement under section 1043(b) of the  
5 Water Resources Reform and Development Act of  
6 2014 when determining the non-Federal share of the  
7 costs to complete construction of the project.

8 (3) GUIDANCE.—Not later than 180 days after  
9 the date of enactment of this subsection, and in ac-  
10 cordance with the guidance issued under section  
11 1043(b)(9) of the Water Resources Reform and De-  
12 velopment Act of 2014 (as added by this section),  
13 the Secretary shall issue any additional guidance  
14 that the Secretary determines necessary for the im-  
15 plementation of this subsection.

16 **SEC. 135. COST SHARING PROVISIONS FOR TERRITORIES**  
17 **AND INDIAN TRIBES.**

18 Section 1156(b) of the Water Resources Development  
19 Act of 1986 (33 U.S.C. 2310(b)) is amended by striking  
20 “for inflation” and all that follows through the period at  
21 the end and inserting “on an annual basis for inflation.”.

22 **SEC. 136. REVIEW OF CONTRACTING POLICIES.**

23 (a) REVIEW OF CONTRACTUAL AGREEMENTS.—

24 (1) IN GENERAL.—Not later than 180 days  
25 after the date of enactment of this section, the Sec-

1       retary shall complete a review of the policies, guide-  
2       lines, and regulations of the Corps of Engineers for  
3       the development of contractual agreements between  
4       the Secretary and non-Federal interests and utilities  
5       associated with the construction of water resources  
6       development projects.

7               (2) REPORT.—Not later than 90 days after  
8       completing the review under subsection (a)(1), the  
9       Secretary shall submit to the Committee on Trans-  
10      portation and Infrastructure of the House of Rep-  
11      resentatives and the Committee on Environment and  
12      Public Works of the Senate, and make publicly  
13      available, a report that includes—

14               (A) a summary of the results of the review;  
15              and

16               (B) public guidance on best practices for a  
17      non-Federal interest to use when writing or de-  
18      veloping contractual agreements with the Sec-  
19      retary and utilities.

20               (3) PROVISION OF GUIDANCE.—The Secretary  
21      shall provide the best practices guidance included  
22      under paragraph (2)(A) to non-Federal interests  
23      prior to the development of contractual agreements  
24      with such non-Federal interests.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-  
2 gress that the Secretary should maximize use of nonprice  
3 tradeoff procedures in competitive acquisitions for car-  
4 rying out emergency work in an area with respect to which  
5 the President has declared a major disaster under section  
6 401 of the Robert T. Stafford Disaster Relief and Emer-  
7 gency Assistance Act.

8 **SEC. 137. CRITERIA FOR FUNDING ENVIRONMENTAL IN-**  
9 **FRASTRUCTURE PROJECTS.**

10 (a) IN GENERAL.—Not later than 180 days after the  
11 date of enactment of this Act, the Secretary shall develop  
12 specific criteria for the evaluation and ranking of indi-  
13 vidual environmental assistance projects authorized by  
14 Congress (including projects authorized pursuant to envi-  
15 ronmental assistance programs) for the Secretary to carry  
16 out.

17 (b) MINIMUM CRITERIA.—For the purposes of car-  
18 rying out this section, the Secretary shall evaluate, at a  
19 minimum—

20 (1) the nature and extent of the positive and  
21 negative local economic impacts of the project, in-  
22 cluding—

23 (A) the benefits of the project to the local  
24 economy;

1 (B) the extent to which the project will en-  
2 hance local development;

3 (C) the number of jobs that will be directly  
4 created by the project; and

5 (D) the ability of the non-Federal interest  
6 to pay the applicable non-Federal share of the  
7 cost of the project;

8 (2) the demographics of the location in which  
9 the project is to be carried out, including whether  
10 the project serves—

11 (A) a rural community; or

12 (B) an economically disadvantaged commu-  
13 nity, including an economically disadvantaged  
14 minority community;

15 (3) the amount of appropriations a project has  
16 received;

17 (4) the funding capability of the Corps of Engi-  
18 neers with respect to the project;

19 (5) whether the project could be carried out  
20 under other Federal authorities at an equivalent cost  
21 to the non-Federal interest; and

22 (6) any other criteria that the Secretary con-  
23 siders to be appropriate.

24 (c) INCLUSION IN GUIDANCE.—The Secretary shall  
25 include the criteria developed under subsection (a) in the

1 annual Civil Works Direct Program Development Policy  
2 Guidance of the Secretary.

3 (d) REPORT TO CONGRESS.—For fiscal year 2022,  
4 and biennially thereafter, in conjunction with the Presi-  
5 dent’s annual budget submission to Congress under sec-  
6 tion 1105(a) of title 31, United States Code, the Secretary  
7 shall submit to the Committee on Environment and Public  
8 Works and the Committee on Appropriations of the Sen-  
9 ate and the Committee on Transportation and Infrastruc-  
10 ture and the Committee on Appropriations of the House  
11 of Representatives a report that identifies the Secretary’s  
12 ranking of individual environmental assistance projects  
13 authorized by Congress for the Secretary to carry out, in  
14 accordance with the criteria developed under this section.

15 **SEC. 138. AGING INFRASTRUCTURE.**

16 (a) DEFINITIONS.—In this section:

17 (1) AGING INFRASTRUCTURE.—The term  
18 “aging infrastructure” means a water resources de-  
19 velopment project of the Corps of Engineers, or any  
20 other water resources, water storage, or irrigation  
21 project of another Federal agency, that is greater  
22 than 75 years old.

23 (2) ENHANCED INSPECTION.—The term “en-  
24 hanced inspection” means an inspection that uses  
25 current or innovative technology, including Light

1 Detection and Ranging (commonly known as  
2 “LiDAR”), ground penetrating radar, subsurface  
3 imaging, or subsurface geophysical techniques, to de-  
4 tect whether the features of the aging infrastructure  
5 are structurally sound and can operate as intended,  
6 or are at risk of failure.

7 (b) CONTRACTS FOR ENHANCED INSPECTION.—

8 (1) IN GENERAL.—The Secretary may carry out  
9 enhanced inspections of aging infrastructure, pursu-  
10 ant to a contract with the owner or operator of the  
11 aging infrastructure.

12 (2) CERTAIN CIRCUMSTANCES.—Subject to the  
13 availability of appropriations, or funds available pur-  
14 suant to subsection (d), the Secretary shall enter  
15 into a contract described in paragraph (1), if—

16 (A) the owner or operator of the aging in-  
17 frastructure requests that the Secretary carry  
18 out the enhanced inspections; and

19 (B) the inspection is at the full expense of  
20 such owner or operator.

21 (c) LIMITATION.—The Secretary shall not require a  
22 non-Federal entity associated with a project under the ju-  
23 risdiction of another Federal agency to carry out correc-  
24 tive or remedial actions in response to an enhanced inspec-  
25 tion carried out under this section.



1 (d) FUNDING.—The Secretary is authorized to accept  
2 funds from an owner or operator of aging infrastructure,  
3 and may use such funds to carry out an enhanced inspec-  
4 tion pursuant to a contract entered into with such owner  
5 or operator under this section.

6 **SEC. 139. UNIFORMITY OF NOTIFICATION SYSTEMS.**

7 (a) INVENTORY.—Not later than 180 days after the  
8 date of enactment of this Act, the Secretary shall complete  
9 an inventory of all systems used by the Corps of Engineers  
10 for external communication and notification with respect  
11 to projects, initiatives, and facilities of the Corps of Engi-  
12 neers.

13 (b) UNIFORM PLAN.—

14 (1) IN GENERAL.—Not later than 1 year after  
15 the date of enactment of this Act, the Secretary  
16 shall develop a plan for the uniformity of such com-  
17 munication and notification systems for projects, ini-  
18 tiatives, and facilities of the Corps of Engineers.

19 (2) INCLUSIONS.—The plan developed under  
20 paragraph (1) shall—

21 (A) provide access to information in all  
22 forms practicable, including through email, text  
23 messages, news programs and websites, radio,  
24 and other forms of notification;

1 (B) establish a notification system for any  
2 projects, initiatives, or facilities of the Corps of  
3 Engineers that do not have a notification sys-  
4 tem;

5 (C) streamline existing communication and  
6 notification systems to improve the strength  
7 and uniformity of those systems; and

8 (D) emphasize the necessity of timeliness  
9 in notification systems and ensure that the  
10 methods of notification can transmit informa-  
11 tion in a timely manner.

12 (3) IMPLEMENTATION.—

13 (A) IN GENERAL.—Except as provided in  
14 subparagraph (B), not later than 2 years after  
15 the date of enactment of this Act, the Secretary  
16 shall complete the implementation of the plan  
17 developed under paragraph (1).

18 (B) EMERGENCY MANAGEMENT NOTIFICA-  
19 TION.—Not later than 18 months after the date  
20 of enactment of this Act, the Secretary shall  
21 implement the provisions of the plan developed  
22 under paragraph (1) relating to emergency  
23 management notifications.

24 (4) SAVINGS PROVISION.—Nothing in this sec-  
25 tion authorizes the elimination of any existing com-

1           munication or notification system used by the Corps  
2           of Engineers.

3   **SEC. 140. COASTAL STORM DAMAGE REDUCTION CON-**  
4                           **TRACTS.**

5           For any project for coastal storm damage reduction,  
6 the Secretary may seek input from a non-Federal interest  
7 for a project that may be affected by the timing of the  
8 coastal storm damage reduction activities under the  
9 project, in order to minimize, to the maximum extent prac-  
10 ticable, any negative effects resulting from the timing of  
11 those activities.

12 **SEC. 141. DAM REMEDIATION FOR ECOSYSTEM RESTORA-**  
13                           **TION.**

14           Section 542(b)(2) of the Water Resources Develop-  
15 ment Act of 2000 (114 Stat. 2671; 121 Stat. 1150) is  
16 amended—

17           (1) in subparagraph (F), by striking “or” at  
18           the end;

19           (2) by redesignating subparagraph (G) as sub-  
20           paragraph (H); and

21           (3) by inserting after subparagraph (F) the fol-  
22           lowing:

23                           “(G) measures to restore, protect, and pre-  
24           serve an ecosystem affected by a dam (including

1 by the rehabilitation or modification of a  
2 dam)—

3 “(i) that has been constructed, in  
4 whole or in part, by the Corps of Engi-  
5 neers for flood control purposes;

6 “(ii) for which construction was com-  
7 pleted before 1940;

8 “(iii) that is classified as ‘high hazard  
9 potential’ by the State dam safety agency  
10 of the State in which the dam is located;  
11 and

12 “(iv) that is operated by a non-Fed-  
13 eral entity; or”.

14 **SEC. 142. LEVEE ACCREDITATION PROCESS; LEVEE CER-**  
15 **TIFICATIONS.**

16 (a) SENSE OF CONGRESS.—It is the sense of Con-  
17 gress that the process developed by the Flood Protection  
18 Structure Accreditation Task Force established under sec-  
19 tion 100226 of the Moving Ahead for Progress in the 21st  
20 Century Act (42 U.S.C. 4101 note) should not be limited  
21 to levee systems in the inspection of completed works pro-  
22 gram of the Corps of Engineers, but should apply equally  
23 to federally owned levee systems operated by the Sec-  
24 retary, including federally owned levee systems operated  
25 by the Secretary as part of a reservoir project.

1 (b) LEVEE CERTIFICATIONS.—Section 3014 of the  
2 Water Resources Reform and Development Act of 2014  
3 (42 U.S.C. 4131) is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (1)—

6 (i) by striking “under the inspection  
7 of completed works program” and insert-  
8 ing “for levee systems under the levee safe-  
9 ty and dam safety programs”; and

10 (ii) by striking “and” at the end;

11 (B) in paragraph (2)—

12 (i) by striking “activities under the in-  
13 spection of completed works program of  
14 the Corps of Engineers” and inserting  
15 “the activities referred to in paragraph  
16 (1)”;

17 (ii) by striking “chapter 1” and in-  
18 serting “chapter I”; and

19 (iii) by striking the period at the end  
20 and inserting “; and”; and

21 (C) by adding at the end the following:

22 “(3) in the case of a levee system that is oper-  
23 ated and maintained by the Corps of Engineers, to  
24 the maximum extent practicable, cooperate with  
25 local governments seeking a levee accreditation deci-

1 sion for the levee to provide information necessary to  
2 support the accreditation decision in a timely man-  
3 ner.”; and

4 (2) in paragraph (b)(3), by adding at the end  
5 the following:

6 “(C) CONTRIBUTED FUNDS.—Notwith-  
7 standing subparagraph (B), a non-Federal in-  
8 terest may fund up to 100 percent of the cost  
9 of any activity carried out under this sub-  
10 section.”.

11 **SEC. 143. PROJECT PARTNERSHIP AGREEMENT.**

12 Section 103(j)(1) of the Water Resources Develop-  
13 ment Act of 1986 (33 U.S.C. 2213(j)(1)) is amended—

14 (1) by striking “Any project” and inserting the  
15 following:

16 “(A) IN GENERAL.—Any project”; and

17 (2) by adding at the end the following:

18 “(B) INCLUSION.—An agreement under  
19 subparagraph (A) shall include a brief descrip-  
20 tion and estimation of the anticipated oper-  
21 ations, maintenance, and replacement and reha-  
22 bilitation costs of the non-Federal interest for  
23 the project.”.

1 **SEC. 144. ACCEPTANCE OF FUNDS FOR HARBOR DREDG-**  
2 **ING.**

3 The Secretary is authorized, in accordance with sec-  
4 tion 5 of Act of June 22, 1936 (33 U.S.C. 701h), to accept  
5 and expend funds contributed by a State or other non-  
6 Federal interest—

7 (1) to dredge a non-Federal harbor or channel,  
8 or a marina or berthing area located adjacent to, or  
9 accessible by, such harbor or channel; or

10 (2) to provide technical assistance related to the  
11 planning and design of dredging activities described  
12 in paragraph (1).

13 **SEC. 145. REPLACEMENT CAPACITY.**

14 Section 217(a) of the Water Resources Development  
15 Act of 1996 (33 U.S.C. 2326a(a)) is amended—

16 (1) in the subsection heading, by inserting “OR  
17 REPLACEMENT CAPACITY” after “ADDITIONAL CA-  
18 PACITY”;

19 (2) by striking paragraph (1) and inserting the  
20 following:

21 “(1) PROVIDED BY SECRETARY.—

22 “(A) IN GENERAL.—Subject to subpara-  
23 graph (B), at the request of a non-Federal in-  
24 terest with respect to a project, the Secretary  
25 may—

1           “(i) provide additional capacity at a  
2           dredged material disposal facility con-  
3           structed by the Secretary beyond the ca-  
4           pacity that would be required for project  
5           purposes; or

6           “(ii) permit the use of dredged mate-  
7           rial disposal facility capacity required for  
8           project purposes by the non-Federal inter-  
9           est if the Secretary determines that re-  
10          placement capacity can be constructed at  
11          the facility or another facility or site before  
12          such capacity is needed for project pur-  
13          poses.

14          “(B) AGREEMENT.—Before the Secretary  
15          takes an action under subparagraph (A), the  
16          non-Federal interest shall agree to pay—

17               “(i) all costs associated with the con-  
18               struction of the additional capacity or re-  
19               placement capacity in advance of construc-  
20               tion of such capacity; and

21               “(ii) in the case of use by a non-Fed-  
22               eral interest of dredged material disposal  
23               capacity required for project purposes  
24               under subparagraph (A)(ii), any increase  
25               in the cost of operation and maintenance



1 of the project that the Secretary deter-  
2 mines results from the use of the project  
3 capacity by the non-Federal interest in ad-  
4 vance of each cycle of dredging.

5 “(C) CREDIT.—In the event the Secretary  
6 determines that the cost to operate or maintain  
7 the project decreases as a result of use by the  
8 non-Federal interest of dredged material dis-  
9 posal capacity required for project purposes  
10 under subparagraph (A)(ii), the Secretary, at  
11 the request of the non-Federal interest, shall  
12 credit the amount of the decrease toward any  
13 cash contribution of the non-Federal interest  
14 required thereafter for construction, operation,  
15 or maintenance of the project, or of another  
16 navigation project.”;

17 (3) in paragraph (2), in the first sentence, by  
18 inserting “under paragraph (1)(A)(i)” after “addi-  
19 tional capacity”; and

20 (4) by adding at the end the following:

21 “(3) SPECIAL RULE FOR DESIGNATION OF RE-  
22 PLACEMENT CAPACITY FACILITY OR SITE.—

23 “(A) IN GENERAL.—Subject to such terms  
24 and conditions as the Secretary determines to  
25 be necessary or advisable, an agreement under

1 paragraph (1)(B) for use permitted under para-  
2 graph (1)(A)(ii) shall reserve to the non-Fed-  
3 eral interest—

4 “(i) the right to submit to the Sec-  
5 retary for approval at a later date an alter-  
6 native to the facility or site designated in  
7 the agreement for construction of replace-  
8 ment capacity; and

9 “(ii) the right to construct the re-  
10 placement capacity at the alternative facil-  
11 ity or site at the expense of the non-Fed-  
12 eral interest.

13 “(B) REQUIREMENT.—The Secretary shall  
14 not reject a site for the construction of replace-  
15 ment capacity under paragraph (1)(A)(ii) that  
16 is submitted by the non-Federal interest for ap-  
17 proval by the Secretary before the date of exe-  
18 cution of the agreement under paragraph  
19 (1)(B), or thereafter, unless the Secretary—

20 “(i) determines that the site is envi-  
21 ronmentally unacceptable, geographically  
22 unacceptable, or technically unsound; and

23 “(ii) provides a written basis for the  
24 determination under clause (i) to the non-  
25 Federal interest.

1           “(4) PUBLIC COMMENT.—The Secretary shall  
2           afford the public an opportunity to comment on the  
3           determinations required under this subsection for a  
4           use permitted under paragraph (1)(A)(ii).”.

5 **SEC. 146. REVIEWING HYDROPOWER AT CORPS OF ENGI-**  
6 **NEERS FACILITIES.**

7           Section 1008 of the Water Resources Reform and De-  
8           velopment Act of 2014 (33 U.S.C. 2321b) is amended—

9           (1) by striking “civil works” each place it ap-  
10          pears and inserting “water resources development”;  
11          and

12          (2) by adding at the end the following:

13          “(c) REVIEWING HYDROPOWER AT CORPS OF ENGI-  
14          NEERS FACILITIES.—

15                 “(1) DEFINITION OF ELIGIBLE NON-FEDERAL  
16                 INTEREST.—In this subsection, the term ‘eligible  
17                 non-Federal interest’ means a non-Federal interest  
18                 that owns or operates an existing non-Federal hy-  
19                 dropower facility at a Corps of Engineers water re-  
20                 sources development project.

21                 “(2) EVALUATION.—

22                         “(A) IN GENERAL.—On the written re-  
23                         quest of an eligible non-Federal interest, the  
24                         Secretary shall conduct an evaluation to con-  
25                         sider operational changes at the applicable

1 project to facilitate production of non-Federal  
2 hydropower, consistent with authorized project  
3 purposes. The Secretary shall solicit input from  
4 interested stakeholders as part of the evalua-  
5 tion.

6 “(B) DEADLINE.—Not later than 180 days  
7 after the date on which the Secretary receives  
8 a written request under subparagraph (A), the  
9 Secretary shall provide to the non-Federal in-  
10 terest a written response to inform the non-  
11 Federal interest—

12 “(i) that the Secretary has approved  
13 the request to conduct an evaluation; or

14 “(ii) of any additional information  
15 necessary for the Secretary to approve the  
16 request to conduct an evaluation.

17 “(3) OPERATIONAL CHANGES.—An operational  
18 change referred to in paragraph (2)(A) may in-  
19 clude—

20 “(A) changes to seasonal pool levels;

21 “(B) modifying releases from the project;

22 and

23 “(C) other changes included in the written  
24 request submitted under that paragraph that  
25 enhance the usage of the project to facilitate

1 production of non-Federal hydropower, con-  
2 sistent with authorized project purposes.

3 “(4) COST SHARE.—The eligible non-Federal  
4 interest shall pay 100 percent of the costs associated  
5 with an evaluation under this subsection, including  
6 the costs to prepare the report under paragraph (6).

7 “(5) DEADLINE.—The Secretary shall complete  
8 an evaluation under this subsection by the date that  
9 is not later than 1 year after the date on which the  
10 Secretary begins the evaluation.

11 “(6) REPORT.—On completion of an evaluation  
12 under this subsection, the Secretary shall submit to  
13 the Committee on Environment and Public Works of  
14 the Senate and the Committee on Transportation  
15 and Infrastructure of the House of Representatives  
16 a report on the effects of the operational changes  
17 proposed by the non-Federal interest and examined  
18 in the evaluation on the authorized purposes of the  
19 project, including a description of any negative im-  
20 pacts of the proposed operational changes on the au-  
21 thorized purposes of the project, or on any Federal  
22 project located in the same basin.

23 “(7) SAVINGS PROVISION.—Nothing in this sub-  
24 section—

1           “(A) affects the authorized purposes of a  
2           Corps of Engineers water resources develop-  
3           ment project;

4           “(B) affects existing authorities of the  
5           Corps of Engineers, including authorities with  
6           respect to navigation, flood damage reduction,  
7           environmental protection and restoration, water  
8           supply and conservation, and other related pur-  
9           poses; or

10           “(C) authorizes the Secretary to make any  
11           operational changes to a Corps of Engineers  
12           water resources development project.”.

13 **SEC. 147. REPAIR AND RESTORATION OF EMBANKMENTS.**

14           (a) **IN GENERAL.**—At the request of a non-Federal  
15 interest, the Secretary shall assess the cause of damage  
16 to, or the failure of, an embankment that is adjacent to  
17 the shoreline of a reservoir project owned and operated  
18 by the Secretary for which such damage or failure to the  
19 embankment has adversely affected a roadway that the  
20 Secretary has relocated for construction of the reservoir.

21           (b) **REPAIR AND RESTORATION ACTIVITIES.**—If,  
22 based on the assessment carried out under subsection (a),  
23 the Secretary determines that the cause of the damage to,  
24 or the failure of, the embankment is the direct result of  
25 the design or operation of the reservoir by the Secretary,

1 the Secretary is authorized to participate in the repair or  
2 restoration of such embankment.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
4 authorized to be appropriated to the Secretary  
5 \$10,000,000 to carry out this section.

6 **SEC. 148. COASTAL MAPPING.**

7 Section 516 of the Water Resources Development Act  
8 of 1996 (33 U.S.C. 2326b) is amended—

9 (1) by redesignating subsection (g) as sub-  
10 section (h);

11 (2) by inserting after subsection (f) the fol-  
12 lowing:

13 “(g) COASTAL MAPPING.—The Secretary shall de-  
14 velop and carry out a plan for the recurring mapping of  
15 coastlines that are experiencing rapid change, including  
16 such coastlines in—

17 “(1) Alaska;

18 “(2) Hawaii; and

19 “(3) any territory or possession of the United  
20 States.”; and

21 (3) in subsection (h) (as so redesignated), by  
22 adding at the end the following:

23 “(3) COASTAL MAPPING.—In addition to  
24 amounts made available under paragraph (1), there  
25 is authorized to be appropriated to carry out sub-

1 section (g) with respect to Alaska, Hawaii, and the  
2 territories and possessions of the United States,  
3 \$10,000,000, to remain available until expended.”.

4 **SEC. 149. INTERIM RISK REDUCTION MEASURES.**

5 (a) IN GENERAL.—In the case of any interim risk  
6 reduction measure for dam safety purposes that was eval-  
7 uated in a final environmental assessment completed dur-  
8 ing the period beginning on March 18, 2019, and ending  
9 on the date of enactment of this Act, the Secretary shall  
10 carry out a reevaluation of the measure in a timely man-  
11 ner if the final environmental assessment did not consider  
12 in detail at least—

13 (1) 1 operational water control plan change al-  
14 ternative;

15 (2) 1 action alternative other than an oper-  
16 ational water control plan change; and

17 (3) the no action alternative.

18 (b) COORDINATION.—A reevaluation carried out  
19 under subsection (a) shall include consideration of the al-  
20 ternatives described in such subsection, which shall be de-  
21 veloped in coordination with Federal agencies, States, In-  
22 dian Tribes, units of local government, and other non-Fed-  
23 eral interests that have existing water obligations that  
24 would be directly affected by implementation of an interim



1 risk reduction measure that is the subject of the reevalua-  
2 tion.

3 (c) IMPLEMENTATION PRIOR TO REEVALUATION.—  
4 Nothing in this section prohibits the Secretary from imple-  
5 menting an interim risk reduction measure for which a  
6 reevaluation is required under subsection (a) prior to the  
7 completion of the reevaluation under subsection (a).

8 **SEC. 150. MAINTENANCE DREDGING PERMITS.**

9 (a) IN GENERAL.—The Secretary shall, to the max-  
10 imum extent practicable, prioritize the reissuance of any  
11 regional general permit for maintenance dredging that ex-  
12 pires prior to May 1, 2021, and shall use best efforts to  
13 ensure such reissuance prior to expiration of such a re-  
14 gional general permit for maintenance dredging.

15 (b) SAVINGS PROVISION.—Nothing in this section af-  
16 fects any obligation to comply with the requirements of  
17 any Federal law, including—

18 (1) the National Environmental Policy Act of  
19 1969 (42 U.S.C. 4321 et seq.);

20 (2) the Federal Water Pollution Control Act  
21 (33 U.S.C. 1251 et seq.); and

22 (3) the Endangered Species Act of 1973 (16  
23 U.S.C. 1531 et seq.).

24 **SEC. 151. HIGH WATER-LOW WATER PREPAREDNESS.**

25 (a) DEFINITIONS.—In this section:

1           (1) **BYPASS.**—The term “bypass” means an al-  
2           ternate water route adjacent to a lock and dam on  
3           a Federal inland waterway system that can be used  
4           for commercial navigation during high water condi-  
5           tions.

6           (2) **EMERGENCY CONDITION.**—The term “emer-  
7           gency condition” means—

8                   (A) unsafe conditions on a Federal inland  
9                   waterway system that prevent the operation of  
10                  commercial vessels, resulting from a major  
11                  change in water level or flows;

12                  (B) an obstruction in a Federal inland wa-  
13                  terway system, including silt, sediment, rock  
14                  formation, or a shallow channel;

15                  (C) an impaired or inoperable Federal lock  
16                  and dam; or

17                  (D) any other condition determined appro-  
18                  priate by the Secretary.

19           (b) **EMERGENCY DETERMINATION.**—The Secretary,  
20           in consultation with the District Commanders responsible  
21           for maintaining any Federal inland waterway system, the  
22           users of the waterway system, and the Coast Guard, may  
23           make a determination that an emergency condition exists  
24           on the waterway system.

25           (c) **EMERGENCY MITIGATION PROJECT.**—

1           (1) IN GENERAL.—Subject to paragraph (2)  
2           and the availability of appropriations, and in accord-  
3           ance with all applicable Federal requirements, the  
4           Secretary may carry out an emergency mitigation  
5           project on a Federal inland waterway system with  
6           respect to which the Secretary has determined that  
7           an emergency condition exists under subsection (b),  
8           or on a bypass of such system, to remedy that emer-  
9           gency condition.

10          (2) DEADLINE.—An emergency mitigation  
11          project under paragraph (1) shall—

12                (A) be initiated by not later than 60 days  
13                after the date on which the Secretary makes the  
14                applicable determination under subsection (b);  
15                and

16                (B) to the maximum extent practicable, be  
17                completed by not later than 1 year after the  
18                date on which the Secretary makes such deter-  
19                mination.

20          (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
21          authorized to be appropriated to the Secretary to carry  
22          out this section \$25,000,000 for each of fiscal years 2022  
23          through 2024, to remain available until expended.

1 **SEC. 152. TREATMENT OF CERTAIN BENEFITS AND COSTS.**

2 (a) IN GENERAL.—In the case of a flood risk man-  
3 agement project that incidentally generates seismic safety  
4 benefits in regions of moderate or high seismic hazard,  
5 for the purpose of a benefit-cost analysis for the project,  
6 the Secretary shall not include in that analysis any addi-  
7 tional design and construction costs resulting from ad-  
8 dressing seismic concerns.

9 (b) SAVINGS PROVISION.—Except with respect to the  
10 benefit-cost analysis, the additional costs referred to in  
11 subsection (a) shall be—

- 12 (1) included in the total project cost; and  
13 (2) subject to cost-share requirements otherwise  
14 applicable to the project.

15 **SEC. 153. LEASE DEVIATIONS.**

16 (a) DEFINITION OF COVERED LEASE DEVIATION.—  
17 In this section, the term “covered lease deviation” means  
18 a change in terms from the existing lease that requires  
19 approval from the Secretary for a lease—

20 (1) of Federal land within the State of Okla-  
21 homa that is associated with a water resources de-  
22 velopment project, under—

23 (A) section 2667 of title 10, United States  
24 Code; or

25 (B) section 4 of the Act of December 22,  
26 1944 (16 U.S.C. 460d); and

1           (2) with respect to which the lessee is in good  
2 standing.

3           (b) DEADLINE.—In the case of a request for a cov-  
4 ered lease deviation—

5           (1) the Division Commander of the South-  
6 western Division shall—

7           (A) notify the Secretary of the request via  
8 electronic means by not later than 24 hours  
9 after receiving the request; and

10           (B) by not later than 10 business days  
11 after the date on which the Division Com-  
12 mander notifies the Secretary under subpara-  
13 graph (A)—

14           (i) make a determination approving,  
15 denying, or requesting a modification to  
16 the request; and

17           (ii) provide to the Secretary the deter-  
18 mination under clause (i); and

19           (2) if the Division Commander does not make  
20 a determination under paragraph (1)(B), the Sec-  
21 retary shall make a determination approving, deny-  
22 ing, or requesting a modification to the request by  
23 not later than 10 business days after the date on  
24 which the deadline described in paragraph (1)(B) ex-  
25 pires.

1 (c) NOTIFICATION.—If the Secretary does not make  
2 a determination under subsection (b)(2) by the deadline  
3 described in that subsection, the Secretary shall submit  
4 a notification of the failure to make a determination with  
5 respect to the covered lease deviation, including the reason  
6 for the failure and a description of any outstanding issues,  
7 to—

8 (1) the entity seeking the covered lease devi-  
9 ation;

10 (2) the members of the Oklahoma congressional  
11 delegation;

12 (3) the Committee on Environment and Public  
13 Works of the Senate; and

14 (4) the Committee on Transportation and In-  
15 frastructure of the House of Representatives.

16 **SEC. 154. SENSE OF CONGRESS ON ARCTIC DEEP DRAFT**  
17 **PORT DEVELOPMENT.**

18 It is the sense of Congress that—

19 (1) the Arctic, as defined in section 112 of the  
20 Arctic Research and Policy Act of 1984 (Public Law  
21 98–373), is a region of strategic importance to the  
22 national security and maritime transportation inter-  
23 ests of the United States;

24 (2) there is a compelling national, regional,  
25 Alaska Native, and private sector need for perma-

1        nent maritime transportation infrastructure develop-  
2        ment and for a presence in the Arctic by the United  
3        States to assert national security interests and to  
4        support and facilitate search and rescue, shipping  
5        safety, economic development, oil spill prevention  
6        and response, subsistence and commercial fishing,  
7        the establishment of ports of refuge, Arctic research,  
8        and maritime law enforcement;

9            (3) the Government of the Russian Federation  
10        has prioritized the development of Arctic maritime  
11        transportation capabilities and has made significant  
12        investments in military infrastructure in the Arctic,  
13        including the construction or refurbishment of 16  
14        deepwater ports in the region;

15           (4) is a serious concern that the closest United  
16        States strategic seaports to the Arctic are the Port  
17        of Anchorage and the Port of Tacoma, located ap-  
18        proximately 1,500 nautical miles and 2,400 nautical  
19        miles away from the Arctic, respectively, and ap-  
20        proximately 1,900 nautical miles and 2,800 nautical  
21        miles, respectively, from Utiagvik, Alaska; and

22           (5) it is in the national interest to enhance ex-  
23        isting, and develop, maritime transportation infra-  
24        structure in the Arctic, including an Arctic deep  
25        draft strategic seaport in Alaska, that would allow

1 the Coast Guard and the Navy each to perform their  
2 respective statutory duties and functions on a per-  
3 manent basis with minimal mission interruption.

4 **SEC. 155. SMALL WATER STORAGE PROJECTS.**

5 (a) IN GENERAL.—The Secretary shall carry out a  
6 program to study and construct new, or enlarge existing,  
7 small water storage projects, in partnership with a non-  
8 Federal interest.

9 (b) REQUIREMENTS.—To be eligible to participate in  
10 the program under this section, a small water storage  
11 project shall—

12 (1) in the case of a new small water storage  
13 project, have a water storage capacity of not less  
14 than 2,000 acre-feet and not more than 30,000 acre-  
15 feet;

16 (2) in the case of an enlargement of an existing  
17 small water storage project, be for an enlargement  
18 of not less than 1,000 acre-feet and not more than  
19 30,000 acre-feet;

20 (3) provide—

21 (A) flood risk management benefits;

22 (B) ecological benefits; or

23 (C) water management, water conserva-  
24 tion, or water supply; and

25 (4) be—



1 (A) economically justified, environmentally  
2 acceptable, and technically feasible; or

3 (B) in the case of a project providing eco-  
4 logical benefits, cost-effective with respect to  
5 such benefits.

6 (c) SCOPE.—In carrying out the program under this  
7 section, the Secretary shall give preference to a small  
8 water storage project located in a State with a population  
9 of less than 1,000,000.

10 (d) EXPEDITED PROJECTS.—For the 10-year period  
11 beginning on the date of enactment of this Act, the Sec-  
12 retary shall expedite small water storage projects under  
13 this section for which applicable Federal permitting re-  
14 quirements have been completed.

15 (e) USE OF DATA.—In conducting a study under this  
16 section, to the maximum extent practicable, the Secretary  
17 shall—

18 (1) as the Secretary determines appropriate,  
19 consider and utilize any applicable hydrologic, eco-  
20 nomic, or environmental data that is prepared for a  
21 small water storage project under State law as the  
22 documentation, or part of the documentation, re-  
23 quired to complete State water plans or other State  
24 planning documents relating to water resources  
25 management; and

1           (2) consider information developed by the non-  
2 Federal interest in relation to another study, to the  
3 extent the Secretary determines such information is  
4 applicable, appropriate, or otherwise authorized by  
5 law.

6 (f) COST SHARE.—

7           (1) STUDY.—The Federal share of the cost of  
8 a study conducted under this section shall be—

9           (A) 100 percent for costs not to exceed  
10 \$100,000; and

11           (B) 50 percent for any costs above  
12 \$100,000.

13           (2) CONSTRUCTION.—A small water storage  
14 project carried out under this section shall be sub-  
15 ject to the cost-sharing requirements applicable to  
16 projects under section 103 of the Water Resources  
17 Development Act of 1986 (33 U.S.C. 2213), includ-  
18 ing—

19           (A) municipal and industrial water supply:  
20 100 percent non-Federal;

21           (B) agricultural water supply: 35 percent  
22 non-Federal; and

23           (C) recreation, including recreational navi-  
24 gation: 50 percent of separable costs and, in the  
25 case of any harbor or inland harbor or channel

1 project, 50 percent of joint and separable costs  
2 allocated to recreational navigation.

3 (g) OMRRR RESPONSIBILITY.—The costs of oper-  
4 ation, maintenance, repair, and replacement and rehabili-  
5 tation for a small water storage project constructed under  
6 this section shall be the responsibility of the non-Federal  
7 interest.

8 (h) INDIVIDUAL PROJECT LIMIT.—Not more than  
9 \$65,000,000 in Federal funds may be made available to  
10 a small water storage project under this section.

11 (i) AUTHORIZATION OF APPROPRIATIONS.—There is  
12 authorized to be appropriated to carry out this section  
13 \$130,000,000 annually through fiscal year 2030.

14 **SEC. 156. PLANNING ASSISTANCE TO STATES.**

15 In carrying out section 22 of the Water Resources  
16 Development Act of 1974 (42 U.S.C. 1962d–16), the Sec-  
17 retary shall provide equal priority for all mission areas of  
18 the Corps of Engineers, including water supply and water  
19 conservation.

20 **SEC. 157. FORECAST-INFORMED RESERVOIR OPERATIONS.**

21 Section 1222 of the Water Resources Development  
22 Act of 2018 (128 Stat. 3811) is amended by adding at  
23 the end the following:

24 “(c) ADDITIONAL UTILIZATION OF FORECAST-IN-  
25 FORMED RESERVOIR OPERATIONS.—

1           “(1) IN GENERAL.—Not later than 1 year after  
2           the date of enactment of this subsection, the Sec-  
3           retary shall submit to the Committee on Transpor-  
4           tation and Infrastructure of the House of Represent-  
5           atives and the Committee on Environment and Pub-  
6           lic Works of the Senate a report on any additional  
7           opportunities identified for utilizing forecast-in-  
8           formed reservoir operations across the United  
9           States, including an assessment of the viability of  
10          forecast-informed reservoir operations in the Upper  
11          Missouri River Basin and the North Platte River  
12          Basin.

13           “(2) FORECAST-INFORMED RESERVOIR OPER-  
14          ATIONS.—

15           “(A) AUTHORIZATION.—If the Secretary  
16           determines, and includes in the report sub-  
17           mitted under paragraph (1), that forecast-in-  
18           formed reservoir operations are viable at a res-  
19           ervoir in the Upper Missouri River Basin or the  
20           North Platte River Basin, including a reservoir  
21           for which the Secretary has flood control re-  
22           sponsibilities under section 7 of the Act of De-  
23           cember 22, 1944 (33 U.S.C. 709), the Sec-  
24           retary is authorized to carry out forecast-in-  
25           formed reservoir operations at such reservoir.

1           “(B) REQUIREMENT.—Subject to the  
2           availability of appropriations, if the Secretary  
3           determines, and includes in the report sub-  
4           mitted under paragraph (1), that forecast-in-  
5           formed reservoir operations are viable in the  
6           Upper Missouri River Basin or the North  
7           Platte River Basin, the Secretary shall carry  
8           out forecast-informed reservoir operations at  
9           not fewer than one reservoir in such basin.”.

10 **SEC. 158. DATA FOR WATER ALLOCATION, SUPPLY, AND DE-**  
11 **MAND.**

12           (a) STUDY ON DATA FOR WATER ALLOCATION, SUP-  
13 PLY, AND DEMAND.—

14           (1) IN GENERAL.—The Secretary shall offer to  
15           enter into an agreement with the National Academy  
16           of Sciences to conduct a study on the ability of Fed-  
17           eral agencies to coordinate with other Federal agen-  
18           cies, State and local agencies, Indian Tribes, com-  
19           munities, universities, consortiums, councils, and  
20           other relevant entities with expertise in water re-  
21           sources to facilitate and coordinate the sharing  
22           among such entities of water allocation, supply, and  
23           demand data, including—

24                   (A) any catalogs of such data;

1 (B) definitions of any commonly used  
2 terms relating to water allocation, supply, and  
3 demand; and

4 (C) a description of any common standards  
5 used by those entities.

6 (2) REPORT.—If the National Academy of  
7 Sciences enters into an agreement under paragraph  
8 (1), to the maximum extent practicable, not later  
9 than 1 year after the date of enactment of this Act,  
10 the National Academy of Sciences shall submit to  
11 Congress a report that includes—

12 (A) the results of the study under para-  
13 graph (1);

14 (B) recommendations for ways to stream-  
15 line and make cost-effective methods for Fed-  
16 eral agencies to coordinate interstate sharing of  
17 data, including recommendations for the devel-  
18 opment of a publicly accessible, internet-based  
19 platform that can allow entities described in  
20 paragraph (1) to communicate and coordinate  
21 ongoing data collection efforts relating to water  
22 allocation, supply, and demand, and share best  
23 practices relating to those efforts; and

24 (C) a recommendation as to an appropriate  
25 Federal entity that should—

1 (i) serve as the lead coordinator for  
2 the sharing of data relating to water allo-  
3 cation, supply, and demand; and

4 (ii) host and manage the internet-  
5 based platform described in subparagraph  
6 (B).

7 (b) DATA TRANSPARENCY.—The Secretary shall  
8 prioritize making publicly available water resources data  
9 in the custody of the Corps of Engineers, as authorized  
10 by section 2017 of the Water Resources Development Act  
11 of 2007 (33 U.S.C. 2342).

12 (c) FUNDING.—From amounts otherwise appro-  
13 priated or made available to the Secretary, the Secretary  
14 may make available to the National Academy of Sciences  
15 not more than \$3,900,000, to be used for the review of  
16 information provided by the Corps of Engineers for pur-  
17 poses of a study under subsection (a). The Secretary may  
18 accept funds from another Federal agency and make such  
19 funds available to the National Academy of Sciences, to  
20 be used for the review of information provided by such  
21 agency for purposes of a study under subsection (a).

22 **SEC. 159. INLAND WATERWAYS PILOT PROGRAM.**

23 (a) DEFINITIONS.—In this section:

24 (1) AUTHORIZED PROJECT.—The term “au-  
25 thorized project” means a federally authorized water

1 resources development project for navigation on the  
2 inland waterways.

3 (2) MODERNIZATION ACTIVITIES.—The term  
4 “modernization activities” means construction or  
5 major rehabilitation activities for any authorized  
6 project.

7 (3) NON-FEDERAL INTEREST.—The term “non-  
8 Federal interest” means any public body described  
9 in section 221(b) of the Flood Control Act of 1970  
10 (42 U.S.C. 1962d–5b(b)).

11 (b) AUTHORIZATION OF PILOT PROGRAM.—The Sec-  
12 retary is authorized to carry out a pilot program for mod-  
13 ernization activities on the inland waterways system.

14 (c) IMPLEMENTATION.—

15 (1) IN GENERAL.—In carrying out the pilot  
16 program under this section, the Secretary may—

17 (A) accept and expend funds provided by a  
18 non-Federal interest to carry out, for an au-  
19 thorized project (or a separable element of an  
20 authorized project), modernization activities for  
21 such project; or

22 (B) coordinate with the non-Federal inter-  
23 est in order to allow the non-Federal interest to  
24 carry out, for an authorized project (or a sepa-



1 rable element of an authorized project), such  
2 modernization activities.

3 (2) NUMBER.—The Secretary shall select not  
4 more than 2 authorized projects to participate in the  
5 pilot program under paragraph (1).

6 (3) CONDITIONS.—Before carrying out mod-  
7 ernization activities pursuant to paragraph (1)(B), a  
8 non-Federal interest shall—

9 (A) obtain any permit or approval required  
10 in connection with such activities under Federal  
11 or State law that would be required if the Sec-  
12 retary were to carry out such activities; and

13 (B) ensure that a final environmental im-  
14 pact statement or environmental assessment, as  
15 appropriate, for such activities has been filed  
16 pursuant to the National Environmental Policy  
17 Act of 1969.

18 (4) MONITORING.—For any modernization ac-  
19 tivities carried out by the non-Federal interest pur-  
20 suant to this section, the Secretary shall regularly  
21 monitor and audit such activities to ensure that—

22 (A) the modernization activities are carried  
23 out in accordance with this section; and

24 (B) the cost of the modernization activities  
25 is reasonable.

1           (5) REQUIREMENTS.—The requirements of sec-  
2           tion 3142 of title 40, United States Code shall apply  
3           to any modernization activities undertaken under or  
4           pursuant to this section, either by the Secretary or  
5           the non-Federal interest.

6           (d) AGREEMENTS.—

7           (1) ACTIVITIES CARRIED OUT BY NON-FEDERAL  
8           INTEREST.—

9           (A) IN GENERAL.—

10           (i) WRITTEN AGREEMENT.—Before a  
11           non-Federal interest initiates moderniza-  
12           tion activities for an authorized project  
13           pursuant to this subsection (c)(1)(B), the  
14           non-Federal interest shall enter into a  
15           written agreement with the Secretary,  
16           under section 221 of the Flood Control Act  
17           of 1970 (42 U.S.C. 1962d–5b), that re-  
18           quires the modernization activities to be  
19           carried out in accordance with—

20                   (I) a plan approved by the Sec-  
21                   retary; and

22                   (II) any other terms and condi-  
23                   tions specified by the Secretary in the  
24                   agreement.

1                   (ii) REQUIREMENTS.—A written  
2                   agreement under clause (i) shall provide  
3                   that the non-Federal interest shall comply  
4                   with the same legal and technical require-  
5                   ments that would apply if the moderniza-  
6                   tion activities were carried out by the Sec-  
7                   retary, including all mitigation required to  
8                   offset environmental impacts of the activi-  
9                   ties, as determined by the Secretary.

10                  (B) ALIGNMENT WITH ONGOING ACTIVI-  
11                  TIES.—A written agreement under subpara-  
12                  graph (A) shall include provisions that, to the  
13                  maximum extent practicable, align moderniza-  
14                  tion activities under this section with ongoing  
15                  operations and maintenance activities for the  
16                  applicable authorized project.

17                  (C) INDEMNIFICATION.—As part of a writ-  
18                  ten agreement under subparagraph (A), the  
19                  non-Federal interest shall agree to hold and  
20                  save the United States free from liability for  
21                  any and all damage that arises from the mod-  
22                  ernization activities carried out by the non-Fed-  
23                  eral interest pursuant to this section.

24                  (2) ACTIVITIES CARRIED OUT BY SECRETARY.—

25                  For modernization activities to be carried out by the

1 Secretary pursuant to subsection (c)(1)(A), the non-  
2 Federal interest shall enter into a written agreement  
3 with the Secretary, containing such terms and condi-  
4 tions as the Secretary determines appropriate.

5 (e) REIMBURSEMENT.—

6 (1) AUTHORIZATION.—Subject to the avail-  
7 ability of appropriations, the Secretary may reim-  
8 burse a non-Federal interest for the costs of mod-  
9 ernization activities carried out by the non-Federal  
10 interest pursuant to an agreement entered into  
11 under subsection (d), or for funds provided to the  
12 Secretary under subsection (c)(1)(A), if—

13 (A) the non-Federal interest complies with  
14 the agreement entered into under subsection  
15 (d); and

16 (B) with respect to modernization activities  
17 carried out by the non-Federal interest pursu-  
18 ant to the agreement, the Secretary determines  
19 that the non-Federal interest complied with all  
20 applicable Federal requirements in carrying out  
21 the modernization activities.

22 (2) LIMITATION.—The Secretary may only re-  
23 imburse a non-Federal interest under paragraph (1)  
24 for costs of construction that would otherwise be  
25 paid from amounts appropriated from the general

1 fund of the Treasury pursuant to section 102 of the  
2 Water Resources Development Act of 1986 (33  
3 U.S.C. 2212).

4 (f) RULE OF CONSTRUCTION.—Nothing in this sec-  
5 tion—

6 (1) affects the responsibility of the Secretary  
7 for the operations and maintenance of the inland  
8 waterway system, as of the day before the date of  
9 enactment of this Act, including the responsibility of  
10 the Secretary for the operations and maintenance  
11 costs for any covered project after the modernization  
12 activities are completed pursuant to this section;

13 (2) prohibits or prevents the use of Federal  
14 funds for operations and maintenance of the inland  
15 waterway system or any authorized project within  
16 the inland waterway system; or

17 (3) prohibits or prevents the use of Federal  
18 funds for construction or major rehabilitation activi-  
19 ties within the inland waterway system or for any  
20 authorized project within the inland waterway sys-  
21 tem.

22 (g) NOTIFICATION.—If a non-Federal interest noti-  
23 fies the Secretary that the non-Federal interest intends  
24 to carry out modernization activities for an authorized  
25 project, or separable element thereof, pursuant to this sec-

1 tion, the Secretary shall provide written notice to the Com-  
2 mittee on Environment and Public Works of the Senate  
3 and the Committee on Transportation and Infrastructure  
4 of the House of Representatives concerning the intent of  
5 the non-Federal interest.

6 (h) SUNSET.—

7 (1) IN GENERAL.—The authority of the Sec-  
8 retary to enter into an agreement under this section  
9 shall terminate on the date that is 5 years after the  
10 date of enactment of this Act.

11 (2) REIMBURSEMENT ELIGIBILITY.—The termi-  
12 nation of authority under paragraph (1) shall not  
13 extinguish the eligibility of a non-Federal interest to  
14 seek reimbursement under subsection (e).

15 **SEC. 160. DEFINITION OF ECONOMICALLY DISADVANTAGED**  
16 **COMMUNITY.**

17 (a) IN GENERAL.—Not later than 180 days after the  
18 date of enactment of this Act, the Secretary shall issue  
19 guidance defining the term “economically disadvantaged  
20 community” for the purposes of this Act and the amend-  
21 ments made by this Act.

22 (b) CONSIDERATIONS.—In defining the term “eco-  
23 nomically disadvantaged community” under subsection  
24 (a), the Secretary shall, to the maximum extent prac-  
25 ticable, utilize the criteria under paragraph (1) or (2) of

1 section 301(a) of the Public Works and Economic Devel-  
2 opment Act of 1965 (42 U.S.C. 3161), to the extent that  
3 such criteria are applicable in relation to the development  
4 of water resources development projects.

5 (c) PUBLIC COMMENT.—In developing the guidance  
6 under subsection (a), the Secretary shall provide notice  
7 and an opportunity for public comment.

8 **SEC. 161. STUDIES OF WATER RESOURCES DEVELOPMENT**  
9 **PROJECTS BY NON-FEDERAL INTERESTS.**

10 (a) IN GENERAL.—Section 203 of the Water Re-  
11 sources Development Act of 1986 (33 U.S.C. 2231) is  
12 amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1), by inserting “, or,  
15 upon the written approval of the Secretary that  
16 the modifications are consistent with the au-  
17 thorized purposes of the project, undertake a  
18 feasibility study on modifications to a water re-  
19 sources development project constructed by the  
20 Corps of Engineers,” after “water resources de-  
21 velopment project”; and

22 (B) in paragraph (2), by striking “for fea-  
23 sibility studies” and all that follows through the  
24 period at the end and inserting “for the formu-  
25 lation of feasibility studies of water resources

1 development projects undertaken by non-Fed-  
2 eral interests to—

3 “(A) ensure that any feasibility study with  
4 respect to which the Secretary submits an as-  
5 sessment to Congress under subsection (c) com-  
6 plies with all of the requirements that would  
7 apply to a feasibility study undertaken by the  
8 Secretary; and

9 “(B) provide sufficient information for the  
10 formulation of the studies, including processes  
11 and procedures related to reviews and assist-  
12 ance under subsection (e).”;

13 (2) in subsection (b)—

14 (A) by striking “The Secretary” and in-  
15 serting the following:

16 “(1) IN GENERAL.—The Secretary”; and

17 (B) by adding at the end the following:

18 “(2) TIMING.—The Secretary may not submit  
19 to Congress an assessment of a feasibility study  
20 under this section until such time as the Secretary—

21 “(A) determines that the feasibility study  
22 complies with all of the requirements that  
23 would apply to a feasibility study undertaken by  
24 the Secretary; and



1           “(B) completes all of the Federal analyses,  
2           reviews, and compliance processes under the  
3           National Environmental Policy Act of 1969 (42  
4           U.S.C. 4321 et seq.), that would be required  
5           with respect to the proposed project if the Sec-  
6           retary had undertaken the feasibility study.

7           “(3) INITIATION OF REVIEW.—

8           “(A) REQUEST.—

9           “(i) SUBMISSION.—The non-Federal  
10          interest may submit to the Secretary a re-  
11          quest that the Secretary initiate the anal-  
12          yses, reviews, and compliance processes de-  
13          scribed in paragraph (2)(B) with respect to  
14          the proposed project prior to the non-Fed-  
15          eral interest’s submission of a feasibility  
16          study under subsection (a)(1).

17          “(ii) EFFECT.—Receipt by the Sec-  
18          retary of a request submitted under clause  
19          (i) shall be considered the receipt of a pro-  
20          posal or application that will lead to a  
21          major Federal action that is subject to the  
22          requirements of section 102(2)(C) of the  
23          National Environmental Policy Act of  
24          1969 (42 U.S.C. 4332(2)(C)) that would

1           be required if the Secretary were to under-  
2           take the feasibility study.

3           “(B) DEADLINE.—Not later than 10 days  
4           after the Secretary receives a request under this  
5           paragraph, the Secretary shall begin the re-  
6           quired analyses, reviews, and compliance proc-  
7           esses.

8           “(4) NOTIFICATION.—Upon receipt of a request  
9           under paragraph (3), the Secretary shall notify the  
10          Committee on Transportation and Infrastructure of  
11          the House of Representatives and the Committee on  
12          Environment and Public Works of the Senate of the  
13          request and a timeline for completion of the required  
14          analyses, reviews, and compliance processes.

15          “(5) STATUS UPDATES.—Not later than 30  
16          days after receiving a request under paragraph (3),  
17          and every 30 days thereafter until the Secretary  
18          submits an assessment under subsection (c) for the  
19          applicable feasibility study, the Secretary shall notify  
20          the Committee on Transportation and Infrastructure  
21          of the House of Representatives, the Committee on  
22          Environment and Public Works of the Senate, and  
23          the non-Federal interest of the status of the Sec-  
24          retary’s required analyses, reviews, and compliance  
25          processes.”; and

1           (3) in subsection (c)(1), in the matter preceding  
2           subparagraph (A)—

3           (A) by striking “after the date of receipt  
4           of a feasibility study of a project under sub-  
5           section (a)(1)” and insert “after the completion  
6           of review of a feasibility study under subsection  
7           (b)”;

8           (B) by striking “a report” and inserting  
9           “an assessment”.

10          (b) DEADLINE.—Not later than 90 days after the  
11          date of enactment of this Act, the Secretary shall issue  
12          revised guidelines under section 203 of the Water Re-  
13          sources Development Act of 1986 (33 U.S.C. 2231) to im-  
14          plement the amendments made by this section.

15          (c) HOLD HARMLESS.—

16           (1) ONE-YEAR WINDOW.—The amendments  
17           made by this section shall not apply to any feasi-  
18           bility study submitted to the Secretary under section  
19           203 of the Water Resources Development Act of  
20           1986 (33 U.S.C. 2231) during the one-year period  
21           prior to the date of enactment of this section.

22           (2) 2020 PROJECTS.—The amendments made  
23           by this section shall not apply to any project author-  
24           ized by section 403 of this Act.

1 **SEC. 162. LEVERAGING FEDERAL INFRASTRUCTURE FOR**  
2 **INCREASED WATER SUPPLY.**

3 Section 1118(j) of the Water Resources Development  
4 Act of 2016 (43 U.S.C. 390b-2(j)) is amended—

5 (1) in subsection—

6 (A) by striking “On request” and inserting  
7 the following:

8 “(1) TECHNICAL ASSISTANCE.—On request”;

9 and

10 (B) by adding at the end the following:

11 “(2) ADDITIONAL ASSISTANCE.—The Secretary  
12 is authorized to receive and expend funds from a  
13 non-Federal interest to formulate, review, or revise  
14 operational documents, pursuant to a proposal sub-  
15 mitted under subsection (a), for any reservoir for  
16 which the Secretary is authorized to prescribe regu-  
17 lations for the use of storage allocated for flood con-  
18 trol or navigation pursuant to section 7 of the Act  
19 of December 22, 1944 (33 U.S.C. 709).”.

20 **SEC. 163. SENSE OF CONGRESS ON REMOVAL OF UNAU-**  
21 **THORIZED, MANMADE, FLAMMABLE MATE-**  
22 **RIALS ON CORPS PROPERTY.**

23 It is the sense of Congress that the Secretary should,  
24 using existing authorities, prioritize the removal, from fa-  
25 cilities and lands of the Corps of Engineers in regions that  
26 are urban and arid, of materials that are manmade, flam-

1 mable, unauthorized to be present, and determined by the  
2 Secretary to pose a fire risk that is a threat to public safe-  
3 ty.

4 **SEC. 164. ENHANCED DEVELOPMENT PROGRAM.**

5 (a) IN GENERAL.—The Secretary shall review the  
6 master plan and shoreline management plan for any lake  
7 described in section 3134 of the Water Resources Develop-  
8 ment Act of 2007 (121 Stat. 1142; 130 Stat. 1671) for  
9 the purpose of identifying structures or other improve-  
10 ments that are owned by the Secretary and are suitable  
11 for enhanced development, if—

12 (1) the master plan and shoreline management  
13 plan of the lake have been updated since January 1,  
14 2013; and

15 (2) the applicable district office of the Corps of  
16 Engineers has received a written request for such a  
17 review from any entity.

18 (b) DEFINITION OF ENHANCED DEVELOPMENT.—In  
19 this section, the term “enhanced development” means the  
20 use, for non-water-dependent commercial or hospitality in-  
21 dustry purposes or for residential or recreational purposes,  
22 of an existing structure or other improvement.

23 (c) DIVESTMENT AUTHORITY.—Not later than 1 year  
24 after the date of enactment of this Act, the Secretary  
25 shall—

1           (1) submit to the Committee on Environment  
2           and Public Works of the Senate and the Committee  
3           on Transportation and Infrastructure of the House  
4           of Representatives a report that identifies—

5                   (A) any structure or other improvement  
6                   owned by the Secretary that—

7                           (i) has been identified as suitable for  
8                           enhanced development pursuant to sub-  
9                           section (a);

10                           (ii) the Secretary determines the di-  
11                           vestment of which would not adversely af-  
12                           fect the Corps of Engineers operation of  
13                           the lake at which the structure or other  
14                           improvement is located; and

15                           (iii) a non-Federal interest has offered  
16                           to purchase from the Secretary; and

17                   (B) the fair market value of any structure  
18                   or other improvement identified under subpara-  
19                   graph (A); and

20           (2) develop a plan to divest any structure or  
21           other improvement identified under paragraph  
22           (1)(A), at fair market value, to the applicable non-  
23           Federal interest.

1 **SEC. 165. CONTINUING AUTHORITY PROGRAMS.**

2 (a) PILOT PROGRAM FOR CONTINUING AUTHORITY  
3 PROJECTS IN SMALL OR DISADVANTAGED COMMU-  
4 NITIES.—

5 (1) IN GENERAL.—Not later than 180 days  
6 after the date of enactment of this Act, the Sec-  
7 retary shall implement a pilot program, in accord-  
8 ance with this subsection, for carrying out a project  
9 under a continuing authority program for an eco-  
10 nomically disadvantaged community.

11 (2) PARTICIPATION IN PILOT PROGRAM.—In  
12 carrying out paragraph (1), the Secretary shall—

13 (A) publish a notice in the Federal Reg-  
14 ister that requests non-Federal interest pro-  
15 posals for a project under a continuing author-  
16 ity program for an economically disadvantaged  
17 community; and

18 (B) review such proposals and select a  
19 total of 10 projects, taking into consideration  
20 geographic diversity among the selected  
21 projects.

22 (3) COST SHARE.—Notwithstanding the cost  
23 share authorized for the applicable continuing au-  
24 thority program, the Federal share of the cost of a  
25 project selected under paragraph (2) shall be 100  
26 percent.

1           (4) SUNSET.—The authority to commence pur-  
2           suant to this subsection a project selected under  
3           paragraph (2) shall terminate on the date that is 10  
4           years after the date of enactment of this Act.

5           (5) CONTINUING AUTHORITY PROGRAM DE-  
6           FINED.—In this subsection, the term “continuing  
7           authority program” has the meaning given that term  
8           in section 7001(e)(1)(D) of Water Resources Reform  
9           and Development Act of 2014 (33 U.S.C. 2282d).

10          (b) AUTHORIZATIONS OF APPROPRIATIONS.—

11           (1) EMERGENCY STREAMBANK AND SHORELINE  
12           PROTECTION.—Notwithstanding section 14 of the  
13           Flood Control Act of 1946 (33 U.S.C. 701r), there  
14           is authorized to be appropriated to carry out such  
15           section \$25,500,000 for each of fiscal years 2021  
16           through 2024.

17           (2) STORM AND HURRICANE RESTORATION AND  
18           IMPACT MINIMIZATION PROGRAM.—Notwithstanding  
19           section 3(c) of the Act of August 13, 1946 (33  
20           U.S.C. 426g(c)), there is authorized to be appro-  
21           priated to carry out such section \$38,000,000 for  
22           each of fiscal years 2021 through 2024.

23           (3) SMALL RIVER AND HARBOR IMPROVEMENT  
24           PROJECTS.—Notwithstanding section 107(a) of the  
25           River and Harbor Act of 1960 (33 U.S.C. 577(a)),



1       there is authorized to be appropriated to carry out  
2       such section \$63,000,000 for each of fiscal years  
3       2021 through 2024.

4           (4) REGIONAL SEDIMENT MANAGEMENT.—Not-  
5       withstanding section 204(g) of the Water Resources  
6       Development Act of 1992 (33 U.S.C. 2326(g)),  
7       there is authorized to be appropriated to carry out  
8       such section \$63,000,000 for each of fiscal years  
9       2021 through 2024.

10          (5) SMALL FLOOD CONTROL PROJECTS.—Not-  
11       withstanding section 205 of the Flood Control Act  
12       of 1948 (33 U.S.C. 701s), there is authorized to be  
13       appropriated to carry out such section \$69,250,000  
14       for each of fiscal years 2021 through 2024.

15          (6) AQUATIC ECOSYSTEM RESTORATION.—Not-  
16       withstanding section 206(f) of the Water Resources  
17       Development Act of 1996 (33 U.S.C. 2330(f)), there  
18       is authorized to be appropriated to carry out such  
19       section \$63,000,000 for each of fiscal years 2021  
20       through 2024.

21          (7) REMOVAL OF OBSTRUCTIONS; CLEARING  
22       CHANNELS.—Notwithstanding section 2 of the Act  
23       of August 28, 1937 (33 U.S.C. 701g), there is au-  
24       thorized to be appropriated to carry out such section

1       \$8,000,000 for each of fiscal years 2021 through  
2       2024.

3           (8) PROJECT MODIFICATIONS FOR IMPROVE-  
4       MENT OF ENVIRONMENT.—Notwithstanding section  
5       1135(h) of the Water Resources Development Act of  
6       1986 (33 U.S.C. 2309a(h)), there is authorized to  
7       be appropriated to carry out such section  
8       \$50,500,000 for each of fiscal years 2021 through  
9       2024.

## 10                   **TITLE II—STUDIES AND** 11                   **REPORTS**

### 12       **SEC. 201. AUTHORIZATION OF PROPOSED FEASIBILITY** 13                   **STUDIES.**

14       (a) IN GENERAL.—The Secretary is authorized to  
15       conduct a feasibility study for the following projects for  
16       water resources development and conservation and other  
17       purposes, as identified in the reports titled “Report to  
18       Congress on Future Water Resources Development” sub-  
19       mitted to Congress pursuant to section 7001 of the Water  
20       Resources Reform and Development Act of 2014 (33  
21       U.S.C. 2282d) or otherwise reviewed by Congress:

22           (1) SULPHUR RIVER, ARKANSAS AND TEXAS.—  
23       Project for ecosystem restoration, Sulphur River,  
24       Arkansas and Texas.

1           (2) CABLE CREEK, CALIFORNIA.—Project for  
2 flood risk management, water supply, and related  
3 benefits, Cable Creek, California.

4           (3) OROVILLE DAM, CALIFORNIA.—Project for  
5 dam safety improvements, Oroville Dam, California.

6           (4) RIO HONDO CHANNEL, CALIFORNIA.—  
7 Project for ecosystem restoration, Rio Hondo Chan-  
8 nel, San Gabriel River, California.

9           (5) SHINGLE CREEK AND KISSIMMEE RIVER,  
10 FLORIDA.—Project for ecosystem restoration and  
11 water storage, Shingle Creek and Kissimmee River,  
12 Osceola County, Florida.

13           (6) ST. JOHN'S RIVER AND LAKE JESUP, FLOR-  
14 IDA.—Project for ecosystem restoration, St. John's  
15 River and Lake Jesup, Florida.

16           (7) CHICAGO AREA WATERWAYS SYSTEM, ILLI-  
17 NOIS.—Project for ecosystem restoration, recreation,  
18 and other purposes, Illinois River, Chicago River,  
19 Calumet River, Grand Calumet River, Little Cal-  
20 umet River, and other waterways in the vicinity of  
21 Chicago, Illinois.

22           (8) FOX RIVER, ILLINOIS.—Project for flood  
23 risk management, Fox River, Illinois.

1           (9) LOWER MISSOURI RIVER, KANSAS.—Project  
2           for bank stabilization and navigation, Lower Mis-  
3           souri River, Sioux City, Kansas.

4           (10) TANGIPAHOA PARISH, LOUISIANA.—  
5           Project for flood risk management, Tangipahoa Par-  
6           ish, Louisiana.

7           (11) NEWBURY AND NEWBURYPORT, MASSA-  
8           CHUSETTS.—Project for coastal storm risk manage-  
9           ment, Newbury and Newburyport, Massachusetts.

10          (12) ESCATAWPA RIVER BASIN, MISSISSIPPI.—  
11          Project for flood risk management and ecosystem  
12          restoration, Escatawpa River, Jackson County, Mis-  
13          sissippi.

14          (13) LONG BEACH, BAY ST. LOUIS AND MIS-  
15          SISSIPPI SOUND, MISSISSIPPI.—Project for hurricane  
16          and storm damage risk reduction and flood risk  
17          management, Long Beach, Bay St. Louis and Mis-  
18          sissippi Sound, Mississippi.

19          (14) TALLAHOMA AND TALLAHALA CREEKS,  
20          MISSISSIPPI.—Project for flood risk management,  
21          Leaf River, Jones County, Mississippi.

22          (15) LOWER MISSOURI RIVER, MISSOURI.—  
23          Project for navigation, Lower Missouri River, Mis-  
24          souri.

1           (16) LOWER OSAGE RIVER BASIN, MISSOURI.—  
2           Project for ecosystem restoration, Lower Osage  
3           River Basin, Missouri.

4           (17) WYATT, MISSOURI.—Project for flood risk  
5           management, P. Fields Pump Station, Wyatt, Mis-  
6           souri.

7           (18) UPPER BASIN AND STONY BROOK (GREEN  
8           BROOK SUB-BASIN), RARITAN RIVER BASIN, NEW  
9           JERSEY.—Reevaluation of the Upper Basin and  
10          Stony Brook portions of the project for flood control,  
11          Green Brook Sub-basin, Raritan River Basin, New  
12          Jersey, authorized by section 401 of the Water Re-  
13          sources Development Act of 1986 (100 Stat. 4119),  
14          including the evaluation of nonstructural measures  
15          to achieve the project purpose.

16          (19) WADING RIVER CREEK, NEW YORK.—  
17          Project for hurricane and storm damage risk reduc-  
18          tion, flood risk management, navigation, and eco-  
19          system restoration, Wading River Creek, New York.

20          (20) LOWER COLUMBIA RIVER BASIN (TURNING  
21          BASIN), OREGON AND WASHINGTON.—Project to im-  
22          prove and add turning basins for the project for  
23          navigation, Columbia River Channel, Oregon and  
24          Washington, authorized by section 101(b)(13) of the

1 Water Resources Development Act of 1999 (113  
2 Stat. 280).

3 (21) WILLIAMSPORT, PENNSYLVANIA.—Project  
4 for flood risk management and levee rehabilitation,  
5 greater Williamsport, Pennsylvania.

6 (22) CITY OF CHARLESTON, SOUTH CARO-  
7 LINA.—Project for tidal- and inland-related flood  
8 risk management, Charleston, South Carolina.

9 (23) CHOCOLATE BAYOU, TEXAS.—Project for  
10 flood risk management, Chocolate Bayou, Texas.

11 (24) HOUSTON-GALVESTON, TEXAS.—Project  
12 for navigation, Houston-Galveston, Texas.

13 (25) PORT ARTHUR AND ORANGE COUNTY,  
14 TEXAS.—Project for flood risk management, Port  
15 Arthur and Orange County, Texas, including con-  
16 struction of improvements to interior drainage.

17 (26) PORT OF VICTORIA, TEXAS.—Project for  
18 flood risk management, Port of Victoria, Texas.

19 (27) VIRGINIA BEACH AND VICINITY, VIRGINIA  
20 AND NORTH CAROLINA.—Project for coastal storm  
21 risk management, Virginia Beach and vicinity, Vir-  
22 ginia and North Carolina.

23 (b) SPECIAL RULE.—The Secretary shall consider  
24 any study carried out by the Secretary to formulate the  
25 project for flood risk management, Port Arthur and Or-

1 ange County, Texas, identified in subsection (a)(25) to be  
2 a continuation of the study carried out for Sabine Pass  
3 to Galveston Bay, Texas, authorized by a resolution of the  
4 Committee on Environment and Public Works of the Sen-  
5 ate, approved June 23, 2004, and funded by title IV of  
6 division B of the Bipartisan Budget Act of 2018, under  
7 the heading “CORPS OF ENGINEERS—CIVIL—DE-  
8 PARTMENT OF THE ARMY—CONSTRUCTION”  
9 (Public Law 115–123; 132 Stat. 76).

10 **SEC. 202. EXPEDITED COMPLETIONS.**

11 (a) FEASIBILITY REPORTS.—The Secretary shall ex-  
12 pedite the completion of a feasibility study for each of the  
13 following projects, and if the Secretary determines that  
14 the project is justified in a completed report, may proceed  
15 directly to preconstruction planning, engineering, and de-  
16 sign of the project:

17 (1) Project for navigation, Florence, Alabama.

18 (2) Project to modify the project for navigation,  
19 Tennessee-Tombigbee Waterway, Alabama, Ken-  
20 tucky, Mississippi, and Tennessee.

21 (3) Project for shoreline stabilization, Aunu‘u  
22 Harbor, American Samoa.

23 (4) Project for shoreline stabilization, Tutuila  
24 Island, American Samoa.

1           (5) Project for flood risk management, Lower  
2       Santa Cruz River, Arizona.

3           (6) Project for flood risk management, Rio de  
4       Flag, Arizona.

5           (7) Project for flood risk management, Tonto  
6       Creek, Gila River, Arizona.

7           (8) Project for flood control, water conserva-  
8       tion, and related purposes, Coyote Valley Dam, Cali-  
9       fornia.

10          (9) Project for shoreline stabilization, Del Mar  
11       Bluffs, San Diego County, California, carried out  
12       pursuant to the resolution of the Committee on  
13       Transportation and Infrastructure of the House of  
14       Representatives adopted on April 22, 1999 (docket  
15       number 2598).

16          (10) Project for flood damage reduction and  
17       ecosystem restoration, Del Rosa Channel, city of  
18       San Bernardino, California.

19          (11) Project for flood risk management, Lower  
20       Cache Creek, California.

21          (12) Project for flood damage reduction and  
22       ecosystem restoration, Mission-Zanja Channel, cities  
23       of San Bernardino and Redlands, California.

24          (13) Project for flood risk management, Napa,  
25       California.



1           (14) Project for shoreline protection, Oceanside,  
2           California, authorized pursuant to section 414 of the  
3           Water Resources Development Act of 2000 (114  
4           Stat. 2636; 121 Stat. 1176).

5           (15) Project for ecosystem restoration and  
6           water conservation, Prado Basin, Orange, Riverside,  
7           and San Bernardino counties, California.

8           (16) Project for water conservation and water  
9           supply, Redbank and Fancher Creeks, California.

10          (17) Project for coastal storm damage reduc-  
11          tion, San Diego County shoreline, California.

12          (18) Project to modify the project for naviga-  
13          tion, San Francisco Bay to Stockton, California.

14          (19) Project for flood risk management, San  
15          Francisquito Creek, California.

16          (20) Project to modify the Seven Oaks Dam,  
17          California, portion of the project for flood control,  
18          Santa Ana River Mainstem, California, authorized  
19          by section 401(a) of the Water Resources Develop-  
20          ment Act of 1986 (100 Stat. 4113; 101 Stat. 1329–  
21          111; 104 Stat. 4611; 110 Stat. 3713; 121 Stat.  
22          1115), to include water conservation as an author-  
23          ized purpose.

24          (21) Project for coastal storm damage reduc-  
25          tion, Southern California.

1           (22) Project for water storage, Halligan Dam,  
2           Colorado.

3           (23) Project for flood risk management, East  
4           Hartford Levee System, Connecticut.

5           (24) Project for flood risk management, Fair-  
6           field and New Haven Counties, Connecticut.

7           (25) Project for navigation, Guilford Harbor  
8           and Sluice Channel, Connecticut.

9           (26) Project for flood risk management, Hart-  
10          ford Levee System, Connecticut.

11          (27) Project for ecosystem restoration, Central  
12          and Southern Florida Project Canal 111 (C-111),  
13          South Dade County, Florida.

14          (28) Project for ecosystem restoration, Lake  
15          Okeechobee, Florida.

16          (29) Project for ecosystem restoration, Western  
17          Everglades, Florida.

18          (30) Project for flood risk management,  
19          Hanapepe River, Kauai, Hawaii.

20          (31) Project for flood risk management,  
21          Wailupe Stream, Oahu, Hawaii.

22          (32) Project for flood risk management,  
23          Waimea River, Kauai, Hawaii, being carried out  
24          under section 205 of the Flood Control Act of 1948  
25          (33 U.S.C. 701s).

1           (33) Project for comprehensive hurricane and  
2 storm damage risk reduction and shoreline erosion  
3 protection, Chicago, Illinois, authorized by section  
4 101(a)(12) of the Water Resources Development Act  
5 of 1996 (110 Stat. 3664; 113 Stat. 302).

6           (34) Project for flood risk management, Whea-  
7 ton, DuPage County, Illinois.

8           (35) Project for flood damage reduction, eco-  
9 system restoration, and recreation, Blue River  
10 Basin, Kansas City, Kansas, carried out pursuant to  
11 the resolution of the Committee on Transportation  
12 and Infrastructure of the House of Representatives  
13 adopted on September 24, 2008 (docket number  
14 2803).

15           (36) Project for flood control, Amite River and  
16 Tributaries east of the Mississippi River, Louisiana.

17           (37) Project for coastal storm risk manage-  
18 ment, Upper Barataria Basin, Louisiana.

19           (38) Project for navigation, Kent Narrows and  
20 Chester River, Queen Anne's County, Maryland.

21           (39) Project to replace the Bourne and Saga-  
22 more Bridges, Cape Cod, Massachusetts.

23           (40) Project for flood risk management, eco-  
24 system restoration, and recreation, Lower St. Croix  
25 River, Minnesota, carried out pursuant to the resolu-

1       tion of the Committee on Transportation and Infra-  
2       structure of the House of Representatives adopted  
3       on September 25, 2002 (docket number 2705).

4           (41) Project to deepen the project for naviga-  
5       tion, Gulfport Harbor, Mississippi, authorized by  
6       section 202(a) of the Water Resources Development  
7       Act of 1986 (100 Stat. 4094).

8           (42) Project for navigation, Shark River, New  
9       Jersey.

10          (43) Project for navigation, Goldsmith Inlet,  
11       New York.

12          (44) Project for navigation, Lake Montauk  
13       Harbor, New York.

14          (45) Project for rehabilitation of Lock E-32,  
15       Erie Canal, Pittsford, New York.

16          (46) Project for navigation and shoreline sta-  
17       bilization, Reel Point Preserve, New York, carried  
18       out pursuant to the resolution of the Committee on  
19       Transportation and Infrastructure of the House of  
20       Representatives adopted on May 2, 2007 (docket  
21       number 2775).

22          (47) Project for flood risk management,  
23       Rondout Creek-Wallkill River Watershed, New York,  
24       carried out pursuant to the resolution of the Com-  
25       mittee on Transportation and Infrastructure of the

1 House of Representatives adopted on May 2, 2007  
2 (docket number 2776).

3 (48) Project for ecosystem restoration and hur-  
4 ricane and storm damage risk reduction, Spring  
5 Creek South (Howard Beach), Queens, New York.

6 (49) Project for ecosystem restoration, Hood  
7 River at the confluence with the Columbia River, Or-  
8 egon.

9 (50) Project to resolve increased silting and  
10 shoaling adjacent to the Federal channel, Port of  
11 Bandon, Coquille River, Oregon.

12 (51) Project for flood control, 42nd Street  
13 Levee, Springfield, Oregon, being carried out under  
14 section 205 of the Flood Control Act of 1948 (33  
15 U.S.C. 701s).

16 (52) Project for construction of Tribal housing  
17 authorized by title IV of Public Law 100–581 (102  
18 Stat. 2944), Oregon and Washington.

19 (53) Project for flood risk management, Dor-  
20 chester County, South Carolina.

21 (54) Project for navigation, Georgetown Har-  
22 bor, South Carolina.

23 (55) Project for hurricane and storm damage  
24 risk reduction, Myrtle Beach, South Carolina.

1           (56) Project to modify the projects for naviga-  
2           tion and other purposes, Old Hickory Lock and Dam  
3           and the Cordell Hull Dam and Reservoir, Cum-  
4           berland River, Tennessee, authorized by the Act of  
5           July 24, 1946 (chapter 595, 60 Stat. 636), to add  
6           flood risk management as an authorized purpose.

7           (57) Project for flood risk management, Buffalo  
8           Bayou, Texas.

9           (58) Project for flood risk management, eco-  
10          system restoration, water supply, and related pur-  
11          poses, Lower Rio Grande River, Cameron County,  
12          Texas, carried out pursuant to the resolution of the  
13          Committee on Transportation and Infrastructure of  
14          the House of Representatives adopted on May 21,  
15          2003 (docket number 2710).

16          (59) Project for hurricane and storm damage  
17          risk reduction and shoreline erosion protection,  
18          Bolongo Bay, St. Thomas, United States Virgin Is-  
19          lands.

20          (60) Project for water supply and ecosystem  
21          restoration, Howard Hanson Dam, Washington.

22          (61) Project for ecosystem restoration, Puget  
23          Sound, Washington.

24          (62) Project for navigation, Seattle Harbor,  
25          Washington.

1           (63) Project for navigation, Tacoma Harbor,  
2           Washington.

3           (64) Project for dam safety remediation,  
4           Bluestone Dam, West Virginia.

5           (65) Project to modify the project for naviga-  
6           tion, Milwaukee Harbor, Wisconsin.

7           (b) POST-AUTHORIZATION CHANGE REPORTS.—The  
8           Secretary shall expedite completion of a post-authorization  
9           change report for the following projects:

10           (1) Project for ecosystem restoration, Tres  
11           Rios, Arizona.

12           (2) Project for flood risk management, Des  
13           Moines Levee System, including Birdland Park  
14           Levee, Des Moines and Raccoon Rivers, Des Moines,  
15           Iowa.

16           (c) WATERSHED AND RIVER BASIN ASSESSMENTS.—  
17           The Secretary shall expedite the completion of an assess-  
18           ment under section 729 of the Water Resources Develop-  
19           ment Act of 1986 (33 U.S.C. 2267a) for the following:

20           (1) Kansas River Basin, Kansas.

21           (2) Merrimack River Basin, Massachusetts.

22           (3) Pascagoula River Basin, Mississippi.

23           (4) Tuscarawas River Basin, Ohio.

24           (5) Lower Fox River Basin, Wisconsin.

1           (6) Upper Fox River Basin and Wolf River  
2 Basin, Wisconsin.

3           (d) DISPOSITION STUDIES.—The Secretary shall ex-  
4 pedite the completion of a disposition study, carried out  
5 under section 216 of the Flood Control Act of 1970 (33  
6 U.S.C. 549a), for the project for Salinas Reservoir (Santa  
7 Margarita Lake), California.

8           (e) REALLOCATION STUDIES.—The Secretary shall  
9 expedite the completion of a study for the reallocation of  
10 water supply storage, carried out in accordance with sec-  
11 tion 301 of the Water Supply Act of 1958 (43 U.S.C.  
12 390b), for the following:

13           (1) Aquilla Lake, Texas.

14           (2) Lake Whitney, Texas.

15           (f) ECONOMIC REEVALUATION REPORT.—The Sec-  
16 retary shall expedite the completion of the economic re-  
17 evaluation report for the navigation and sustainability pro-  
18 gram carried out pursuant to title VIII of the Water Re-  
19 sources Development Act of 2007 (33 U.S.C. 652 note).

20 **SEC. 203. EXPEDITED MODIFICATIONS OF EXISTING FEASI-**  
21 **BILITY STUDIES.**

22           (a) IN GENERAL.—The Secretary shall expedite the  
23 completion of the following feasibility studies, as modified  
24 by this section, and if the Secretary determines that a  
25 project that is the subject of the feasibility study is justi-



1 fied in a completed report, may proceed directly to  
2 preconstruction planning, engineering, and design of the  
3 project:

4 (1) SAN FRANCISCO BAY, CALIFORNIA.—The  
5 study for flood risk reduction authorized by section  
6 142 of the Water Resources Development Act of  
7 1976 (90 Stat. 2930), is modified to authorize the  
8 Secretary to—

9 (A) investigate the ocean shoreline of San  
10 Mateo, San Francisco, and Marin Counties for  
11 the purposes of providing flood protection  
12 against tidal and fluvial flooding;

13 (B) with respect to the bay and ocean  
14 shorelines of San Mateo, San Francisco, and  
15 Marin Counties, investigate measures to adapt  
16 to rising sea levels; and

17 (C) with respect to the bay and ocean  
18 shorelines, and streams running to the bay and  
19 ocean shorelines, of San Mateo, San Francisco,  
20 and Marin Counties, investigate the effects of  
21 proposed flood protection and other measures  
22 or improvements on—

23 (i) the local economy;

24 (ii) habitat restoration, enhancement,  
25 or expansion efforts or opportunities;

- 1 (iii) public infrastructure protection  
2 and improvement;
- 3 (iv) stormwater runoff capacity and  
4 control measures, including those that may  
5 mitigate flooding;
- 6 (v) erosion of beaches and coasts; and  
7 (vi) any other measures or improve-  
8 ments relevant to adapting to rising sea  
9 levels.

10 (2) SACRAMENTO RIVER, SOUTHERN SUTTER  
11 COUNTY, CALIFORNIA.—The study for flood control  
12 and allied purposes for the Sacramento River Basin,  
13 authorized by section 209 of the Flood Control Act  
14 of 1962 (76 Stat. 1197), is modified to authorize the  
15 Secretary to conduct a study for flood risk manage-  
16 ment, southern Sutter County between the Sac-  
17 ramento River and Sutter Bypass, California.

18 (3) SALTON SEA, CALIFORNIA.—In carrying out  
19 the program to implement projects to restore the  
20 Salton Sea, California, authorized by section 3032 of  
21 the Water Resources Development Act of 2007 (121  
22 Stat. 1113; 130 Stat. 1677), the Secretary is au-  
23 thorized to carry out a study for the construction of  
24 a perimeter lake, or a northern or southern subset  
25 thereof, for the Salton Sea, California.

1           (4) NEW YORK AND NEW JERSEY HARBOR AND  
2           TRIBUTARIES, NEW YORK AND NEW JERSEY.—The  
3           study for flood and storm damage reduction for the  
4           New York and New Jersey Harbor and Tributaries  
5           project, authorized by the Act of June 15, 1955  
6           (chapter 140, 69 Stat. 132), and being carried out  
7           pursuant to the Disaster Relief Appropriations Act,  
8           2013 (Public Law 113–2), is modified to require the  
9           Secretary to—

10                   (A) evaluate and address the impacts of  
11                   low-frequency precipitation and sea-level rise on  
12                   the study area;

13                   (B) consult with affected communities; and

14                   (C) ensure the study is carried out in ac-  
15                   cordance with section 1001 of the Water Re-  
16                   sources Reform and Development Act of 2014  
17                   (33 U.S.C. 2282e).

18           (b) CONSIDERATIONS.—Where appropriate, the Sec-  
19           retary may use the authority provided by section 216 of  
20           the Flood Control Act of 1970 (33 U.S.C. 549a) to carry  
21           out this section.

22           **SEC. 204. ASSISTANCE TO NON-FEDERAL SPONSORS; FEASI-**  
23                   **BILITY ANALYSIS.**

24           (a) ASSISTANCE TO NON-FEDERAL SPONSORS.—

1           (1) IN GENERAL.—Subject to the availability of  
2           appropriations, during the period during which a  
3           non-Federal interest may submit a proposal to be  
4           considered for inclusion in an annual report pursu-  
5           ant to section 7001(b) of the Water Resources Re-  
6           form and Development Act of 2014 (33 U.S.C.  
7           2282d(b)), the Secretary is authorized to provide as-  
8           sistance in accordance with section 1104(b) of the  
9           Water Resources Development Act of 2018 (33  
10          U.S.C. 2282d note) to the non-Federal interest of a  
11          project proposal described in paragraph (2).

12          (2) PROJECT PROPOSALS DESCRIBED.—A  
13          project proposal referred to in paragraph (1) is a  
14          proposal for any of the following:

15                (A) A feasibility study for a fish passage  
16                for ecosystem restoration, Lower Alabama  
17                River, Alabama.

18                (B) A feasibility study for dredged mate-  
19                rial disposal management activities, Port of  
20                Florence, Alabama.

21                (C) A feasibility study for a project for  
22                flood risk management, Sikorsky Memorial Air-  
23                port, Bridgeport, Connecticut.

24                (D) A feasibility study for a project to de-  
25                sign and construct the Naugatuck River Green-

1 way Trail, a multiuse trail on Federal land be-  
2 tween Torrington and Derby, Connecticut.

3 (E) A feasibility study for a project for  
4 coastal and flood risk management, Stratford,  
5 Connecticut.

6 (F) A feasibility study for projects for  
7 flood risk management, Woodbridge, Con-  
8 necticut.

9 (G) The project for flood risk manage-  
10 ment, Bloomington, Indiana.

11 (H) The project for flood risk manage-  
12 ment, Gary, Indiana.

13 (I) Modification of the project for beach  
14 erosion and hurricane protection, Grand Isle,  
15 Louisiana, to include periodic beach nourish-  
16 ment.

17 (J) A feasibility study for a project for  
18 flood risk management, Cataouatche Subbasin  
19 area of the west bank of Jefferson Parish, Lou-  
20 isiana.

21 (K) A feasibility study for projects for  
22 flood risk management and storm damage re-  
23 duction in the Hoey's Basin area of the east  
24 bank of Jefferson Parish, Louisiana, including  
25 a study of the "pump to the river" concept.

1 (L) A feasibility study for a project for  
2 flood risk management, Hoosic River, Massa-  
3 chusetts.

4 (M) Modification of the project for naviga-  
5 tion, River Rouge, Michigan.

6 (N) A project to extend dredging of the  
7 South Haven Harbor, Michigan, to include the  
8 former turning basin.

9 (O) Modification of the project for flood  
10 risk management, Upper Rouge River, Wayne  
11 County, Michigan.

12 (P) A project for aquatic and riparian eco-  
13 system restoration, Line Creek, Riverside, Mis-  
14 souri.

15 (Q) A feasibility study for projects for eco-  
16 system restoration, Bangert Island, St. Charles,  
17 Missouri, related to channels and aquatic habi-  
18 tats.

19 (R) A study of the resiliency of the Alle-  
20 gheny Reservoir, New York, in consultation  
21 with the Seneca Nation.

22 (S) A feasibility study for the rehabilita-  
23 tion of the tainter gates and guard gate,  
24 Caughdenoy Dam, New York, including an eval-  
25 uation of the rehabilitation work necessary to

1 extend the service life of those structures, such  
2 as—

3 (i) improvements to the hydraulic effi-  
4 ciency of the gate systems;

5 (ii) improvements to the concrete  
6 foundation and gate support structures;

7 and

8 (iii) any other improvements the Sec-  
9 retary determines to be necessary.

10 (T) A project for repairs to the West Pier  
11 and West Barrier Bar, Little Sodus Bay Har-  
12 bor, Cayuga County, New York.

13 (U) A project for repair of a sheet pile wall  
14 and east breakwater, Great Sodus Bay, New  
15 York.

16 (V) A feasibility study for the project for  
17 navigation, Port of Oswego, New York.

18 (W) A feasibility study for potential  
19 projects for the rehabilitation of the Glens Falls  
20 Feeder Canal, which begins at the Feeder Dam  
21 intersection with the Hudson River in  
22 Queensbury, New York, and runs to the con-  
23 fluence of the Old Champlain Canal in  
24 Kingsbury, New York.

1           (X) A feasibility study to determine wheth-  
2           er the purchase of additional flood easements,  
3           changes in lake level management, additional  
4           levee infrastructure, or implementation of other  
5           flood risk management or containment mecha-  
6           nisms in the Arkansas River Basin, Oklahoma,  
7           would benefit local communities by reducing  
8           flood risks around water resources development  
9           projects of the Corps of Engineers in a range  
10          of different flood scenarios.

11          (Y) A feasibility study on increasing the  
12          frequency and depth of dredging assistance  
13          from the Corps of Engineers at the Port of  
14          Astoria, located at the mouth of the Columbia  
15          River, Oregon.

16          (b) FEASIBILITY ANALYSIS.—

17           (1) IN GENERAL.—Subject to the availability of  
18           appropriations, the Secretary is authorized to review  
19           a project proposal described in paragraph (2) and  
20           issue a report to the Committee on Environment and  
21           Public Works of the Senate and the Committee on  
22           Transportation and Infrastructure of the House of  
23           Representatives on whether a modification to the  
24           project that is the subject of the proposal is nec-



1       essary and recommended to carry out the authorized  
2       purposes of such project.

3           (2)   PROJECT   PROPOSALS   DESCRIBED.—A  
4       project proposal referred to in paragraph (1) is a  
5       proposal to modify any of the following:

6           (A)   The project for environmental infra-  
7       structure, City of Sheffield, Alabama, author-  
8       ized pursuant to section 219(f)(78) of the  
9       Water Resources Development Act of 1992  
10      (106 Stat. 4835; 113 Stat. 335; 121 Stat.  
11      1258; 130 Stat. 1687).

12          (B)   The project for environmental infra-  
13      structure, Calaveras County, California, under  
14      section 219(f)(86) of the Water Resources De-  
15      velopment Act of 1992 (106 Stat. 4835; 113  
16      Stat. 335; 121 Stat. 1259).

17          (C)   The project for environmental infra-  
18      structure, Charlotte County, Florida, authorized  
19      by section 219(f)(121) of the Water Resources  
20      Development Act of 1992 (106 Stat. 4835; 113  
21      Stat. 335; 121 Stat. 1261).

22          (D)   The Mississippi River and Tributaries  
23      project authorized by the first section of the  
24      Act of May 15, 1928 (33 U.S.C. 702a), to in-  
25      clude the portion of the Ouachita River Levee

1 System at and below Monroe, Louisiana, to  
2 Caldwell Parish, Louisiana.

3 (E) The project for environmental infra-  
4 structure, Central New Mexico, authorized by  
5 section 593 of the Water Resources Develop-  
6 ment Act of 1999 (113 Stat. 380; 119 Stat.  
7 2255).

8 (F) The project for environmental infra-  
9 structure, Village of Whitehall, New York, au-  
10 thorized pursuant to section 542 of the Water  
11 Resources Development Act of 2000 (114 Stat.  
12 2671; 121 Stat. 1150).

13 (G) The project for environmental infra-  
14 structure, Ohio and North Dakota, authorized  
15 by section 594 of the Water Resources Develop-  
16 ment Act of 1999 (113 Stat. 383; 121 Stat.  
17 1140; 121 Stat. 1944).

18 (H) The project for flood risk management  
19 and water supply, Tenkiller Ferry Lake, Arkan-  
20 sas River Basin, Oklahoma, authorized by sec-  
21 tion 4 of the Act of June 28, 1938 (chapter  
22 795, 52 Stat. 1218), to modify water storage to  
23 provide for a sufficient quantity of water supply  
24 storage space in the inactive pool storage to

1 support the fishery downstream from Tenkiller  
2 Reservoir.

3 (I) The project for environmental infra-  
4 structure, Athens, Tennessee, authorized by  
5 section 219(f)(254) of the Water Resources De-  
6 velopment Act of 1992 (106 Stat. 4835; 113  
7 Stat. 335; 121 Stat. 1267).

8 (J) The project for environmental infra-  
9 structure, Blaine, Tennessee, authorized by sec-  
10 tion 219(f)(255) of the Water Resources Devel-  
11 opment Act of 1992 (106 Stat. 4835; 113 Stat.  
12 335; 121 Stat. 1267).

13 (K) The project for environmental infra-  
14 structure, Claiborne County, Tennessee, author-  
15 ized by section 219(f)(256) of the Water Re-  
16 sources Development Act of 1992 (106 Stat.  
17 4835; 113 Stat. 335; 121 Stat. 1267).

18 (L) The project for environmental infra-  
19 structure, Giles County, Tennessee, authorized  
20 by section 219(f)(257) of the Water Resources  
21 Development Act of 1992 (106 Stat. 4835; 113  
22 Stat. 335; 121 Stat. 1267).

23 (M) The project for environmental infra-  
24 structure, Grainger County, Tennessee, author-  
25 ized by section 219(f)(258) of the Water Re-

1 sources Development Act of 1992 (106 Stat.  
2 4835; 113 Stat. 335; 121 Stat. 1267).

3 (N) The project for environmental infra-  
4 structure, Hamilton County, Tennessee, author-  
5 ized by section 219(f)(259) of the Water Re-  
6 sources Development Act of 1992 (106 Stat.  
7 4835; 113 Stat. 335; 121 Stat. 1267).

8 (O) The project for environmental infra-  
9 structure, Harrogate, Tennessee, authorized by  
10 section 219(f)(260) of the Water Resources De-  
11 velopment Act of 1992 (106 Stat. 4835; 113  
12 Stat. 335; 121 Stat. 1267).

13 (P) The project for environmental infra-  
14 structure, Johnson County, Tennessee, author-  
15 ized by section 219(f)(261) of the Water Re-  
16 sources Development Act of 1992 (106 Stat.  
17 4835; 113 Stat. 335; 121 Stat. 1267).

18 (Q) The project for environmental infra-  
19 structure, Knoxville, Tennessee, authorized by  
20 section 219(f)(262) of the Water Resources De-  
21 velopment Act of 1992 (106 Stat. 4835; 113  
22 Stat. 335; 121 Stat. 1267).

23 (R) The project for environmental infra-  
24 structure, Lewis, Lawrence, and Wayne Coun-  
25 ties, Tennessee, authorized by section

1           219(f)(264) of the Water Resources Develop-  
2           ment Act of 1992 (106 Stat. 4835; 113 Stat.  
3           335; 121 Stat. 1268).

4           (S) The project for environmental infra-  
5           structure, Nashville, Tennessee, authorized by  
6           section 219(f)(263) of the Water Resources De-  
7           velopment Act of 1992 (106 Stat. 4835; 113  
8           Stat. 335; 121 Stat. 1267).

9           (T) The project for environmental infra-  
10          structure, Oak Ridge, Tennessee, authorized by  
11          section 219(f)(265) of the Water Resources De-  
12          velopment Act of 1992 (106 Stat. 4835; 113  
13          Stat. 335; 121 Stat. 1268).

14          (U) The project for environmental infra-  
15          structure, Plateau Utility District, Morgan  
16          County, Tennessee, authorized by section  
17          219(f)(266) of the Water Resources Develop-  
18          ment Act of 1992 (106 Stat. 4835; 113 Stat.  
19          335; 121 Stat. 1268).

20          (V) The authorized funding level for crit-  
21          ical restoration projects, Lake Champlain wa-  
22          tershed, Vermont and New York, authorized by  
23          section 542 of the Water Resources Develop-  
24          ment Act of 2000 (114 Stat. 2671; 121 Stat.  
25          1150).

1           (W) The project for environmental infra-  
2           structure, Eastern Shore and Southwest Vir-  
3           ginia, authorized by section 219(f)(10) of the  
4           Water Resources Development Act of 1992  
5           (106 Stat. 4835; 113 Stat. 335; 121 Stat.  
6           1255).

7 **SEC. 205. SELMA, ALABAMA.**

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 a report that—

13           (1) provides an update on the study for flood  
14           risk management and riverbank stabilization, Selma,  
15           Alabama, authorized by resolutions of the Commit-  
16           tees on Public Works and Rivers and Harbors of the  
17           House of Representatives on June 7, 1961, and  
18           April 28, 1936, respectively, the completion of which  
19           the Secretary was required to expedite by section  
20           1203 of the Water Resources Development Act of  
21           2018 (132 Stat. 3803); and

22           (2) identifies project alternatives necessary to—

23           (A) assure the preservation of cultural and  
24           historic values associated with national historic  
25           landmarks within the study area; and

1 (B) provide flood risk management for eco-  
2 nomically disadvantaged communities within the  
3 study area.

4 **SEC. 206. REPORT ON CORPS OF ENGINEERS FACILITIES IN**  
5 **APPALACHIA.**

6 (a) IN GENERAL.—Not later than 180 days after the  
7 date of enactment of this Act, the Secretary, in collabora-  
8 tion with the Appalachian Regional Commission estab-  
9 lished by section 14301(a) of title 40, United States Code,  
10 shall submit to the Committee on Environment and Public  
11 Works of the Senate and the Committee on Transpor-  
12 tation and Infrastructure of the House of Representatives  
13 a report that identifies each Corps of Engineers facility  
14 that—

15 (1) is located within a distressed county or an  
16 at-risk county (as designated by the Appalachian  
17 Regional Commission pursuant to subparagraph (A)  
18 or (B) of section 14526(a)(1), of title 40, United  
19 States Code), including in counties that are experi-  
20 encing high unemployment or job loss; and

21 (2) could be improved for purposes of economic  
22 development, recreation, or other uses.

23 (b) HYDROPOWER FACILITIES.—

24 (1) IDENTIFICATION OF POTENTIAL HYDRO-  
25 POWER DEVELOPMENT.—The Secretary shall include

1 in the report submitted under subsection (a) the  
2 identification of any existing nonpowered dams, lo-  
3 cated within a distressed county or an at-risk coun-  
4 ty, with the potential to be used to test, evaluate,  
5 pilot, demonstrate, or deploy hydropower or energy  
6 storage technologies.

7 (2) INFORMATION.—In carrying out this sub-  
8 section, the Secretary may use any information de-  
9 veloped pursuant to section 1206 of the Water Re-  
10 sources Development Act of 2018 (132 Stat. 3806).

11 (3) COORDINATION.—In carrying out para-  
12 graph (1), the Secretary shall coordinate with any  
13 relevant National Laboratories.

14 **SEC. 207. ADDITIONAL STUDIES UNDER NORTH ATLANTIC**  
15 **COAST COMPREHENSIVE STUDY.**

16 (a) IN GENERAL.—The Secretary shall carry out a  
17 study to determine the feasibility of a project for hurricane  
18 and storm damage risk reduction for any major metropoli-  
19 tan area located in the study area for the comprehensive  
20 study authorized under the heading “Department of the  
21 Army—Corps of Engineers—Civil—Investigations” under  
22 the Disaster Relief Appropriations Act, 2013 (Public Law  
23 113–2) that was not included in a high-risk focus area  
24 identified in the study.



1 (b) TREATMENT.—A study carried out under sub-  
2 section (a) shall be considered to be a continuation of the  
3 comprehensive study described in that subsection.

4 **SEC. 208. SOUTH ATLANTIC COASTAL STUDY.**

5 Section 1204 of the Water Resources Development  
6 Act of 2016 (130 Stat. 1685) is amended by adding at  
7 the end the following:

8 “(d) ANNUAL REPORTS.—Not later than 180 days  
9 after the enactment of the Water Resources Development  
10 Act of 2020, and not less frequently than annually there-  
11 after until 2025, the Secretary shall submit to the Com-  
12 mittee on Environment and Public Works of the Senate  
13 and the Committee on Transportation and Infrastructure  
14 of the House of Representatives a report on the status  
15 of the study under subsection (a), on a State-by-State  
16 basis, including information on the engagement of the  
17 Corps of Engineers with non-Federal interests, including  
18 detailed lists of all meetings and decision outcomes associ-  
19 ated with those engagements.”.

20 **SEC. 209. COMPREHENSIVE STUDY OF THE SACRAMENTO**  
21 **RIVER, YOLO BYPASS, CALIFORNIA.**

22 (a) COMPREHENSIVE STUDY.—The Secretary shall  
23 conduct a comprehensive study of the Sacramento River  
24 in the vicinity of the Yolo Bypass System, California, to  
25 identify actions to be undertaken by the Secretary for the

1 comprehensive management of the Yolo Bypass System  
2 for the purposes of flood risk management, ecosystem res-  
3 toration, water supply, hydropower, and recreation.

4 (b) CONSULTATION AND USE OF EXISTING DATA.—

5 (1) CONSULTATION.—In conducting the com-  
6 prehensive study under subsection (a), the Secretary  
7 shall consult with the Governor of the State of Cali-  
8 fornia, applicable Federal, State, and local agencies,  
9 non-Federal interests, the Yolo Bypass and Cache  
10 Slough Partnership, and other stakeholders.

11 (2) USE OF EXISTING DATA AND PRIOR STUD-  
12 IES.—To the maximum extent practicable and where  
13 appropriate, the Secretary may—

14 (A) make use of existing data provided to  
15 the Secretary by the entities identified in para-  
16 graph (1); and

17 (B) incorporate—

18 (i) relevant information from prior  
19 studies and projects carried out by the  
20 Secretary within the study area; and

21 (ii) the latest technical data and sci-  
22 entific approaches to changing hydrologic  
23 and climatic conditions.

24 (c) RECOMMENDATIONS.—

1           (1) IN GENERAL.—In conducting the com-  
2           prehensive study under subsection (a), the Secretary  
3           may develop a recommendation to Congress for—

4                   (A) the construction of a water resources  
5           development project;

6                   (B) the structural or operational modifica-  
7           tion of an existing water resources development  
8           project;

9                   (C) additional monitoring of, or adaptive  
10          management measures to carry out with respect  
11          to, existing water resources development  
12          projects, to respond to changing hydrologic and  
13          climatic conditions; or

14                  (D) geographic areas within the Yolo By-  
15          pass System for additional study by the Sec-  
16          retary.

17          (2) ADDITIONAL CONSIDERATIONS.—Any feasi-  
18          bility study carried out pursuant to a recommenda-  
19          tion under paragraph (1)(D) shall be considered to  
20          be a continuation of the comprehensive study au-  
21          thorized under subsection (a).

22          (d) COMPLETION OF STUDY; REPORT TO CON-  
23          GRESS.—Not later than 3 years after the date of enact-  
24          ment of this section, the Secretary shall submit to the  
25          Committee on Transportation and Infrastructure of the

1 House of Representatives and the Committee on Environ-  
2 ment and Public Works of the Senate a report detailing—

3 (1) the results of the comprehensive study con-  
4 ducted under subsection (a), including any rec-  
5 ommendations developed under subsection (c);

6 (2) any additional, site-specific areas within the  
7 Yolo Bypass System where additional study for flood  
8 risk management or ecosystem restoration projects  
9 is recommended by the Secretary; and

10 (3) any interim actions relating to existing  
11 water resources development projects undertaken by  
12 the Secretary during the study period.

13 (e) DEFINITIONS.—In this section:

14 (1) YOLO BYPASS SYSTEM.—The term “Yolo  
15 Bypass System” means the system of weirs, levees,  
16 bypass structures, and other water resources devel-  
17 opment projects in California’s Sacramento River  
18 Valley, extending from the Fremont Weir near  
19 Woodland, California, to the Sacramento River near  
20 Rio Vista, California, authorized pursuant to section  
21 2 of the Act of March 1, 1917 (chapter 144; 39  
22 Stat. 949).

23 (2) YOLO BYPASS AND CACHE SLOUGH PART-  
24 NERSHIP.—The term “Yolo Bypass and Cache  
25 Slough Partnership” means the group of parties to

1 the Yolo Bypass and Cache Slough Memorandum of  
2 Understanding, effective May 2016, regarding col-  
3 laboration and cooperation in the Yolo Bypass and  
4 Cache Slough region.

5 **SEC. 210. LAKE OKEECHOBEE REGULATION SCHEDULE,**  
6 **FLORIDA.**

7 (a) IN GENERAL.—In carrying out the review of the  
8 Lake Okeechobee regulation schedule pursuant to section  
9 1106 of the Water Resources Development Act of 2018  
10 (132 Stat. 3773), the Secretary shall—

11 (1) evaluate the implications of prohibiting re-  
12 leases from Lake Okeechobee through the S–308  
13 and S–80 lock and dam structures, and evaluate  
14 separately the implications of prohibiting high vol-  
15 ume releases through the S–77, S–78, and S–79  
16 lock and dam structures, on the operation of the  
17 lake in accordance with authorized purposes and  
18 seek to minimize unnecessary releases to coastal es-  
19 tuaries; and

20 (2) to the maximum extent practicable, coordi-  
21 nate with the ongoing efforts of Federal and State  
22 agencies responsible for monitoring, forecasting, and  
23 notification of cyanobacteria levels in Lake Okee-  
24 chobee.

1 (b) MONTHLY REPORT.—Each month, the Secretary  
2 shall make public a report, which may be based on the  
3 Water Management Daily Operational Reports, disclosing  
4 the volumes of water deliveries to or discharges from Lake  
5 Okeechobee & Vicinity, Water Conservation Area I, Water  
6 Conservation Area II, Water Conservation Area III, East  
7 Coast Canals, and the South Dade Conveyance. Such re-  
8 port shall be aggregated and reported in a format designed  
9 for the general public, using maps or other widely under-  
10 stood communication tools.

11 (c) EFFECT.—In carrying out the evaluation under  
12 subsection (a)(1), nothing shall be construed to authorize  
13 any new purpose for the management of Lake Okeechobee  
14 or authorize the Secretary to affect any existing author-  
15 ized purpose, including flood protection and management  
16 of Lake Okeechobee to provide water supply for all author-  
17 ized users.

18 **SEC. 211. GREAT LAKES COASTAL RESILIENCY STUDY.**

19 (a) IN GENERAL.—In carrying out the comprehensive  
20 assessment of water resources needs for the Great Lakes  
21 System under section 729 of the Water Resources Devel-  
22 opment Act of 1986 (33 U.S.C. 2267a), as required by  
23 section 1219 of the Water Resources Development Act of  
24 2018 (132 Stat. 3811), the Secretary shall—

1           (1) taking into account recent high lake levels  
2 within the Great Lakes, assess and make rec-  
3 ommendations to Congress on—

4           (A) coastal storm and flood risk manage-  
5 ment measures, including measures that use  
6 natural features and nature-based features, as  
7 those terms are defined in section 1184 of the  
8 Water Resources Development Act of 2016 (33  
9 U.S.C. 2289a);

10           (B) operation and maintenance of the  
11 Great Lakes Navigation System, as such term  
12 is defined in section 210 of the Water Re-  
13 sources Development Act of 1986 (33 U.S.C.  
14 2238);

15           (C) ecosystem protection and restoration;

16           (D) the prevention and control of invasive  
17 species and the effects of invasive species; and

18           (E) recreation associated with water re-  
19 sources development projects;

20           (2) prioritize actions necessary to protect crit-  
21 ical public infrastructure, communities, and critical  
22 natural or cultural resources; and

23           (3) to the maximum extent practicable and  
24 where appropriate, utilize existing data provided to  
25 the Secretary by Federal and State agencies, Indian

1 Tribes, and other stakeholders, including data ob-  
2 tained through other Federal programs.

3 (b) RECOMMENDATIONS; ADDITIONAL STUDY.—

4 (1) IN GENERAL.—In carrying out the com-  
5 prehensive assessment described in subsection (a),  
6 the Secretary may make a recommendation to Con-  
7 gress for—

8 (A) the construction of a water resources  
9 development project;

10 (B) the structural or operational modifica-  
11 tion of an existing water resources development  
12 project;

13 (C) additional monitoring of, or adaptive  
14 management measures to carry out with respect  
15 to, existing water resources development  
16 projects, to respond to changing hydrologic and  
17 climatic conditions; or

18 (D) geographic areas within the Great  
19 Lakes System for additional study by the Sec-  
20 retary.

21 (2) FOCUS AREAS.—In addition to carrying out  
22 subsection (a), to contribute to the comprehensive  
23 assessment described in such subsection, the Sec-  
24 retary is authorized to conduct feasibility studies  
25 for—



1 (A) the project for coastal storm resiliency,  
2 Lake Ontario shoreline, New York; and

3 (B) the project for coastal storm resiliency,  
4 Chicago shoreline, Illinois.

5 (3) **ADDITIONAL CONSIDERATIONS.**—Any feasi-  
6 bility study carried out pursuant to this subsection,  
7 including pursuant to a recommendation under para-  
8 graph (1)(D), shall be considered to be a continu-  
9 ation of the comprehensive assessment described in  
10 subsection (a).

11 (c) **EXEMPTION FROM MAXIMUM STUDY COST AND**  
12 **DURATION LIMITATIONS.**—Section 1001 of the Water Re-  
13 sources Reform and Development Act of 2014 (33 U.S.C.  
14 2282c) shall not apply to any study recommended under  
15 subsection (b)(1)(D) or carried out pursuant to subsection  
16 (b)(2).

17 **SEC. 212. REPORT ON THE STATUS OF RESTORATION IN**  
18 **THE LOUISIANA COASTAL AREA.**

19 Not later than 1 year after the date of enactment  
20 of this Act, the Coastal Louisiana Ecosystem Protection  
21 and Restoration Task Force established by section 7004  
22 of Water Resources Development Act of 2007 (121 Stat.  
23 1272) shall submit to Congress a report that summarizes  
24 the activities and recommendations of the Task Force, in-  
25 cluding—

1 (1) policies, strategies, plans, programs,  
2 projects, and activities undertaken for addressing  
3 conservation, protection, restoration, and mainte-  
4 nance of the coastal Louisiana ecosystem; and

5 (2) financial participation by each agency rep-  
6 resented on the Task Force in conserving, pro-  
7 tecting, restoring, and maintaining the coastal Lou-  
8 isiana ecosystem.

9 **SEC. 213. LOWER MISSISSIPPI RIVER COMPREHENSIVE**  
10 **MANAGEMENT STUDY.**

11 (a) COMPREHENSIVE STUDY.—

12 (1) PURPOSE.—The Secretary, in collaboration  
13 with the heads of other relevant Federal agencies  
14 and pursuant to subsection (d)(1)(A), shall conduct  
15 a comprehensive study of the Lower Mississippi  
16 River basin, from Cape Girardeau, Missouri, to the  
17 Gulf of Mexico, to identify recommendations of ac-  
18 tions to be undertaken by the Secretary, under exist-  
19 ing authorities or after congressional authorization,  
20 for the comprehensive management of the basin for  
21 the purposes of—

22 (A) hurricane and storm damage reduc-  
23 tion, flood risk management, structural and  
24 nonstructural flood control, and floodplain man-  
25 agement strategies;

- 1 (B) navigation;
- 2 (C) ecosystem and environmental restora-
- 3 tion;
- 4 (D) water supply;
- 5 (E) hydropower production;
- 6 (F) recreation; and
- 7 (G) other purposes as determined by the
- 8 Secretary.

9 (2) DEVELOPMENT.—In conducting the com-

10 prehensive study under paragraph (1), the Secretary

11 shall investigate—

12 (A) the construction of new water re-

13 sources development projects;

14 (B) structural and operational modifica-

15 tions to completed water resources development

16 projects within the study area;

17 (C) projects proposed in the comprehensive

18 coastal protection master plan entitled “Louisiana’s

19 Comprehensive Master Plan for a Sustainable Coast”, prepared by the State of Louisiana and accepted by the Louisiana Coastal Protection and Restoration Authority (including

20 any subsequent amendments or revisions), in-

21 cluding—

22 (i) Ama sediment diversion;

- 1 (ii) Union freshwater diversion;
- 2 (iii) increase Atchafalaya flow to
- 3 Terrebonne; and
- 4 (iv) Manchac Landbridge diversion;
- 5 (D) natural features and nature-based fea-
- 6 tures, including levee setbacks and instream
- 7 and floodplain restoration;
- 8 (E) fish and wildlife habitat resources, in-
- 9 cluding in the Mississippi Sound Estuary, the
- 10 Lake Pontchartrain Basin, the Breton Sound,
- 11 the Barataria Basin, the Terrebonne Basin, the
- 12 Atchafalaya Basin, the Vermilion–Teche Basin,
- 13 and other outlets of the Mississippi River and
- 14 Tributaries project;
- 15 (F) mitigation of adverse impacts from op-
- 16 erations of flood control structures to the Mis-
- 17 sissippi Sound Estuary, the Lake Pontchartrain
- 18 Basin, the Breton Sound, the Barataria Basin,
- 19 the Atchafalaya Basin, and other outlets of the
- 20 Mississippi River and Tributaries project;
- 21 (G) the effects of dredging and river-bot-
- 22 tom elevation changes on drainage efficiency;
- 23 (H) the economic impacts of existing prac-
- 24 tices, including such impacts on coastal re-
- 25 sources;

1 (I) monitoring requirements, including as  
2 near-real time monitoring as practicable, and  
3 adaptive management measures to respond to  
4 changing conditions over time;

5 (J) the division of responsibilities among  
6 the Federal Government and non-Federal inter-  
7 ests with respect to the purposes described in  
8 paragraph (1); and

9 (K) other matters, as determined by the  
10 Secretary.

11 (b) CONSULTATION AND USE OF EXISTING DATA.—

12 In conducting the comprehensive study under subsection  
13 (a), the Secretary shall consult with applicable Federal,  
14 State, and local agencies, Indian Tribes, non-Federal in-  
15 terests, and other stakeholders, and, to the maximum ex-  
16 tent practicable and where appropriate, make use of exist-  
17 ing data provided to the Secretary by such entities or from  
18 any relevant multistate monitoring programs.

19 (c) RECOMMENDATIONS.—In conducting the com-  
20 prehensive study under subsection (a), the Secretary shall  
21 develop actionable recommendations to Congress, includ-  
22 ing for—

23 (1) the construction of new water resources de-  
24 velopment projects to improve the maximum effec-  
25 tive river resource use and control;

1           (2) the structural or operational modification of  
2           completed water resources development projects;

3           (3) such additional monitoring of, or adaptive  
4           management measures to carry out with respect to,  
5           completed water resources development projects, to  
6           respond to changing conditions;

7           (4) improving the efficiency of operational and  
8           maintenance dredging within the study area;

9           (5) whether changes are necessary to the Mis-  
10          sissippi River and Tributaries project within the  
11          study area;

12          (6) other Federal and non-Federal action,  
13          where appropriate; and

14          (7) follow-up studies and data collection and  
15          monitoring to be carried out by the relevant Federal  
16          or State agency.

17          (d) COMPLETION OF STUDY; REPORT TO CON-  
18          GRESS.—

19                 (1) ANNUAL REPORTS.—Not later than 1 year  
20                 after the date of enactment of this Act, and annually  
21                 thereafter until the final report under paragraph (2)  
22                 is submitted, the Secretary shall submit to the Com-  
23                 mittee on Transportation and Infrastructure of the  
24                 House of Representatives and the Committee on En-

1 vironment and Public Works of the Senate a report  
2 detailing—

3 (A) any interim actions relating to water  
4 resources development projects within the study  
5 area undertaken by the Secretary under exist-  
6 ing authority; and

7 (B) any recommendations developed under  
8 subsection (c).

9 (2) FINAL REPORT.—Not later than 5 years  
10 after the date of enactment of this section, the Sec-  
11 retary shall submit to the Committee on Transpor-  
12 tation and Infrastructure of the House of Represent-  
13 atives and the Committee on Environment and Pub-  
14 lic Works of the Senate a final report detailing the  
15 results of the comprehensive study required by this  
16 section, including the recommendations developed  
17 under subsection (c).

18 (3) APPLICATION OF CERTAIN REQUIRE-  
19 MENTS.—Section 1001(a) of the Water Resources  
20 Reform and Development Act of 2014 (33 U.S.C.  
21 2282e(a)) shall not apply to the study carried out by  
22 the Secretary under this section.

23 (e) FURTHER ANALYSIS.—

24 (1) IN GENERAL.—In conducting the com-  
25 prehensive study under subsection (a), the Secretary

1 shall carry out activities in geographic areas that  
2 warrant additional analysis by the Corps of Engi-  
3 neers, including feasibility studies.

4 (2) TREATMENT.—A feasibility study carried  
5 out under paragraph (1) shall be considered to be a  
6 continuation of the comprehensive study conducted  
7 under subsection (a).

8 (f) REQUIREMENTS.—The comprehensive study con-  
9 ducted under subsection (a) shall be carried out in accord-  
10 ance with the authorities for the Mississippi River and  
11 Tributaries project.

12 (g) DEFINITIONS.—In this section:

13 (1) MISSISSIPPI RIVER AND TRIBUTARIES  
14 PROJECT.—The term “Mississippi River and Tribu-  
15 taries project” means the Mississippi River and  
16 Tributaries project authorized by the first section of  
17 the Act of May 15, 1928 (33 U.S.C. 702a).

18 (2) NATURAL FEATURE; NATURE-BASED FEA-  
19 TURE.—The terms “natural feature” and “nature-  
20 based feature” have the meanings given those terms  
21 in section 1184 of the Water Resources Development  
22 Act of 2016 (33 U.S.C. 2289a).

23 (h) AUTHORIZATION OF APPROPRIATIONS.—There is  
24 authorized to be appropriated to carry out this section  
25 \$25,000,000, to remain available until expended.



1 (i) SAVINGS PROVISION.—Nothing in this section  
2 shall delay or interfere with, or be construed as grounds  
3 for enjoining construction of, authorized projects within  
4 the study area.

5 **SEC. 214. UPPER MISSISSIPPI RIVER COMPREHENSIVE**  
6 **PLAN.**

7 (a) ASSESSMENT.—The Secretary shall conduct an  
8 assessment of the water resources needs of the Upper Mis-  
9 sissippi River under section 729 of the Water Resources  
10 Development Act of 1986 (33 U.S.C. 2267a).

11 (b) REQUIREMENTS.—The Secretary shall carry out  
12 the assessment under subsection (a) in accordance with  
13 the requirements in section 1206(b) of Water Resources  
14 Development Act of 2016 (130 Stat. 1686).

15 **SEC. 215. UPPER MISSOURI RIVER BASIN MAINSTEM DAM**  
16 **FISH LOSS RESEARCH.**

17 (a) IN GENERAL.—Pursuant to section 22 of the  
18 Water Resources Development Act of 1974 (42 U.S.C.  
19 1962d–16), the Secretary shall conduct research on the  
20 management of fish losses through the mainstem dams of  
21 the Missouri River Basin during periods of high flow.

22 (b) CONTENTS.—The research conducted under sub-  
23 section (a) shall include an examination of—

1           (1) the effects of high flow rates through Upper  
2 Missouri River Basin mainstem dam outlet works on  
3 fish passage;

4           (2) options used by other Corps of Engineers  
5 district offices to mitigate fish losses through dams;  
6 and

7           (3) the feasibility of implementing fish loss  
8 mitigation options in the Upper Missouri River  
9 Basin mainstem dams, based on similar ongoing  
10 studies.

11       (c) REPORT.—Not later than 18 months after the  
12 date of enactment of this Act, the Secretary shall submit  
13 to the Committee on Transportation and Infrastructure  
14 of the House of Representatives and the Committee on  
15 Environment and Public Works of the Senate a report rec-  
16 ommending a plan to address fish losses through  
17 mainstem dams in the Upper Missouri River Basin.

18 **SEC. 216. LOWER AND UPPER MISSOURI RIVER COM-**  
19 **PREHENSIVE FLOOD PROTECTION.**

20       (a) ADDITIONAL STUDIES FOR LOWER MISSOURI  
21 RIVER BASIN.—

22           (1) IN GENERAL.—Except as provided in para-  
23 graph (2), upon the request of the non-Federal in-  
24 terest for the Lower Missouri Basin study, the Sec-

1       retary shall expand the scope of such study to inves-  
2       tigate and provide recommendations relating to—

3               (A) modifications to projects in Iowa, Kan-  
4               sas, Nebraska, and Missouri authorized under  
5               the Pick-Sloan Missouri River Basin Program  
6               (authorized by section 9(b) of the Act of De-  
7               cember 22, 1944 (chapter 665, 58 Stat. 891))  
8               and the Missouri River Bank Stabilization and  
9               Navigation project (authorized by section 2 of  
10              the Act of March 2, 1945 (chapter 19, 59 Stat.  
11              19)), including modifications to the authorized  
12              purposes of such projects to further flood risk  
13              management and resiliency; and

14              (B) modifications to non-Federal, publicly  
15              owned levees in the Lower Missouri River  
16              Basin.

17              (2) EXCEPTION.—If the Secretary determines  
18              that expanding the scope of the Lower Missouri  
19              Basin study as provided in paragraph (1) is not  
20              practicable, and the non-Federal interest for such  
21              study concurs in such determination, the Secretary  
22              shall carry out such additional studies as are nec-  
23              essary to investigate the modifications described in  
24              paragraph (1).

1           (3) CONTINUATION OF LOWER MISSOURI BASIN  
2           STUDY.—The following studies shall be considered a  
3           continuation of the Lower Missouri Basin study:

4                   (A) Any additional study carried out under  
5                   paragraph (2).

6                   (B) Any study recommended to be carried  
7                   out in a report that the Chief of Engineers pre-  
8                   pares for the Lower Missouri Basin study.

9                   (C) Any study recommended to be carried  
10                  out in a report that the Chief of Engineers pre-  
11                  pares for an additional study carried out under  
12                  paragraph (2).

13                  (D) Any study spun off from the Lower  
14                  Missouri Basin study before the completion of  
15                  such study.

16                  (E) Any study spun off from an additional  
17                  study carried out under paragraph (2) before  
18                  the completion of such additional study.

19           (4) RELIANCE ON EXISTING INFORMATION.—In  
20           carrying out any study described in or authorized by  
21           this subsection, the Secretary, to the extent prac-  
22           ticable, shall rely on existing data and analysis, in-  
23           cluding data and analysis prepared under section 22  
24           of the Water Resources Development Act of 1974  
25           (42 U.S.C. 1962d–16).

1           (5) CONSIDERATION; CONSULTATION.—In de-  
2       veloping recommendations under paragraph (1), the  
3       Secretary shall—

4           (A) consider the use of—

5               (i) structural and nonstructural meas-  
6               ures, including the setting back of levees  
7               and removing structures from areas of re-  
8               curring flood vulnerability, where advan-  
9               tageous, to reduce flood risk and damages  
10              in the Lower Missouri River Basin; and

11              (ii) where such features are locally ac-  
12              ceptable, natural features or nature-based  
13              features (as such terms are defined in sec-  
14              tion 1184 of the Water Resources Develop-  
15              ment Act of 2016 (33 U.S.C. 2289a); and

16           (B) consult with applicable Federal and  
17       State agencies, Indian Tribes, and other stake-  
18       holders within the Lower Missouri River Basin  
19       and solicit public comment on such rec-  
20       ommendations.

21           (6) EXEMPTION FROM MAXIMUM STUDY COST  
22       AND DURATION LIMITATIONS.—Section 1001 of the  
23       Water Resources Reform and Development Act of  
24       2014 (33 U.S.C. 2282c) shall not apply to the

1 Lower Missouri Basin study or any study described  
2 in paragraph (3).

3 (7) PRECONSTRUCTION, ENGINEERING, AND  
4 DESIGN.—Upon completion of a study authorized by  
5 this subsection, if the Secretary determines that a  
6 recommended project, or modification to a project  
7 described in paragraph (1), is justified, the Sec-  
8 retary may proceed directly to preconstruction plan-  
9 ning, engineering, and design of the project or modi-  
10 fication.

11 (8) TECHNICAL ASSISTANCE.—

12 (A) IN GENERAL.—For the provision of  
13 technical assistance to support small commu-  
14 nities and economically disadvantaged commu-  
15 nities in the planning and design of flood risk  
16 management and flood risk resiliency projects  
17 in the Lower Missouri River Basin, for each of  
18 fiscal years 2021 through 2026, there are au-  
19 thorized to be appropriated—

20 (i) \$2,000,000 to carry out section  
21 206 of the Flood Control Act of 1960 (33  
22 U.S.C. 709a), in addition to amounts oth-  
23 erwise authorized to carry out such sec-  
24 tion; and

1 (ii) \$2,000,000 to carry out section  
2 22(a)(2) of the Water Resources Develop-  
3 ment Act of 1974 (42 U.S.C. 1962d–16),  
4 in addition to amounts otherwise author-  
5 ized to carry out such section.

6 (B) CONDITIONS.—

7 (i) LIMITATIONS NOT APPLICABLE.—  
8 The limitations on the use of funds in sec-  
9 tion 206(d) of the Flood Control Act of  
10 1960 and section 22(c)(2) of the Water  
11 Resources Development Act of 1974 shall  
12 not apply to the amounts authorized to be  
13 appropriated by subparagraph (A).

14 (ii) RULE OF CONSTRUCTION.—Noth-  
15 ing in this paragraph restricts the author-  
16 ity of the Secretary to use any funds other-  
17 wise appropriated to carry out section 206  
18 of the Flood Control Act of 1960 or sec-  
19 tion 22(a)(2) of the Water Resources De-  
20 velopment Act of 1974 to provide technical  
21 assistance described in subparagraph (A).

22 (9) COMPLETION OF STUDY; REPORT TO CON-  
23 GRESS.—Not later than 3 years after the date of en-  
24 actment of this Act, the Secretary shall submit to  
25 the Committee on Transportation and Infrastructure

1 of the House of Representatives and the Committee  
2 on Environment and Public Works of the Senate a  
3 report detailing—

4 (A) the results of the study authorized by  
5 this subsection;

6 (B) any additional, site-specific areas with-  
7 in the Lower Missouri River Basin for which  
8 additional study for flood risk management  
9 projects is recommended by the Secretary; and

10 (C) any interim actions relating to existing  
11 water resources development projects in the  
12 Lower Missouri River Basin undertaken by the  
13 Secretary during the study period.

14 (10) DEFINITIONS.—In this subsection:

15 (A) LOWER MISSOURI BASIN STUDY.—The  
16 term “Lower Missouri Basin study” means the  
17 Lower Missouri Basin Flood Risk and Resil-  
18 iency Study, Iowa, Kansas, Nebraska, and Mis-  
19 souri, authorized pursuant to section 216 of the  
20 Flood Control Act of 1970 (33 U.S.C. 549a).

21 (B) SMALL COMMUNITY.—The term “small  
22 community” means a local government that  
23 serves a population of less than 15,000.

24 (b) UPPER MISSOURI RIVER BASIN COMPREHENSIVE  
25 STUDY.—



1           (1) IN GENERAL.—The Secretary, in collabora-  
2           tion with the heads of other relevant Federal agen-  
3           cies, shall conduct a comprehensive study to address  
4           flood risk in areas affected by severe flooding in  
5           2019 along the Upper Missouri River, including an  
6           examination of—

7                   (A) the use of structural and nonstructural  
8                   flood control and floodplain management strate-  
9                   gies, including the consideration of natural fea-  
10                  tures or nature-based features (as such terms  
11                  are defined in section 1184 of the Water Re-  
12                  sources Development Act of 2016 (33 U.S.C.  
13                  2289a);

14                  (B) continued operation and maintenance  
15                  of the navigation project;

16                  (C) management of bank caving and ero-  
17                  sion;

18                  (D) maintenance of water supply;

19                  (E) fish and wildlife habitat management;

20                  (F) recreation needs;

21                  (G) environmental restoration needs;

22                  (H) the division of responsibilities of the  
23                  Federal Government and non-Federal interests  
24                  with respect to Missouri River flooding;

1 (I) the roles and responsibilities of Federal  
2 agencies with respect to Missouri River flood-  
3 ing; and

4 (J) any other related matters, as deter-  
5 mined by the Secretary.

6 (2) RECOMMENDATIONS.—In conducting the  
7 study under this subsection, the Secretary may de-  
8 velop recommendations to Congress for—

9 (A) the construction of a water resources  
10 development project;

11 (B) the structural or operational modifica-  
12 tion of an existing water resources development  
13 project;

14 (C) such additional monitoring of, or  
15 adaptive management measures to carry out  
16 with respect to, existing water resources devel-  
17 opment projects, to respond to changing condi-  
18 tions;

19 (D) geographic areas within the Upper  
20 Mississippi River basin for additional study by  
21 the Secretary;

22 (E) management plans and actions to be  
23 carried out by the responsible Federal agencies  
24 to reduce flood risk and improve resiliency;

1 (F) any necessary changes to the general  
2 comprehensive plan for flood control and other  
3 purposes in the Missouri River Basin under sec-  
4 tion 4 of the Act of June 28, 1938 (chapter  
5 795, 52 Stat. 1218; 58 Stat. 891); and

6 (G) follow-up studies for problem areas for  
7 which data or current technology does not allow  
8 immediate solutions.

9 (3) COMPLETION OF STUDY; REPORT TO CON-  
10 GRESS.—Not later than 3 years after the date of en-  
11 actment of this subsection, the Secretary shall sub-  
12 mit to the Committee on Transportation and Infra-  
13 structure of the House of Representatives and the  
14 Committee on Environment and Public Works of the  
15 Senate a report that—

16 (A) contains the results of the comprehen-  
17 sive study required by this subsection, including  
18 any recommendations developed under para-  
19 graph (2);

20 (B) addresses—

21 (i) the potential for the transfer of  
22 flood risk between and within the Upper  
23 and Lower Missouri River basins with re-  
24 spect to any changes recommended pursu-  
25 ant to paragraph (2)(F);

1 (ii) adverse impacts to navigation and  
2 other authorized purposes of the applicable  
3 Missouri River project with respect to any  
4 changes recommended under paragraph  
5 (2)(F); and

6 (iii) whether there are opportunities  
7 for increased non-Federal management in  
8 the Upper Missouri River Basin;

9 (C) recognizes—

10 (i) the interest and rights of States  
11 in—

12 (I) determining the development  
13 of watersheds within the borders of  
14 the State; and

15 (II) water utilization and control;  
16 and

17 (ii) the primary responsibilities of  
18 States and local interests in developing  
19 water supplies for domestic, municipal, in-  
20 dustrial, and other purposes; and

21 (D) describes any interim actions relating  
22 to existing water resources development projects  
23 in the Upper Missouri River Basin undertaken  
24 by the Secretary during the study period.

1           (4) CONSULTATION.—In carrying out this sub-  
2           section, the Secretary shall consult with applicable  
3           Federal and State agencies, Indian Tribes, and  
4           other stakeholders within the Upper Missouri River  
5           Basin and solicit public comment.

6           (5) RELIANCE ON EXISTING INFORMATION.—In  
7           carrying out any study described in or authorized by  
8           this subsection, the Secretary, to the extent prac-  
9           ticable, shall rely on existing data and analysis, in-  
10          cluding data and analysis prepared under section 22  
11          of the Water Resources Development Act of 1974  
12          (42 U.S.C. 1962d–16).

13          (6) EXEMPTION FROM MAXIMUM STUDY COST  
14          AND DURATION LIMITATIONS.—Section 1001 of the  
15          Water Resources Reform and Development Act of  
16          2014 (33 U.S.C. 2282c) shall not apply to the com-  
17          prehensive study carried out under this section or  
18          any feasibility study described in paragraph (7).

19          (7) ADDITIONAL CONSIDERATIONS.—Any feasi-  
20          bility study carried out pursuant to a recommenda-  
21          tion included in the report submitted under this sub-  
22          section shall be considered to be a continuation of  
23          the comprehensive study required under paragraph  
24          (1).

1           (8) DEFINITION.—In this subsection, the term  
2           “Missouri River project” means a project con-  
3           structed as part of—

4                   (A) the Pick-Sloan Missouri River Basin  
5           Program (authorized by section 9(b) of the Act  
6           of December 22, 1944 (chapter 665, 58 Stat.  
7           891)), located in the States of Wyoming, Mon-  
8           tana, North Dakota, or South Dakota;

9                   (B) the Missouri River Bank Stabilization  
10          and Navigation project (authorized by section 2  
11          of the Act of March 2, 1945 (chapter 19, 59  
12          Stat. 19)); or

13                  (C) a non-Federal, publicly owned levee  
14          system located within the Upper Missouri River  
15          Basin.

16          (c) COORDINATION.—Upon completion of the studies  
17          under subsections (a) and (b), the Secretary shall develop  
18          a strategy that, to the maximum extent practicable, co-  
19          ordinates and aligns the results of such studies.

20       **SEC. 217. PORTSMOUTH HARBOR AND PISCATAQUA RIVER**  
21                               **AND RYE HARBOR, NEW HAMPSHIRE.**

22          (a) REQUIREMENT TO EXPEDITE.—The Secretary  
23          shall expedite authorized activities to address the impacts  
24          of shoaling affecting the project for navigation, Rye Har-

1 bor, New Hampshire, authorized by section 101 of the  
2 River and Harbor Act of 1960 (74 Stat. 480).

3 (b) STATUS UPDATE.—Not later than 180 days after  
4 the date of enactment of this Act, the Secretary shall sub-  
5 mit to Congress a written status update regarding—

6 (1) the activities required to be expedited under  
7 subsection (a); and

8 (2) the project for navigation, Portsmouth Har-  
9 bor and Piscataqua River, authorized by section 101  
10 of the River and Harbor Act of 1962 (76 Stat.  
11 1173), as required to be expedited under section  
12 1317 of the Water Resources Development Act of  
13 2018 (132 Stat. 3823).

14 **SEC. 218. COUGAR AND DETROIT DAMS, WILLAMETTE**  
15 **RIVER BASIN, OREGON.**

16 (a) REPORT.—Not later than 2 years after the date  
17 of enactment of this Act, the Secretary shall submit to  
18 the Committee on Transportation and Infrastructure of  
19 the House of Representatives and the Committee on Envi-  
20 ronment and Public Works of the Senate, and make pub-  
21 licly available, a report providing an initial analysis of  
22 deauthorizing hydropower as a project purpose at the Cou-  
23 gar and Detroit Dams project.

24 (b) CONTENTS.—The Secretary shall include in the  
25 report submitted under subsection (a)—

1           (1) a description of the potential effects of  
2           deauthorizing hydropower as a project purpose at  
3           the Cougar and Detroit Dams project on—

4                   (A) the operation of the project, including  
5                   with respect to the other authorized purposes of  
6                   the project;

7                   (B) compliance of the project with the En-  
8                   dangered Species Act;

9                   (C) costs that would be attributed to other  
10                   authorized purposes of the project, including  
11                   costs relating to compliance with such Act; and

12                   (D) other ongoing studies in the Willam-  
13                   ette River Basin; and

14           (2) identification of any further research need-  
15           ed.

16           (c) **PROJECT DEFINED.**—In this section, the terms  
17           “Cougar and Detroit Dams project” and “project” mean  
18           the Cougar Dam and Reservoir project and Detroit Dam  
19           and Reservoir project, Willamette River Basin, Oregon,  
20           authorized by section 204 of the Flood Control Act of  
21           1950 (64 Stat. 179), and facilities that operate in conjunc-  
22           tion with the main Detroit Dam facility, including the Big  
23           Cliff re-regulating dam.



1 **SEC. 219. PORT ORFORD, OREGON.**

2 Not later than 180 days after the date of enactment  
3 of this Act, the Secretary shall, at Federal expense, submit  
4 to the Committee on Transportation and Infrastructure  
5 of the House of Representatives and the Committee on  
6 Environment and Public Works of the Senate a summary  
7 report on the research completed and data gathered by  
8 the date of enactment of this Act with regards to the con-  
9 figuration of a breakwater for the project for navigation,  
10 Port Orford, Oregon, authorized by section 117 of the  
11 River and Harbor Act of 1970 (84 Stat. 1822; 106 Stat.  
12 4809), for the purposes of addressing shoaling issues to  
13 minimize long-term maintenance costs.

14 **SEC. 220. WILSON CREEK AND SLOAN CREEK, FAIRVIEW,**  
15 **TEXAS.**

16 Not later than 180 days after the date of enactment  
17 of this section, the Secretary shall submit to Congress a  
18 written status update regarding efforts to address flooding  
19 along Wilson Creek and Sloan Creek in the City of Fair-  
20 view, Texas.

21 **SEC. 221. STUDY ON WATER SUPPLY AND WATER CON-**  
22 **SERVATION AT WATER RESOURCES DEVEL-**  
23 **OPMENT PROJECTS.**

24 (a) IN GENERAL.—Not later than 18 months after  
25 the date of enactment of this Act, the Secretary shall sub-  
26 mit to the Committee on Transportation and Infrastruc-

1 ture of the House of the Representatives and the Com-  
2 mittee on Environment and Public Works of the Senate  
3 a report that analyzes the benefits and consequences of  
4 including water supply and water conservation as a pri-  
5 mary mission of the Corps of Engineers in carrying out  
6 water resources development projects.

7 (b) INCLUSION.—The Secretary shall include in the  
8 report submitted under subsection (a)—

9 (1) a description of existing water resources de-  
10 velopment projects with water supply or water con-  
11 servation as authorized purposes, and the extent to  
12 which such projects are utilized for such purposes;

13 (2) a description of existing water resources de-  
14 velopment projects with respect to which—

15 (A) water supply or water conservation  
16 could be added as a project purpose, including  
17 those with respect to which a non-Federal inter-  
18 est has expressed an interest in adding water  
19 supply or water conservation as a project pur-  
20 pose; and

21 (B) such a purpose could be accommodated  
22 while maintaining existing authorized purposes;

23 (3) a description of ongoing water resources de-  
24 velopment project studies the authorizations for  
25 which include authorization for the Secretary to

1 study the feasibility of carrying out the project with  
2 a purpose of water supply or water conservation;

3 (4) an analysis of how adding water supply and  
4 water conservation as a primary mission of the  
5 Corps of Engineers would affect the ability of the  
6 Secretary to carry out future water resources devel-  
7 opment projects; and

8 (5) any recommendations of the Secretary relat-  
9 ing to including water supply and water conservation  
10 as a primary mission of the Corps of Engineers.

11 **SEC. 222. REPORT TO CONGRESS ON AUTHORIZED STUDIES**  
12 **AND PROJECTS.**

13 (a) IN GENERAL.—Not later than February 1 of each  
14 year, the Secretary shall develop and submit to Congress  
15 an annual report, to be entitled “Report to Congress on  
16 Authorized Water Resources Development Projects and  
17 Studies”, that identifies—

18 (1) ongoing or new feasibility studies, author-  
19 ized within the previous 20 years, for which a Re-  
20 port of the Chief of Engineers has not been issued;

21 (2) authorized feasibility studies for projects in  
22 the preconstruction, engineering and design phase;

23 (3) ongoing or new water resources development  
24 projects authorized for construction within the pre-  
25 vious 20 years; and

1           (4) authorized and constructed water resources  
2           development projects the Secretary has the responsi-  
3           bility to operate or maintain.

4           (b) CONTENTS.—

5           (1) INCLUSIONS.—

6           (A) CRITERIA.—The Secretary shall in-  
7           clude in each report submitted under this sec-  
8           tion only a feasibility study or water resources  
9           development project—

10                   (i) that has been authorized by Con-  
11                   gress to be carried out by the Secretary  
12                   and does not require any additional con-  
13                   gressional authorization to be carried out;

14                   (ii) that the Secretary has the capa-  
15                   bility to carry out if funds are appro-  
16                   priated for such study or project under any  
17                   of the “Investigations”, “Construction”,  
18                   “Operation and Maintenance”, or “Mis-  
19                   sissippi River and Tributaries” appropria-  
20                   tions accounts for the Corps of Engineers;  
21                   and

22                   (iii) for which a non-Federal inter-  
23                   est—

24                           (I) in the case of a study or a  
25                           project other than a project for which

1 funds may be appropriated for oper-  
2 ation and maintenance, has entered  
3 into a feasibility cost-sharing agree-  
4 ment, design agreement, or project  
5 partnership agreement with the Corps  
6 of Engineers, or has informed the  
7 Secretary that the non-Federal inter-  
8 est has the financial capability to  
9 enter into such an agreement within 1  
10 year; and

11 (II) demonstrates the legal and  
12 financial capability to satisfy the re-  
13 quirements for local cooperation with  
14 respect to the study or project.

15 (B) DESCRIPTION OF BENEFITS.—

16 (i) DESCRIPTION.—The Secretary  
17 shall, to the maximum extent practicable,  
18 describe in each report submitted under  
19 this section the benefits, as described in  
20 clause (ii), of each feasibility study and  
21 water resources development project in-  
22 cluded in the report.

23 (ii) BENEFITS.—The benefits referred  
24 to in clause (i) are benefits to—

- 1 (I) the protection of human life  
2 and property;
- 3 (II) improvement to transpor-  
4 tation;
- 5 (III) the national, regional, or  
6 local economy;
- 7 (IV) the environment; or
- 8 (V) the national security inter-  
9 ests of the United States.

10 (2) TRANSPARENCY.—The Secretary shall in-  
11 clude in each report submitted under this section,  
12 for each feasibility study and water resources devel-  
13 opment project included in the report—

14 (A) the name of the associated non-Fed-  
15 eral interest, including the name of any non-  
16 Federal interest that has contributed, or is ex-  
17 pected to contribute, a non-Federal share of the  
18 cost of the study or project;

19 (B) the purpose of the study or project;

20 (C) an estimate, to the extent practicable,  
21 of the Federal, non-Federal, and total costs of  
22 the study or project, including, to the extent  
23 practicable, the fully funded capability of the  
24 Corps of Engineers for—

1 (i) the 3 fiscal years following the fis-  
2 cal year in which the report is submitted,  
3 in the case of a feasibility study; and

4 (ii) the 5 fiscal years following the fis-  
5 cal year in which the report is submitted,  
6 in the case of a water resources develop-  
7 ment project; and

8 (D) an estimate, to the extent practicable,  
9 of the monetary and nonmonetary benefits of  
10 the study or project.

11 (3) CERTIFICATION.—The Secretary shall in-  
12 clude in each report submitted under this section a  
13 certification stating that each feasibility study or  
14 water resources development project included in the  
15 report meets the criteria described in paragraph  
16 (1)(A).

17 (4) OMISSIONS.—

18 (A) LIMITATION.—The Secretary shall not  
19 omit from a report submitted under this section  
20 a study or project that otherwise meets the cri-  
21 teria for inclusion in the report solely on the  
22 basis of a policy of the Secretary.

23 (B) APPENDIX.—If the Secretary omits  
24 from a report submitted under this section a  
25 study or project that otherwise meets the cri-

1           teria for inclusion in the report, the Secretary  
2           shall include with the report an appendix that  
3           lists the name of the study or project and rea-  
4           son for its omission.

5           (c) SUBMISSION TO CONGRESS; PUBLICATION.—

6           (1) SUBMISSION TO CONGRESS.—The Secretary  
7           may submit a report under this section in conjunc-  
8           tion with the submission of the annual report under  
9           section 7001 of the Water Resources Reform and  
10          Development Act of 2014 (33 U.S.C. 2282d).

11          (2) PUBLICATION.—On submission of each re-  
12          port under this section, the Secretary shall make the  
13          report publicly available, including through publica-  
14          tion on the internet.

15          (d) DEFINITIONS.—In this section:

16          (1) NON-FEDERAL INTEREST.—The term “non-  
17          Federal interest” has the meaning given that term  
18          in section 221 of the Flood Control Act of 1970 (42  
19          U.S.C. 1962d–5b).

20          (2) WATER RESOURCES DEVELOPMENT  
21          PROJECT.—The term “water resources development  
22          project” includes a separable element of a project, a  
23          project under an environmental infrastructure assist-  
24          ance program, and a project the authorized purposes  
25          of which include water supply.



1 **SEC. 223. COMPLETION OF REPORTS AND MATERIALS.**

2 (a) IN GENERAL.—Using available appropriations,  
3 not later than 180 days after the date of enactment of  
4 this section, the Secretary shall complete and submit to  
5 Congress the following materials:

6 (1) The report required by section 1211 of the  
7 Water Resources Development Act of 2018 (132  
8 Stat. 3808).

9 (2) Implementation guidance for the amend-  
10 ments made by section 1176 of the Water Resources  
11 Development Act of 2016 (130 Stat. 1673).

12 (3) Implementation guidance for the amend-  
13 ments made by section 3029(a) of the Water Re-  
14 sources Reform and Development Act of 2014 (128  
15 Stat. 1305).

16 (4) Any other report or other material required  
17 to be submitted to Congress by any of the following  
18 Acts (including by amendments made by such Acts)  
19 that has not been so submitted by the date of enact-  
20 ment of this section:

21 (A) The Water Resources Reform and De-  
22 velopment Act of 2014 (Public Law 113–121).

23 (B) The Water Resources Development  
24 Act of 2016 (Public Law 114–322).

25 (C) The Water Resources Development Act  
26 of 2018 (Public Law 115–270).

1 (b) USE OF EXISTING DATA.—To the extent prac-  
2 ticable and appropriate, the Secretary shall use existing  
3 data in completing any materials described in subsection  
4 (a).

5 (c) FAILURE TO SUBMIT.—If the Secretary fails to  
6 submit materials as required by this section, the Secretary  
7 shall immediately inform the Committee on Environment  
8 and Public Works of the Senate and the Committee on  
9 Transportation and Infrastructure of the House of Rep-  
10 resentatives, in writing, of the specific reasons for such  
11 failure and a timeline for submission of the delinquent ma-  
12 terials.

13 (d) IMPLEMENTATION GUIDANCE.—The Secretary  
14 shall expeditiously issue any guidance necessary to imple-  
15 ment any provision of this Act, including any amendments  
16 made by this Act, in accordance with section 1105 of the  
17 Water Resources Development Act of 2018 (33 U.S.C.  
18 2202).

19 **SEC. 224. EMERGENCY FLOODING PROTECTION FOR**  
20 **LAKES.**

21 The Secretary shall submit to Congress a report on  
22 the extent to which section 5 of the Act of August 18,  
23 1941 (33 U.S.C. 701n), applies to lakes, including lakes  
24 with the flow of a slow-moving river, including, if applica-  
25 ble, recommendations for legislative changes to ensure

1 that such lakes are eligible for the program carried out  
2 pursuant to such section.

3 **SEC. 225. REPORT ON DEBRIS REMOVAL.**

4 Section 1210 of the Water Resources Development  
5 Act of 2018 (132 Stat. 3808) is amended to read as fol-  
6 lows:

7 **“SEC. 1210. REPORT ON DEBRIS REMOVAL.**

8 “(a) IN GENERAL.—Not later than 180 days after  
9 the date of enactment of the Water Resources Develop-  
10 ment Act of 2020, the Secretary shall submit to Congress  
11 and make publicly available a report that describes—

12 “(1) the extent to which, during the 10 fiscal  
13 years prior to such date of enactment, the Secretary  
14 has carried out section 3 of the Act of March 2,  
15 1945 (33 U.S.C. 603a);

16 “(2) how the Secretary has evaluated potential  
17 work to be carried out under that section; and

18 “(3) the extent to which the Secretary plans to  
19 start, continue, or complete debris removal activities  
20 in the 3 years following submission of the report.

21 “(b) FOCUS AREAS.—The Secretary shall include in  
22 the report submitted under subsection (a)—

23 “(1) identification of the debris removal activi-  
24 ties to be started, continued, or completed during  
25 the first fiscal year following the date of enactment

1 of this subsection within the boundaries of the North  
2 Atlantic Division of the Corps of Engineers;

3 “(2) the estimated total costs and completion  
4 dates for such activities; and

5 “(3) identification of the non-Federal interest  
6 associated with such activities.”.

7 **SEC. 226. REPORT ON ANTECEDENT HYDROLOGIC CONDI-**  
8 **TIONS.**

9 (a) REPORT.—

10 (1) IN GENERAL.—Not later than 18 months  
11 after the date of enactment of this Act, the Sec-  
12 retary shall submit to the Committee on Environ-  
13 ment and Public Works of the Senate and the Com-  
14 mittee on Transportation and Infrastructure of the  
15 House of Representatives a report on the use by the  
16 Corps of Engineers since 2010 of data relating to  
17 antecedent hydrologic conditions in the Missouri  
18 River Basin (including soil moisture conditions, frost  
19 depths, snowpack, and streamflow conditions) in—

20 (A) conducting Missouri River mainstem  
21 reservoir operations under the Missouri River  
22 Master Manual;

23 (B) developing related annual operating  
24 plans; and

1 (C) performing seasonal, monthly, and  
2 daily operations.

3 (2) INCLUSIONS.—The report submitted under  
4 paragraph (1) shall include—

5 (A) a review of—

6 (i) the approach of the Corps of Engi-  
7 neers to forecasting basin runoff in devel-  
8 oping annual operating plans of the Corps  
9 of Engineers;

10 (ii) the assessment of existing and al-  
11 ternative algorithms that could improve  
12 basin runoff forecasting;

13 (iii) the approach of the Corps of En-  
14 gineers for reservoir releases in the winter,  
15 spring, summer, and fall, based on basin  
16 runoff forecasts;

17 (iv) the technical report of the Corps  
18 of Engineers entitled “Long-Term Runoff  
19 Forecasting”, dated February, 2017;

20 (v) the use by the Corps of Engineers  
21 of data from Federal and State entities in  
22 basin runoff forecasts; and

23 (vi) the use by the Corps of Engineers  
24 of advanced data collection, including

1 through the use of unmanned aerial sys-  
2 tems, forecasting, and modeling;

3 (B) findings and recommendations on how  
4 to best incorporate antecedent basin conditions  
5 in annual operating plans and Missouri River  
6 mainstem reservoir operations; and

7 (C) the results of the peer review con-  
8 ducted under subsection (b).

9 (b) PEER REVIEW.—The Secretary shall seek to  
10 enter into an agreement with the National Academy of  
11 Sciences or a similar independent scientific and technical  
12 advisory organization to establish a panel of experts to  
13 conduct a peer review of the report to be submitted under  
14 subsection (a).

15 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
16 are authorized to be appropriated to the Secretary—

17 (1) \$5,000,000 to carry out subsection (a); and

18 (2) \$5,000,000 to carry out subsection (b).

19 **SEC. 227. SUBSURFACE DRAIN SYSTEMS RESEARCH AND**  
20 **DEVELOPMENT.**

21 Subject to the availability of appropriations, the Sec-  
22 retary, acting through the Director of the Engineer Re-  
23 search and Development Center and, where appropriate,  
24 in consultation with other Federal agencies, shall carry

1 out research and development activities relating to the use  
2 of subsurface drain systems as—

3 (1) a flood risk-reduction measure; or

4 (2) a coastal storm risk-reduction measure.

5 **SEC. 228. REPORT ON CORROSION PREVENTION ACTIVI-**  
6 **TIES.**

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

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

17 (2) the extent to which the Secretary has incor-  
18 porated corrosion prevention activities (as defined in  
19 such section) at water resources development  
20 projects constructed or maintained by the Secretary  
21 since the date of enactment of such section; and

22 (3) in instances where the Secretary has not in-  
23 corporated corrosion prevention activities at such  
24 water resources development projects since such

1 date, an explanation as to why such corrosion pre-  
2 vention activities have not been incorporated.

3 **SEC. 229. ANNUAL REPORTING ON DISSEMINATION OF IN-**  
4 **FORMATION.**

5 Section 1104(b) of the Water Resources Development  
6 Act of 2018 (33 U.S.C. 2282d note) is amended—

7 (1) by redesignating paragraphs (1) through  
8 (4) as subparagraphs (A) through (D), respectively,  
9 and indenting appropriately;

10 (2) in the matter preceding subparagraph (A)  
11 (as so redesignated), by striking “The Secretary”  
12 and inserting the following:

13 “(1) IN GENERAL.—The Secretary”; and

14 (3) by adding at the end the following:

15 “(2) ANNUAL REPORTING.—Not less frequently  
16 than annually, the Secretary shall provide to the  
17 Committee on Environment and Public Works of the  
18 Senate and the Committee on Transportation and  
19 Infrastructure of the House of Representatives a  
20 written update on the progress of the implementa-  
21 tion of paragraph (1), including a description of  
22 each education and outreach action the Secretary is  
23 taking to implement that paragraph.

24 “(3) GUIDANCE; COMPLIANCE.—The Secretary  
25 shall—



1           “(A) issue guidance on the uniform imple-  
2           mentation by each district of the Corps of Engi-  
3           neers of the process for submitting proposals  
4           under section 7001 of the Water Resources Re-  
5           form and Development Act of 2014 (33 U.S.C.  
6           2282d); and

7           “(B) each year, ensure compliance with the  
8           guidance issued under subparagraph (A).”.

9   **SEC. 230. REPORT ON BENEFITS CALCULATION FOR FLOOD**  
10                   **CONTROL STRUCTURES.**

11           Not later than 180 days after the date of enactment  
12           of this Act, the Secretary shall submit to the Committee  
13           on Environment and Public Works of the Senate and the  
14           Committee on Transportation and Infrastructure of the  
15           House of Representatives a report on the extent to which  
16           flood insurance premium reductions that result from im-  
17           plementation of a flood risk management project, includ-  
18           ing structural elements, nonstructural elements, or nat-  
19           ural features or nature-based features, are included in the  
20           calculation of the benefits of the project by the Corps of  
21           Engineers.

22   **TITLE III—DEAUTHORIZATIONS**  
23                   **AND MODIFICATIONS**

24   **SEC. 301. DEAUTHORIZATION OF INACTIVE PROJECTS.**

25           (a) **PURPOSES.**—The purposes of this section are—

1           (1) to identify water resources development  
2 projects authorized by Congress that are no longer  
3 viable for construction due to—

4                   (A) a lack of local support;

5                   (B) a lack of available Federal or non-Fed-  
6 eral resources; or

7                   (C) an authorizing purpose that is no  
8 longer relevant or feasible;

9           (2) to create an expedited and definitive process  
10 for Congress to deauthorize water resources develop-  
11 ment projects that are no longer viable for construc-  
12 tion; and

13           (3) to allow the continued authorization of  
14 water resources development projects that are viable  
15 for construction.

16 (b) PROPOSED DEAUTHORIZATION LIST.—

17           (1) PRELIMINARY LIST OF PROJECTS.—

18                   (A) IN GENERAL.—The Secretary shall de-  
19 velop a preliminary list of each water resources  
20 development project, or separable element of a  
21 project, authorized for construction before No-  
22 vember 8, 2007, for which—

23                           (i) planning, design, or construction  
24 was not initiated before the date of enact-  
25 ment of this Act; or

1 (ii) planning, design, or construction  
2 was initiated before the date of enactment  
3 of this Act, but for which no funds, Fed-  
4 eral or non-Federal, were obligated for  
5 planning, design, or construction of the  
6 project or separable element of the project  
7 during the current fiscal year or any of the  
8 10 preceding fiscal years.

9 (B) USE OF COMPREHENSIVE CONSTRUC-  
10 TION BACKLOG AND OPERATION AND MAINTEN-  
11 NANCE REPORT.—The Secretary may develop  
12 the preliminary list from the comprehensive  
13 construction backlog and operation and mainte-  
14 nance reports developed pursuant to section  
15 1001(b)(2) of the Water Resources Develop-  
16 ment Act of 1986 (33 U.S.C. 579a).

17 (C) EXCLUSIONS.—The Secretary shall not  
18 include on the preliminary list—

19 (i) an environmental infrastructure  
20 assistance project authorized to be carried  
21 out by the Secretary (including a project  
22 authorized pursuant to an environmental  
23 assistance program); or

24 (ii) a project or separable element of  
25 a project authorized as part of the Com-

1           prehensive Everglades Restoration Plan  
2           described in section 601 of the Water Re-  
3           sources Development Act of 2000 (114  
4           Stat. 2680).

5           (2) PREPARATION OF PROPOSED DEAUTHORIZA-  
6           TION LIST.—

7           (A) DEAUTHORIZATION AMOUNT.—The  
8           Secretary shall prepare a proposed list of  
9           projects for deauthorization comprised of a sub-  
10          set of projects and separable elements identified  
11          on the preliminary list developed under para-  
12          graph (1) that have, in the aggregate, an esti-  
13          mated Federal cost to complete that is at least  
14          \$10,000,000,000.

15          (B) DETERMINATION OF FEDERAL COST  
16          TO COMPLETE.—For purposes of subparagraph  
17          (A), the Federal cost to complete shall take into  
18          account any allowances authorized by section  
19          902 of the Water Resources Development Act  
20          of 1986 (33 U.S.C. 2280), as applied to the  
21          most recent project schedule and cost estimate.

22          (C) INCLUSION OF DEAUTHORIZATION OF  
23          ANTIQUATED PROJECTS.—The Secretary shall  
24          reduce the amount identified for deauthoriza-  
25          tion under paragraph (2)(A) by an amount

1 equivalent to the estimated current value of  
2 each project, or separable element of a project,  
3 that is deauthorized by subsection (f).

4 (3) SEQUENCING OF PROJECTS.—

5 (A) IN GENERAL.—The Secretary shall  
6 identify projects and separable elements for in-  
7 clusion on the proposed list of projects for de-  
8 authorization under paragraph (2) according to  
9 the order in which the projects and separable  
10 elements were authorized, beginning with the  
11 earliest authorized projects and separable ele-  
12 ments and ending with the latest project or sep-  
13 arable element necessary to meet the aggregate  
14 amount under paragraph (2)(A).

15 (B) FACTORS TO CONSIDER.—The Sec-  
16 retary may identify projects and separable ele-  
17 ments in an order other than that established  
18 by subparagraph (A) if the Secretary deter-  
19 mines, on a case-by-case basis, that a project or  
20 separable element is critical for interests of the  
21 United States, based on the possible impact of  
22 the project or separable element on public  
23 health and safety, the national economy, or the  
24 environment.

25 (4) PUBLIC COMMENT AND CONSULTATION.—

1 (A) IN GENERAL.—The Secretary shall so-  
2 licit comments from the public and the Gov-  
3 ernors of each applicable State on the proposed  
4 deauthorization list prepared under paragraph  
5 (2)(A).

6 (B) COMMENT PERIOD.—The public com-  
7 ment period shall be 90 days.

8 (5) PREPARATION OF FINAL DEAUTHORIZATION  
9 LIST.—

10 (A) IN GENERAL.—The Secretary shall  
11 prepare a final deauthorization list by—

12 (i) considering any comments received  
13 under paragraph (4); and

14 (ii) revising the proposed deauthoriza-  
15 tion list prepared under paragraph (2)(A)  
16 as the Secretary determines necessary to  
17 respond to such comments.

18 (B) APPENDIX.—The Secretary shall in-  
19 clude as part of the final deauthorization list an  
20 appendix that—

21 (i) identifies each project or separable  
22 element on the proposed deauthorization  
23 list that is not included on the final de-  
24 authorization list; and

1 (ii) describes the reasons why the  
2 project or separable element is not in-  
3 cluded on the final deauthorization list.

4 (c) SUBMISSION OF FINAL DEAUTHORIZATION LIST  
5 TO CONGRESS FOR CONGRESSIONAL REVIEW; PUBLICA-  
6 TION.—

7 (1) IN GENERAL.—Not later than 90 days after  
8 the date of the close of the comment period under  
9 subsection (b)(4), the Secretary shall—

10 (A) submit the final deauthorization list  
11 and appendix prepared under subsection (b)(5)  
12 to the Committee on Transportation and Infra-  
13 structure of the House of Representatives and  
14 the Committee on Environment and Public  
15 Works of the Senate; and

16 (B) publish the final deauthorization list  
17 and appendix in the Federal Register.

18 (2) EXCLUSIONS.—The Secretary shall not in-  
19 clude in the final deauthorization list submitted  
20 under paragraph (1) any project or separable ele-  
21 ment with respect to which Federal funds for plan-  
22 ning, design, or construction are obligated after the  
23 development of the preliminary list under subsection  
24 (b)(1)(A) but prior to the submission of the final de-

1 authorization list under paragraph (1)(A) of this  
2 subsection.

3 (d) DEAUTHORIZATION; CONGRESSIONAL REVIEW.—

4 (1) IN GENERAL.—After the expiration of the  
5 2-year period beginning on the date of publication of  
6 the final deauthorization list and appendix under  
7 subsection (c)(1)(B), a project or separable element  
8 of a project identified in the final deauthorization  
9 list is hereby deauthorized, unless Congress passes a  
10 joint resolution disapproving the final deauthoriza-  
11 tion list prior to the end of such period.

12 (2) NON-FEDERAL CONTRIBUTIONS.—

13 (A) IN GENERAL.—A project or separable  
14 element of a project identified in the final de-  
15 authorization list under subsection (c) shall not  
16 be deauthorized under this subsection if, before  
17 the expiration of the 2-year period referred to  
18 in paragraph (1), the non-Federal interest for  
19 the project or separable element of the project  
20 provides sufficient funds to complete the project  
21 or separable element of the project.

22 (B) TREATMENT OF PROJECTS.—Notwith-  
23 standing subparagraph (A), each project and  
24 separable element of a project identified in the  
25 final deauthorization list shall be treated as de-



1 authorized for purposes of the aggregate de-  
2 authorization amount specified in subsection  
3 (b)(2)(A).

4 (3) PROJECTS IDENTIFIED IN APPENDIX.—A  
5 project or separable element of a project identified  
6 in the appendix to the final deauthorization list shall  
7 remain subject to future deauthorization by Con-  
8 gress.

9 (e) SPECIAL RULES.—

10 (1) POST-AUTHORIZATION STUDIES.—A project  
11 or separable element of a project may not be identi-  
12 fied on the proposed deauthorization list developed  
13 under subsection (b), or the final deauthorization list  
14 developed under subsection (c), if the project or sep-  
15 arable element received funding for a post-authoriza-  
16 tion study during the current fiscal year or any of  
17 the 10 preceding fiscal years.

18 (2) TREATMENT OF PROJECT MODIFICA-  
19 TIONS.—For purposes of this section, if an author-  
20 ized water resources development project or sepa-  
21 rable element of the project has been modified by an  
22 Act of Congress, the date of the authorization of the  
23 project or separable element shall be deemed to be  
24 the date of the most recent such modification.

1 (f) DEAUTHORIZATION OF ANTIQUATED  
2 PROJECTS.—

3 (1) IN GENERAL.—Any water resources devel-  
4 opment project, or separable element of a project,  
5 authorized for construction prior to November 17,  
6 1986, for which construction has not been initiated  
7 prior to the date of enactment of this Act, or for  
8 which funds have not been obligated for construction  
9 in the 10-year period prior to the date of enactment  
10 of this Act, is hereby deauthorized.

11 (2) IDENTIFICATION.—Not later than 60 days  
12 after the date of enactment of this Act, the Sec-  
13 retary shall issue to the Committee on Transpor-  
14 tation and Infrastructure of the House of Represent-  
15 atives and the Committee on Environment and Pub-  
16 lic Works of the Senate a report that identifies—

17 (A) the name of each project, or separable  
18 element of a project, deauthorized by paragraph  
19 (1); and

20 (B) the estimated current value of each  
21 such project or separable element of a project.

22 (g) ECONOMIC AND ENVIRONMENTAL REVIEW OF IN-  
23 ACTIVE WATER RESOURCES DEVELOPMENT PROJECTS.—  
24 The Secretary or the non-Federal interest may not carry  
25 out any authorized water resources development project,

1 or separable element of such project, for which construc-  
2 tion has not been initiated in the 20-year period following  
3 the date of the authorization of such project or separable  
4 element, until—

5           (1) the Secretary provides to the Committee on  
6           Transportation and Infrastructure of the House of  
7           Representatives and the Committee on Environment  
8           and Public Works of the Senate a post-authorization  
9           change report that updates the economic and envi-  
10          ronmental analysis of the project or separable ele-  
11          ment; and

12          (2) the Committee on Transportation and In-  
13          frastructure of the House of Representatives and the  
14          Committee on Environment and Public Works of the  
15          Senate take appropriate action to address any modi-  
16          fications to the economic and environmental analysis  
17          for the project or separable element of the project  
18          contained in the post-authorization change report.

19          (h) DEFINITIONS.—In this section:

20           (1) POST-AUTHORIZATION CHANGE REPORT.—  
21           The term “post-authorization change report” has  
22           the meaning given such term in section 1132(d) of  
23           the Water Resources Development Act of 2016 (33  
24           U.S.C. 2282e).

1           (2) POST-AUTHORIZATION STUDY.—The term  
2           “post-authorization study” means—

3                   (A) a feasibility report developed under  
4                   section 905 of the Water Resources Develop-  
5                   ment Act of 1986 (33 U.S.C. 2282);

6                   (B) a feasibility study, as defined in sec-  
7                   tion 105(d) of the Water Resources Develop-  
8                   ment Act of 1986 (33 U.S.C. 2215(d)); or

9                   (C) a review conducted under section 216  
10                  of the Flood Control Act of 1970 (33 U.S.C.  
11                  549a), including an initial appraisal that—

12                           (i) demonstrates a Federal interest;

13                           and

14                           (ii) requires additional analysis for the  
15                           project or separable element.

16 **SEC. 302. ABANDONED AND INACTIVE NONCOAL MINE RES-**  
17 **TORATION.**

18           Section 560(f) of the Water Resources Development  
19 Act of 1999 (33 U.S.C. 2336(f)) is amended by striking  
20 “\$20,000,000” and inserting “\$30,000,000”.

21 **SEC. 303. TRIBAL PARTNERSHIP PROGRAM.**

22           Section 203(b)(4) of the Water Resources Develop-  
23 ment Act of 2000 (33 U.S.C. 2269) is amended by strik-  
24 ing “\$12,500,000” each place it appears and inserting  
25 “\$18,500,000”.

1 **SEC. 304. LAKES PROGRAM.**

2 Section 602(a) of the Water Resources Development  
3 Act of 1986 (Public Law 99–662, 100 Stat. 4148; 110  
4 Stat. 3758; 113 Stat. 295; 121 Stat. 1076) is amended—

5 (1) in paragraph (27), by striking “and” at the  
6 end;

7 (2) in paragraph (28), by striking the period at  
8 the end and inserting a semicolon; and

9 (3) by adding at the end the following:

10 “(29) Ellis Pond and Guild Pond, Norwood,  
11 Massachusetts; and

12 “(30) Memorial Pond, Walpole, Massachu-  
13 setts.”.

14 **SEC. 305. REHABILITATION OF CORPS OF ENGINEERS CON-**  
15 **STRUCTED DAMS.**

16 Section 1177 of the Water Resources Development  
17 Act of 2016 (33 U.S.C. 467f–2 note) is amended—

18 (1) in subsection (e), by striking “\$40,000,000”  
19 and inserting “\$60,000,000”; and

20 (2) in subsection (f), by striking “\$40,000,000”  
21 and inserting “\$60,000,000”.

22 **SEC. 306. CHESAPEAKE BAY ENVIRONMENTAL RESTORA-**  
23 **TION AND PROTECTION PROGRAM.**

24 (a) IN GENERAL.—Section 510 of the Water Re-  
25 sources Development Act of 1996 (Public Law 104–303,

1 110 Stat. 3759; 121 Stat. 1202; 128 Stat. 1317) is  
2 amended—

3 (1) by redesignating subsection (h) as sub-  
4 section (i) and inserting after subsection (g) the fol-  
5 lowing:

6 “(h) PROJECT CAP.—The total cost of a project car-  
7 ried out under this section may not exceed \$15,000,000.”;  
8 and

9 (2) in subsection (i) (as so redesignated), by  
10 striking “\$40,000,000” and inserting  
11 “\$90,000,000”.

12 (b) OUTREACH AND TRAINING.—The Secretary shall  
13 conduct public outreach and workshops for non-Federal  
14 interests to provide information on the Chesapeake Bay  
15 environmental restoration and protection program estab-  
16 lished under section 510 of the Water Resources Develop-  
17 ment Act of 1996, including how to participate in the pro-  
18 gram.

19 **SEC. 307. UPPER MISSISSIPPI RIVER SYSTEM ENVIRON-**  
20 **MENTAL MANAGEMENT PROGRAM.**

21 Section 1103(e) of the Water Resources Development  
22 Act of 1986 (33 U.S.C. 652(e)) is amended—

23 (1) in paragraph (3), by striking  
24 “\$22,750,000” and inserting “\$40,000,000”; and

1           (2) in paragraph (4), by striking  
2           “\$10,420,000” and inserting “\$15,000,000”.

3 **SEC. 308. UPPER MISSISSIPPI RIVER PROTECTION.**

4           Section 2010(e) of the Water Resources Reform and  
5 Development Act of 2014 (128 Stat. 1270; 132 Stat.  
6 3812) is amended by striking “the Act of October 15,  
7 1940 (33 U.S.C. 701h–1)” and inserting “section 5 of the  
8 Act of June 22, 1936 (33 U.S.C. 701h)”.

9 **SEC. 309. THEODORE SHIP CHANNEL, MOBILE, ALABAMA.**

10           (a) IN GENERAL.—The project for navigation, Theo-  
11 dore Ship Channel, Mobile Harbor, Alabama, authorized  
12 by section 201 of the Flood Control Act of 1965 (42  
13 U.S.C. 1962d–5), is revised to incorporate into the project  
14 the 40-foot-deep, 1,320-foot-wide, and approximately  
15 1,468.5-foot-long access channel, extending north from  
16 stations 257+25 and 273+25 from the Theodore Chan-  
17 nel, that was constructed for the former Naval Station  
18 Mobile, as a substitute for the authorized but  
19 unconstructed 40-foot-deep, 300-foot-wide, and 1,200-  
20 foot-long anchorage basin in the same location, to serve  
21 the public terminal that replaced the former Naval Station  
22 Mobile as obligated under the authorizations for the  
23 project.

24           (b) TREATMENT.—The Secretary shall—

1           (1) consider construction of the access channel  
2 described in subsection (a) to be complete; and

3           (2) assume maintenance of the access channel  
4 described in subsection (a) for so long as the ter-  
5 minal described in subsection (a) remains publicly  
6 owned.

7 **SEC. 310. MCCLELLAN-KERR ARKANSAS RIVER NAVIGA-**  
8 **TION SYSTEM.**

9       Any Federal funds, regardless of the account from  
10 which the funds were provided, used to carry out construc-  
11 tion of the modification to the McClellan-Kerr Arkansas  
12 River Navigation System, authorized in section 136 of the  
13 Energy and Water Development Appropriations Act, 2004  
14 (117 Stat. 1842), shall be considered by the Secretary as  
15 initiating construction of the project such that future  
16 funds will not require a new investment decision.

17 **SEC. 311. OUACHITA AND BLACK RIVERS, ARKANSAS AND**  
18 **LOUISIANA.**

19       The project for navigation, Ouachita and Black Riv-  
20 ers, Arkansas and Louisiana, authorized by section 101  
21 of the River and Harbor Act of 1960 (74 Stat. 481), is  
22 modified to include water supply as an authorized purpose.

23 **SEC. 312. LAKE ISABELLA, CALIFORNIA.**

24       (a) SENSE OF CONGRESS.—It is the sense of Con-  
25 gress that the Secretary, when evaluating alternative loca-



1 tions for construction of a permanent Isabella Lake Vis-  
2 itor Center by the Corps of Engineers to replace the facil-  
3 ity impacted by the Isabella Dam safety modification  
4 project, should afford substantial weight to the site pref-  
5 erence of the local community.

6 (b) **AUTHORITY.**—The Secretary may acquire such  
7 interests in real property as the Secretary determines nec-  
8 essary or advisable to support construction of the Isabella  
9 Dam safety modification project.

10 (c) **TRANSFER.**—The Secretary may transfer any real  
11 property interests acquired under subsection (b) to any  
12 other Federal agency or department without reimburse-  
13 ment.

14 (d) **ISABELLA DAM SAFETY MODIFICATION PROJECT**  
15 **DEFINED.**—In this section, the term “Isabella Dam safety  
16 modification project” means the dam safety modification  
17 project at the Isabella Reservoir in the San Joaquin Val-  
18 ley, California (authorized by Act of December 22, 1944  
19 (chapter 665, 58 Stat. 901)), including the component of  
20 the project relating to construction a visitor center facility.

21 **SEC. 313. LOWER SAN JOAQUIN RIVER FLOOD CONTROL**  
22 **PROJECT.**

23 The Secretary shall align the schedules of, and maxi-  
24 mize complimentary efforts, minimize duplicative prac-

1 tices, and ensure coordination and information sharing  
2 with respect to—

3 (1) the project for flood risk management,  
4 Lower San Joaquin River, authorized by section  
5 1401(2) of the Water Resources Development Act of  
6 2018 (132 Stat. 3836); and

7 (2) the second phase of the feasibility study for  
8 the Lower San Joaquin River project for flood risk  
9 management, authorized for expedited completion by  
10 section 1203(a)(7) of the Water Resources Develop-  
11 ment Act 2018 (132 Stat. 3803).

12 **SEC. 314. SACRAMENTO RIVER, GLENN-COLUSA, CALI-**  
13 **FORNIA.**

14 The portion of project for flood control, Sacramento  
15 River, California, authorized by section 2 of the Act of  
16 March 1, 1917 (chapter 144, 39 Stat. 949; 103 Stat. 649;  
17 110 Stat. 3709; 112 Stat. 1841; 113 Stat. 299), con-  
18 sisting of a riverbed gradient restoration facility at the  
19 Glenn-Colusa Irrigation District Intake, is no longer au-  
20 thorized beginning on the date of enactment of this Act.

21 **SEC. 315. SAN DIEGO RIVER AND MISSION BAY, SAN DIEGO**  
22 **COUNTY, CALIFORNIA.**

23 The portion of the project for flood control and navi-  
24 gation, San Diego River and Mission Bay, San Diego  
25 County, California, authorized by the Act of July 24, 1946

1 (chapter 595, 60 Stat. 636), identified in the National  
2 Levee Database established under section 9004 of the  
3 Water Resources Development Act of 2007 (33 U.S.C.  
4 3303) as the San Diego River 3 segment and consisting  
5 of a 785-foot-long segment of the right bank levee from  
6 Station 209+41.75 to its end at Station 217+26.75, as  
7 described in construction plans dated August 30, 1951,  
8 is no longer authorized beginning on the date of enactment  
9 of this Act.

10 **SEC. 316. SAN FRANCISCO, CALIFORNIA, WATERFRONT**  
11 **AREA.**

12 (a) IN GENERAL.—Section 114 of the River and Har-  
13 bor Act of 1968 (33 U.S.C. 59h) is amended to read as  
14 follows:

15 **“SEC. 114. SAN FRANCISCO, CALIFORNIA, WATERFRONT**  
16 **AREA.**

17 “(a) AREA TO BE DECLARED NONNAVIGABLE.—The  
18 following area is declared to be nonnavigable waters of the  
19 United States: All of that portion of the City and County  
20 of San Francisco, California, lying shoreward of a line be-  
21 ginning at the intersection of the southerly right of way  
22 line of Earl Street prolongation with the Pierhead United  
23 States Government Pierhead line, the Pierhead line as de-  
24 fined in the State of California Harbor and Navigation  
25 Code Section 1770, as amended in 1961; thence northerly

1 along said Pierhead line to its intersection with a line par-  
2 allel with and distant 10 feet easterly from, the existing  
3 easterly boundary line of Pier 30–32; thence northerly  
4 along said parallel line and its northerly prolongation, to  
5 a point of intersection with a line parallel with, and distant  
6 10 feet northerly from, the existing northerly boundary of  
7 Pier 30–32; thence westerly along last said parallel line  
8 to its intersection with said Pierhead line; thence northerly  
9 along said Pierhead line, to the intersection of the easterly  
10 right of way line of Van Ness Avenue, formerly Marlette  
11 Street, prolongation to the Pierhead line.

12       “(b) REQUIREMENT THAT AREA BE IMPROVED.—  
13 The declaration of nonnavigability under subsection (a)  
14 applies only to those parts of the area described in sub-  
15 section (a) that are or will be bulkheaded, filled, or other-  
16 wise occupied or covered by permanent structures and  
17 does not affect the applicability of any Federal statute or  
18 regulation that relates to filling of navigable waters or to  
19 other regulated activities within the area described in sub-  
20 section (a), including sections 9 and 10 of the Act of  
21 March 3, 1899 (33 U.S.C. 401, 403), section 404 of the  
22 Federal Water Pollution Control Act, and the National  
23 Environmental Policy Act of 1969.

24       “(c) INCLUSION OF EMBARCADERO HISTORIC DIS-  
25 TRICT.—Congress finds and declares that the area de-

1 scribed in subsection (a) contains the seawall, piers, and  
2 wharves that comprise the Embarcadero Historic District  
3 listed on the National Register of Historic Places on May  
4 12, 2006.”.

5 (b) CONFORMING AMENDMENT.—Section 5052 of the  
6 Water Resources Development Act of 2007 (33 U.S.C.  
7 59h–1) is repealed.

8 **SEC. 317. WESTERN PACIFIC INTERCEPTOR CANAL, SAC-**  
9 **RAMENTO RIVER, CALIFORNIA.**

10 The portion of the project for flood protection on the  
11 Sacramento River, authorized by section 2 of the of March  
12 1, 1917 (chapter 144, 39 Stat. 949; 45 Stat. 539; 50 Stat.  
13 877; 55 Stat. 647; 80 Stat. 1422), consisting of the por-  
14 tion of the levee from G.P.S. coordinate N2147673.584  
15 E6690904.187 to N2147908.413 E6689057.060 associ-  
16 ated with the Western Pacific Interceptor Canal, is no  
17 longer authorized beginning on the date of the enactment  
18 of this Act.

19 **SEC. 318. RIO GRANDE ENVIRONMENTAL MANAGEMENT**  
20 **PROGRAM, COLORADO, NEW MEXICO, AND**  
21 **TEXAS.**

22 Section 5056(f) of the Water Resources Development  
23 Act of 2007 (Public Law 110–114, 121 Stat. 1213; 128  
24 Stat. 1314) is amended by striking “2019” and inserting  
25 “2029”.

1 **SEC. 319. NEW LONDON HARBOR WATERFRONT CHANNEL,**  
2 **CONNECTICUT.**

3 (a) IN GENERAL.—The portion of the project for  
4 navigation, New London Harbor, Connecticut, authorized  
5 by the first section of the Act of June 13, 1902 (chapter  
6 1079, 32 Stat. 333), described in subsection (b) is no  
7 longer authorized beginning on the date of enactment of  
8 this Act.

9 (b) AREA DESCRIBED.—The area referred to in sub-  
10 section (a) is generally the portion between and around  
11 the 2 piers at the State Pier in New London, specifically  
12 the area—

13 (1) beginning at a point N691263.78,  
14 E1181259.26;

15 (2) running N 35°01'50.75" W about 955.59  
16 feet to a point N692046.26, E1180710.74;

17 (3) running N 54°58'06.78" E about 100.00  
18 feet to a point N692103.66, E1180792.62;

19 (4) running S 35°01'50.75" E about 989.8 feet  
20 to a point N691293.17, E1181360.78; and

21 (5) running S 73°51'15.45" W about 105.69  
22 feet to the point described in paragraph (1).

23 **SEC. 320. WILMINGTON HARBOR, DELAWARE.**

24 It is the sense of Congress that the Corps of Engi-  
25 neers should maintain the annual maintenance dredging

1 for Wilmington Harbor, Delaware, authorized by the Act  
2 of June 3, 1896 (chapter 314, 29 Stat. 207).

3 **SEC. 321. WILMINGTON HARBOR SOUTH DISPOSAL AREA,**  
4 **DELAWARE.**

5 (a) FINDING.—For the purposes of applying section  
6 217(b) of the Water Resources Development Act of 1996  
7 (33 U.S.C. 2326a(b)) to the Wilmington Harbor South  
8 Disposal Area, Delaware, the Secretary shall find that the  
9 standard has been met for the Edgemoor expansion of the  
10 Port of Wilmington, Delaware.

11 (b) USE.—Any use of the Wilmington Harbor South  
12 Disposal Area permitted by the Secretary under section  
13 217(b) for the Edgemoor Expansion of the Port of Wil-  
14 mington shall not otherwise reduce the availability of ca-  
15 pacity, in dredged material disposal facilities under the ju-  
16 risdiction of the Secretary that were constructed before  
17 the date of enactment of this Act, for operation and main-  
18 tenance of—

19 (1) the Delaware River Mainstem and Channel  
20 Deepening project, Delaware, New Jersey, and  
21 Pennsylvania, authorized by section 101(6) of the  
22 Water Resources Development Act of 1992 (106  
23 Stat. 4802); or

24 (2) the Delaware River, Philadelphia to the  
25 Sea, project, Delaware, New Jersey, Pennsylvania,

1 authorized by the Act of June 25, 1910 (chapter  
2 382, 36 Stat. 637; 46 Stat. 921; 52 Stat. 803; 59  
3 Stat. 14; 68 Stat. 1249; 72 Stat. 297).

4 (c) FEE.—The Secretary shall impose on the non-  
5 Federal interest for the Edgemoor Expansion of the Port  
6 of Wilmington a fee, under section 217(b)(1)(B) of the  
7 Water Resources Development Act of 1996 (33 U.S.C.  
8 2326a(b)(1)(B)), to recover capital, operation, and main-  
9 tenance costs associated with any use by the non-Federal  
10 interest of capacity in the Wilmington Harbor South Dis-  
11 posal Area permitted by the Secretary under section  
12 217(b) of the Water Resources Development Act of 1996  
13 pursuant to subsection (a) of this section.

14 (d) AGREEMENT TO PAY.—In accordance with sec-  
15 tion 217(a) of the Water Resources Development Act of  
16 1996 (33 U.S.C. 2326a(a)), if, to accommodate the  
17 dredged materials from operation and maintenance of the  
18 Edgemoor Expansion of the Port of Wilmington, the Sec-  
19 retary provides additional capacity at the Wilmington  
20 Harbor South Disposal Area, the non-Federal interest for  
21 the Edgemoor Expansion of the Port of Wilmington shall  
22 agree to pay, during the period of construction, all costs  
23 associated with the construction of the additional capacity.



1 **SEC. 322. WASHINGTON HARBOR, DISTRICT OF COLUMBIA.**

2 Beginning on the date of enactment of this Act, the  
3 project for navigation, Washington Harbor, District of Co-  
4 lumbia, authorized by the Act of August 30, 1935 (chapter  
5 831, 49 Stat. 1031), is modified to reduce, in part, the  
6 authorized dimensions of the project, such that the re-  
7 maining authorized dimensions are as follows:

8 (1) A 200-foot-wide, 12-foot-deep channel with  
9 a center line beginning at a point East 1,317,064.30  
10 and North 440,373.32, thence to a point East  
11 1,316,474.30 and North 440,028.31, thence to a  
12 point East 1,315,584.30 and North 439,388.30,  
13 thence to a point East 1,315,259.31 and North  
14 438,908.30.

15 (2) A 200- to 300-foot-wide, 12-foot-deep tran-  
16 sition area, with a center line beginning at a point  
17 East 1,315,259.31 and North 438,908.30 to a point  
18 East 1,315,044.31 and North 438,748.30.

19 (3) A 300-foot-wide, 15-foot-deep channel with  
20 a centerline beginning a point East 1,315,044.31  
21 and North 438,748.30, thence to a point East  
22 1,314,105.31 and North 438,124.79, thence to a  
23 point East 1,311,973.30 and North 438,807.78,  
24 thence to a point East 1,311,369.73 and North  
25 438,577.42, thence to a point East 1,311,015.73

1 and North 438,197.57, thence to a point East  
2 1,309,713.47 and North 435,678.91.

3 (4) A 300- to 400-foot-wide, 15- to 24-foot-deep  
4 transition area, with a center line beginning at a  
5 point East 1,309,713.47 and North 435,678.91 to a  
6 point East 1,307,709.33 and North 434,488.25.

7 (5) A 400-foot-wide, 24-foot-deep channel with  
8 a centerline beginning at a point East 1,307,709.33  
9 and North 434,488.25, thence to a point East  
10 1,307,459.33 and North 434,173.25, thence to a  
11 point East 1,306,476.82 and North 432,351.28,  
12 thence to a point East 1,306,209.79 and North  
13 431,460.21, thence to a point at the end of the  
14 channel near Hains Point East 1,305,997.63 and  
15 North 429,978.31.

16 **SEC. 323. BIG CYPRESS SEMINOLE INDIAN RESERVATION**  
17 **WATER CONSERVATION PLAN, FLORIDA.**

18 (a) IN GENERAL.—The project for ecosystem restora-  
19 tion, Big Cypress Seminole Indian Reservation Water  
20 Conservation Plan, Florida, authorized pursuant to sec-  
21 tion 528 of the Water Resources Development Act of 1996  
22 (110 Stat. 3767), is no longer authorized beginning on  
23 the date of enactment of this Act.

24 (b) SAVINGS PROVISION.—Nothing in this section af-  
25 fects the responsibility of the Secretary to pay any dam-

1 ages awarded by the Armed Services Board of Contract  
2 Appeals, or by a court of competent jurisdiction, to a con-  
3 tractor relating to the adjudication of claims arising from  
4 construction of the project described in subsection (a).

5 **SEC. 324. CENTRAL EVERGLADES, FLORIDA.**

6 The project for ecosystem restoration, Central Ever-  
7 glades, authorized by section 1401(4) of the Water Re-  
8 sources Development Act of 2016 (130 Stat. 1713), is  
9 modified to include the project for ecosystem restoration,  
10 Central and Southern Florida, Everglades Agricultural  
11 Area, authorized by section 1308 of the Water Resources  
12 Development Act of 2018 (132 Stat. 3819), and to author-  
13 ize the Secretary to carry out the project, as so combined,  
14 at a total combined cost of \$4,362,091,000.

15 **SEC. 325. MIAMI RIVER, FLORIDA.**

16 The portion of the project for navigation, Miami  
17 River, Florida, authorized by the Act of July 3, 1930 (46  
18 Stat. 925; 59 Stat. 16; 74 Stat. 481; 100 Stat. 4257),  
19 beginning at the existing railroad bascule bridge and ex-  
20 tending approximately 1,000 linear feet upstream to an  
21 existing salinity barrier and flood control structure, is no  
22 longer authorized beginning on the date of enactment of  
23 this Act.

1 **SEC. 326. JULIAN KEEN, JR. LOCK AND DAM, MOORE**  
2 **HAVEN, FLORIDA.**

3 (a) DESIGNATION.—The Moore Haven Lock and  
4 Dam, Moore Haven, Florida, authorized pursuant to the  
5 Act of July 3, 1930 (chapter 847, 46 Stat. 925; 49 Stat.  
6 1032), shall be known and designated as the “Julian  
7 Keen, Jr. Lock and Dam”.

8 (b) REFERENCES.—Any reference in a law, map, reg-  
9 ulation, document, paper, or other record of the United  
10 States to the Lock and Dam referred to in subsection (a)  
11 shall be deemed to be a reference to the “Julian Keen,  
12 Jr. Lock and Dam”.

13 **SEC. 327. TAYLOR CREEK RESERVOIR AND LEVEE L-73**  
14 **(SECTION 1), UPPER ST. JOHNS RIVER BASIN,**  
15 **FLORIDA.**

16 The portions of the project for flood control and other  
17 purposes, Central and Southern Florida, authorized by  
18 section 203 of the Flood Control Act of 1948 (62 Stat.  
19 1176), consisting of the Taylor Creek Reservoir and Levee  
20 L-73, Section 1, within the Upper St. Johns River Basin,  
21 Florida, are no longer authorized beginning on the date  
22 of enactment of this Act.

23 **SEC. 328. EXTINGUISHMENT OF FLOWAGE EASEMENTS,**  
24 **ROUGH RIVER LAKE, KENTUCKY.**

25 (a) IN GENERAL.—Subject to the availability of ap-  
26 propriations and on request of the landowner, the Sec-

1 reitary shall extinguish any flowage easement or portion  
2 of a flowage easement held by the United States on devel-  
3 oped land of the landowner at Rough River Lake, Ken-  
4 tucky—

5 (1) that is above 534 feet mean sea level; and

6 (2) for which the Secretary determines the flow-  
7 age easement or portion of the flowage easement is  
8 not required to address backwater effects.

9 (b) NO LIABILITY.—The United States shall not be  
10 liable for any damages to property or injuries to persons  
11 from flooding that may be attributable to the operation  
12 and maintenance of Rough River Dam, Kentucky, on land  
13 that was encumbered by a flowage easement extinguished  
14 under subsection (a).

15 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
16 authorized to be appropriated to carry out this section  
17 \$10,000,000, to remain available until expended.

18 **SEC. 329. CALCASIEU RIVER AND PASS, LOUISIANA.**

19 Not later than 120 days after the date of enactment  
20 of this Act, the Secretary shall provide to the Committee  
21 on Transportation and Infrastructure of the House of  
22 Representatives and the Committee on Environment and  
23 Public Works of the Senate a report on plans to modify  
24 the Calcasieu River and Pass Dredged Material Manage-  
25 ment Plan and Supplemental Environmental Impact

1 Statement (November 22, 2010 DMMP/SEIS) to allow for  
2 the expansion of Dredged Material Placement Facilities  
3 (DMPFs) 17, 19, 22, D, and E to the lakeside foreshore  
4 rock boundaries during planned rehabilitation of these fa-  
5 cilities.

6 **SEC. 330. CAMDEN HARBOR, MAINE.**

7 (a) IN GENERAL.—The portions of the project for  
8 navigation, Camden Harbor, Maine, described in sub-  
9 section (b) are no longer authorized beginning on the date  
10 of enactment of this Act.

11 (b) PORTIONS DESCRIBED.—The portions referred to  
12 in subsection (a) are the following:

13 (1) The portion of the 10-foot-deep inner har-  
14 bor area, authorized by the first section of the Act  
15 of March 3, 1873 (chapter 233, 17 Stat. 565; 25  
16 Stat. 400), approximately 50,621.75 square feet in  
17 area—

18 (A) starting at a point with coordinates  
19 N197,640.07, E837,851.71;

20 (B) thence running S84°43' 23.94"W  
21 about 381.51 feet to a point with coordinates  
22 N197,604.98, E837,471.82;

23 (C) thence running N43°47' 51.43"W  
24 about 270.26 feet to a point with coordinates  
25 N197,800.05, E837,284.77;

1 (D) thence running S59°02' 26.62"E  
2 about 219.18 feet to a point with coordinates  
3 N197,687.30, E837,472.72;

4 (E) thence running S81°50' 09.76"E  
5 about 144.70 feet to a point with coordinates  
6 N197,666.75, E837,615.96;

7 (F) thence running N57°27' 07.42"E  
8 about 317.32 feet to a point with coordinates  
9 N197,866.52, E837,928.96; and

10 (G) thence running S18°50' 04.48"W  
11 about 239.27 feet to the point described in sub-  
12 paragraph (A).

13 (2) The portion of the 14-foot-deep outer har-  
14 bor area, authorized by the first section of the Act  
15 of August 11, 1888 (25 Stat. 400; 32 Stat. 331),  
16 approximately 222,015.94 square feet in area—

17 (A) starting at a point with coordinates  
18 N197,640.07, E837,851.71;

19 (B) thence running N18°50' 04.48"E  
20 about 239.27 feet to a point with coordinates  
21 N197,866.53, E837,928.96;

22 (C) thence running N58°28' 51.05"E  
23 about 308.48 feet to a point with coordinates  
24 N198,027.79, E838,191.93;

1 (D) thence running N84°20' 01.88"E  
2 about 370.06 feet to a point with coordinates  
3 N198,064.33, E838,560.18;

4 (E) thence running S05°32' 03.42"E  
5 about 357.31 feet to a point with coordinates  
6 N197,708.68, E838,594.64; and

7 (F) thence running S84°43' 23.94"W  
8 about 746.08 feet to the point described in sub-  
9 paragraph (A).

10 **SEC. 331. CAPE PORPOISE HARBOR, MAINE, ANCHORAGE**

11 **AREA DESIGNATION.**

12 (a) IN GENERAL.—The project for navigation, Cape  
13 Porpoise Harbor, Maine, authorized by section 101 of the  
14 River and Harbor Act of 1948 (62 Stat. 1172), is modified  
15 to designate the portion of the project described in sub-  
16 section (b) as a 6-foot-deep anchorage.

17 (b) PORTION DESCRIBED.—The portion of the  
18 project referred to in subsection (a) is the approximately  
19 192,235.63 square foot area consisting of the 100-foot-  
20 wide and 6-foot-deep channel located within the inner har-  
21 bor—

22 (1) starting at a point with coordinates N  
23 194,175.13, E 2,882,011.74;



1           (2) thence running N33°46' 08.14''W about  
2           914.57 feet to a point with coordinates N  
3           194,935.40, E 2,881,503.38;

4           (3) thence running N12°41' 09.78''W about  
5           1,026.40 feet to a point with coordinates N  
6           195,936.74, E 2,881,277.97;

7           (4) thence running N77°18' 50.22''E about  
8           100.00 feet to a point with coordinates N  
9           195,958.70, E 2,881,375.53;

10          (5) thence running S12°41' 09.78''E about  
11          1,007.79 feet to a point with coordinates N  
12          194,975.52, E 2,881,596.85;

13          (6) thence running S33°46' 08.14''E about  
14          895.96 feet to a point with coordinates N  
15          194,230.72, E 2,882,094.86; and

16          (7) thence running S56°13' 51.86''W about  
17          100.00 feet to the point described in paragraph (1).

18 **SEC. 332. BALTIMORE, MARYLAND.**

19          The Secretary is authorized, in accordance with sec-  
20 tion 5 of Act of June 22, 1936 (33 U.S.C. 701h), to accept  
21 funds contributed by a non-Federal interest for dredging  
22 on irregular cycles of the Baltimore Inner Harbor Ap-  
23 proach Channel, Baltimore Harbor and Channels Federal  
24 navigation project, authorized by section 101 of the River  
25 and Harbor Act of 1958 (72 Stat. 297).

1 **SEC. 333. THAD COCHRAN LOCK AND DAM, AMORY, MIS-**  
2 **SISSIPPI.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-  
4 gress that Thad Cochran, whose selfless determination  
5 and tireless work, while serving as a congressman and  
6 United States Senator from Mississippi for 45 years, con-  
7 tributed greatly to the realization and success of the Ten-  
8 nessee-Tombigbee Waterway.

9 (b) DESIGNATION.—The navigation lock known as  
10 the “Amory Lock”, located at mile 371 on the Tennessee-  
11 Tombigbee Waterway, Mississippi, and the dam associated  
12 with such lock, shall be known and designated as the  
13 “Thad Cochran Lock and Dam”.

14 (c) REFERENCES.—Any reference in a law, map, reg-  
15 ulation, document, paper, or other record of the United  
16 States to the lock and dam referred to in subsection (b)  
17 shall be deemed to be a reference to the “Thad Cochran  
18 Lock and Dam”.

19 **SEC. 334. MISSOURI RIVER RESERVOIR SEDIMENT MAN-**  
20 **AGEMENT.**

21 Section 1179(a) of the Water Resources Development  
22 Act of 2016 (130 Stat. 1675; 132 Stat. 3782) is amend-  
23 ed—

24 (1) in paragraph (3)—

1 (A) in subparagraph (B), by inserting  
2 “project purposes, including” before “storage  
3 capacity”; and

4 (B) in subparagraph (C), by striking “pre-  
5 liminary”;

6 (2) by redesignating paragraphs (4) through  
7 (9) as paragraphs (6) through (11), respectively;  
8 and

9 (4) by inserting after paragraph (3) the fol-  
10 lowing:

11 “(4) JUSTIFICATION.—In determining the eco-  
12 nomic justification of a sediment management plan  
13 under paragraph (2), the Secretary shall—

14 “(A) measure and include flooding, ero-  
15 sion, and accretion damages both upstream and  
16 downstream of the reservoir that are likely to  
17 occur as a result of sediment management with-  
18 in the reservoir compared to the damages that  
19 are likely to occur if the sediment management  
20 plan is not implemented; and

21 “(B) include lifecycle costs and a 100-year  
22 period of analysis.

23 “(5) IMPLEMENTATION.—As part of a sediment  
24 management plan under paragraph (2), and in ac-  
25 cordance with paragraph (10), the Secretary may

1 carry out sediment removal activities at reservoirs  
2 owned and operated by the Secretary in the Upper  
3 Missouri River Basin, or at reservoirs for which the  
4 Secretary has flood control responsibilities under  
5 section 7 of the Act of December 22, 1944 (33  
6 U.S.C. 709), in the Upper Missouri River Basin, in  
7 accordance with section 602 of the Water Resources  
8 Development Act of 1986 (100 Stat. 4148; 110  
9 Stat. 3758; 113 Stat. 295; 121 Stat. 1076) as if  
10 those reservoirs were listed in subsection (a) of that  
11 section.”.

12 **SEC. 335. PORTSMOUTH, NEW HAMPSHIRE.**

13 The Secretary shall expedite the activities required to  
14 be carried out under section 204 of the Water Resources  
15 Development Act of 1992 (33 U.S.C. 2326) regarding the  
16 use of improvement dredging of the Portsmouth Federal  
17 navigation project in Portsmouth, New Hampshire, car-  
18 ried out pursuant to section 3 of the Act of August 13,  
19 1946 (33 U.S.C. 426g), as a source of clean beach fill  
20 material to reinforce the stone revetment at Nantasket  
21 Beach, Hull, Massachusetts.

22 **SEC. 336. RAHWAY FLOOD RISK MANAGEMENT FEASIBILITY**  
23 **STUDY, NEW JERSEY.**

24 The Secretary shall—

1           (1) nullify the determination of the North At-  
2           lantic Division of the Corps of Engineers that fur-  
3           ther activities to carry out the feasibility study for  
4           a project for flood risk management, Rahway, New  
5           Jersey, authorized by the resolution of the Com-  
6           mittee on Transportation and Infrastructure of the  
7           House of Representatives adopted on March 24,  
8           1998 (docket number 2548), is not warranted;

9           (2) identify an acceptable alternative to the  
10          project described in paragraph (1) that could receive  
11          Federal support; and

12          (3) carry out, and expedite the completion of, a  
13          feasibility study for the acceptable alternative identi-  
14          fied under paragraph (2).

15 **SEC. 337. SAN JUAN-CHAMA PROJECT; ABIQUIU DAM, NEW**  
16 **MEXICO.**

17          (a) ABIQUIU RESERVOIR.—Section 5(b) of Public  
18          Law 97–140 (43 U.S.C. 620a note) is amended by strik-  
19          ing “a total of two hundred thousand acre-feet of”.

20          (b) WATER STORAGE AT ABIQUIU DAM, NEW MEX-  
21          ICO.—Section 1 of Public Law 100–522 (43 U.S.C. 620a  
22          note) is amended—

23                  (1) by striking “200,000 acre-feet of”;

24                  (2) by inserting “and San Juan-Chama  
25          project” after “Rio Grande system”; and

1           (3) by striking “, in lieu of the water storage  
2           authorized by section 5 of Public Law 97–140, to  
3           the extent that contracting entities under section 5  
4           of Public Law 97–140 no longer require such stor-  
5           age”.

6           (c) WATER STORAGE.—The Secretary shall—

7           (1) store up to elevation 6230.00 NGVD29 at  
8           Abiquiu Dam, New Mexico, to the extent that the  
9           necessary real property interests have been acquired  
10          by any entity requesting such storage; and

11          (2) amend the March 20, 1986, contract be-  
12          tween the United States of America and the Albu-  
13          querque Bernalillo County Water Utility Authority  
14          (assigned by the City of Albuquerque, New Mexico  
15          to the Albuquerque Bernalillo County Water Utility  
16          Authority) for water storage space in Abiquiu Res-  
17          ervoir to allow for storage by the Albuquerque  
18          Bernalillo County Water Utility Authority of San  
19          Juan-Chama project water or native Rio Grande sys-  
20          tem water up to elevation 6230.00 NGVD29.

21          (d) STORAGE AGREEMENTS WITH USERS OTHER  
22          THAN THE ALBUQUERQUE BERNALILLO COUNTY WATER  
23          UTILITY AUTHORITY.—The Secretary shall—

24          (1) retain or enter into new agreements with  
25          entities for a proportionate allocation of 29,100

1 acre-feet of storage space pursuant to section 5 of  
2 Public Law 97–140; and

3 (2) amend or enter into new storage agree-  
4 ments for storage of San Juan-Chama project water  
5 or native Rio Grande system water up to the space  
6 allocated for each entity’s proportionate share of  
7 San Juan-Chama water.

8 (e) OPERATIONS DOCUMENTS.—The Secretary shall  
9 amend or revise any existing operations documents, in-  
10 cluding the Water Control Manual or operations plan for  
11 Abiquiu Reservoir, as necessary to meet the requirements  
12 of this section.

13 (f) LIMITATIONS.—In carrying out this section, the  
14 following limitations shall apply:

15 (1) The storage of native Rio Grande system  
16 water shall be subject to the provisions of the Rio  
17 Grande Compact and the resolutions of the Rio  
18 Grande Compact Commission.

19 (2) The storage of native Rio Grande system  
20 water shall only be authorized to the extent that the  
21 necessary water ownership and storage rights have  
22 been acquired by the entity requesting such storage.

23 (3) The storage of native Rio Grande system  
24 water or San-Juan Chama project water shall not

1 interfere with the authorized purposes of the  
2 Abiquiu Dam and Reservoir project.

3 (4) Each user of storage space, regardless of  
4 source of water, shall pay for any increase in costs  
5 attributable to storage of that user's water.

6 **SEC. 338. FLUSHING BAY AND CREEK FEDERAL NAVIGA-**  
7 **TION CHANNEL, NEW YORK.**

8 (a) IN GENERAL.—The portion of the project for  
9 navigation, Flushing Bay and Creek, New York, author-  
10 ized by the first section of the Act of March 3, 1905 (chap-  
11 ter 1482, 33 Stat. 1120; 52 Stat. 803; 76 Stat. 1174),  
12 described in subsection (b) is no longer authorized begin-  
13 ning on the date of enactment of this Act.

14 (b) PORTION DESCRIBED.—The portion referred to  
15 in subsection (a) is the portion from river mile 2.5 to river  
16 mile 2.9, as bounded by—

17 (1) the coordinates of—

18 (A) Latitude North 40° 45' 45.61'' Lon-  
19 gitude West 73° 50' 20.19'';

20 (B) Latitude North 40° 45' 47.02'' Lon-  
21 gitude West 73° 50' 10.80'';

22 (C) Latitude North 40° 45' 26.71'' Lon-  
23 gitude West 73° 50' 10.85''; and

24 (D) Latitude North 40° 45' 26.72'' Lon-  
25 gitude West 73° 50' 10.96''; and



1           (2) the New York Long Island State Plane (US  
2 Survey Feet, NAD-83), as follows:

3           (A) Easting   x1028866.501   Northing  
4           y217179.294;

5           (B) Easting   x1029588.853   Northing  
6           y217322.675;

7           (C) Easting   x1029588.853   Northing  
8           y215267.486; and

9           (D) Easting   x1028964.587   Northing  
10          y215267.486.

11 **SEC. 339. RUSH RIVER AND LOWER BRANCH RUSH RIVER,**  
12 **NORTH DAKOTA.**

13          (a) IN GENERAL.—The portion of the comprehensive  
14 plan for flood control and other purposes in the Red River  
15 of the North drainage basin, North Dakota, South Da-  
16 kota, and Minnesota, authorized by section 203 of the  
17 Flood Control Act of 1948 (62 Stat. 1177; 64 Stat. 176),  
18 consisting of clearing and rectification of the channel from  
19 mile 28.3 near Amenia to the mouth of the Rush River,  
20 known as Cass County Drain No. 12, is no longer author-  
21 ized beginning on the date of enactment of this Act.

22          (b) LOWER BRANCH RUSH RIVER.—The project for  
23 flood control, Lower Branch Rush River, North Dakota,  
24 carried out under section 205 of the Flood Control Act  
25 of 1948 (33 U.S.C. 701s), known as Cass County Drain

1 No. 2, is no longer authorized beginning on the date of  
2 enactment of this Act.

3 **SEC. 340. PAWCATUCK RIVER, LITTLE NARRAGANSETT BAY**  
4 **AND WATCH HILL COVE, RHODE ISLAND AND**  
5 **CONNECTICUT.**

6 Beginning on the date of enactment of this Act, that  
7 portion of the project for navigation, Pawcatuck River,  
8 Little Narragansett Bay and Watch Hill Cove, Rhode Is-  
9 land and Connecticut, authorized by section 2 of the Act  
10 of March 2, 1945 (chapter 19, 59 Stat. 13), consisting  
11 of a 10-foot-deep, 16-acre anchorage area in Watch Hill  
12 Cove is no longer authorized.

13 **SEC. 341. HARRIS COUNTY, TEXAS.**

14 Section 575 of the Water Resources Development Act  
15 of 1996 (110 Stat. 3789; 113 Stat. 311; 121 Stat. 1253)  
16 is repealed.

17 **SEC. 342. CAP SANTE WATERWAY, WASHINGTON.**

18 Beginning on the date of enactment of this Act, the  
19 project for navigation, Cap Sante Waterway and Naviga-  
20 tion Channel, Skagit County, Washington, authorized by  
21 the Act of March 2, 1919 (chapter 95, 40 Stat. 1285),  
22 is modified to deauthorize the portion of the project con-  
23 sisting of an approximately 334,434-foot area of the Fed-  
24 eral channel within Anacortes Harbor inside and directly  
25 adjacent to the Federal breakwater and training wall

1 structure, starting at a point with coordinates  
2 N557015.552, E1210819.619, thence running S88  
3 13'2.06"E approximately 200 feet to a point with coordi-  
4 nates N557009.330, E1211019.522, thence running S01  
5 46'58.08"W approximately 578 feet to a point with co-  
6 ordinates N556431.405, E1211001.534, thence running  
7 S49 49'50.23"W approximately 69 feet to a point with  
8 coordinates N556387.076, E1210949.002, thence running  
9 S51 53'0.25"E approximately 35 feet to a point with co-  
10 ordinates N556365.662, E1210976.316, thence running  
11 S49 38'58.48"W approximately 112 feet to a point with  
12 coordinates N556292.989, E1210890.775, thence running  
13 N88 13'1.87"W approximately 109 feet to a point with  
14 coordinates N556296.367, E1210782.226, thence running  
15 S46 46'58.97"W approximately 141 feet to a point with  
16 coordinates N556199.527, E1210679.164, thence running  
17 N88 13'1.77"W approximately 700 feet to a point with  
18 coordinates N556221.305, E1209979.502, thence running  
19 N01 46'58.08"E approximately 250 feet to a point with  
20 coordinates N556471.184, E1209987.280, thence running  
21 S88 13'1.77"E approximately 815 feet to a point with co-  
22 ordinates N556445.828, E1210801.886, thence running  
23 N01 46'58.08"E approximately 570 feet to the point of  
24 origin.

1 **SEC. 343. LOCAL GOVERNMENT RESERVOIR PERMIT RE-**  
2 **VIEW.**

3 Section 1119(b) of the Water Resources Development  
4 Act of 2018 (33 U.S.C. 2347 note) is amended by striking  
5 “owned or operated by the Secretary”.

6 **SEC. 344. PROJECT MODIFICATIONS FOR IMPROVEMENT**  
7 **OF ENVIRONMENT.**

8 Section 1203(g) of the Water Resources Development  
9 Act of 2018 (132 Stat. 3805) is amended, in the matter  
10 preceding paragraph (1), by striking “For fiscal years  
11 2019 and 2020” and inserting “Until September 30,  
12 2024”.

13 **SEC. 345. AQUATIC ECOSYSTEM RESTORATION.**

14 For fiscal years 2021 through 2024, in carrying out  
15 section 206 of the Water Resources Development Act of  
16 1996 (33 U.S.C. 2330), the Secretary shall give priority  
17 to a project to restore and protect an aquatic ecosystem  
18 or estuary that—

19 (1) is located in the South Platte River Basin;

20 (2) is located on a body of water that is identi-  
21 fied by the applicable State pursuant to section  
22 303(d) of the Federal Water Pollution Control Act  
23 (33 U.S.C. 1313(d)) as being impaired;

24 (3) has the potential to provide flood risk man-  
25 agement and recreational benefits in addition to eco-  
26 system restoration benefits; and

1           (4) is located in a city with a population of  
2           80,000 or less.

3 **SEC. 346. SURPLUS WATER CONTRACTS AND WATER STOR-**  
4 **AGE AGREEMENTS.**

5           Section 1046(c)(3) of the Water Resources Reform  
6 and Development Act of 2014 (128 Stat. 1254; 132 Stat.  
7 3784) is amended by striking “12” and inserting “16”.

8 **SEC. 347. NO WAKE ZONES IN NAVIGATION CHANNELS.**

9           Section 1149 of the Water Resources Development  
10 Act of 2016 (33 U.S.C. 1223 note) amended—

11           (1) by striking “recreational” in each place it  
12 appears and inserting “covered”; and

13           (2) by amending subsection (c) to read as fol-  
14 lows:

15           “(c) DEFINITIONS.—In this section:

16           “(1) COVERED NAVIGATION CHANNEL.—The  
17 term ‘covered navigation channel’ means a naviga-  
18 tion channel that—

19                   “(A) is federally marked or maintained;

20                   “(B) is part of the Atlantic Intracoastal  
21 Waterway; and

22                   “(C) is adjacent to a marina.

23           “(2) COVERED VESSEL.—The term ‘covered  
24 vessel’ means a recreational vessel or an uninspected

1 passenger vessel, as such terms are defined in sec-  
2 tion 2101 of title 46, United States Code.”.

3 **SEC. 348. LIMITATION ON CONTRACT EXECUTION IN THE**  
4 **ARKANSAS RIVER BASIN.**

5 (a) DEFINITION OF COVERED CONTRACT.—In this  
6 section, the term “covered contract” means a contract be-  
7 tween any local governmental entity and the Secretary for  
8 water supply storage in a Federal or non-Federal hydro-  
9 power lake within the Arkansas River Basin.

10 (b) LIMITATION.—For any new covered contract for  
11 a hydropower lake that is entered into during the period  
12 beginning on the date of enactment of this Act and ending  
13 on December 31, 2022, a local governmental entity shall  
14 not pay more than 110 percent of the initial principal cost  
15 for the acre-feet being sought for the new covered contract  
16 for that hydropower lake.

17 **SEC. 349. WAIVER OF NON-FEDERAL SHARE OF DAMAGES**  
18 **RELATED TO CERTAIN CONTRACT CLAIMS.**

19 In a case in which the Armed Services Board of Con-  
20 tract Appeals or other court of competent jurisdiction has  
21 rendered a decision during the period beginning on De-  
22 cember 1, 2017, and ending on December 31, 2022,  
23 awarding damages to a contractor relating to the adju-  
24 dication of claims arising from the construction of an au-  
25 thorized water resources development project, notwith-

1 standing the terms of the Project Partnership Agreement,  
2 the Secretary shall waive payment of the share of the non-  
3 Federal interest of those damages, including attorney's  
4 fees, if—

5 (1)(A) the contracting officer was instructed by  
6 the Corps of Engineers to modify the terms of the  
7 contract or terminate the contract; and

8 (B) the Armed Services Board of Contract Ap-  
9 peals or other court of competent jurisdiction deter-  
10 mined that the failure of the contracting officer to  
11 timely take the action described in subparagraph (A)  
12 was a material breach of the contract that resulted  
13 in damages to the contractor awarded by the Armed  
14 Services Board of Contract Appeals or the court, as  
15 applicable; or

16 (2) the claims arose from construction of a  
17 project deauthorized under this title.

18 **SEC. 350. REDUCED PRICING FOR CERTAIN WATER SUPPLY**  
19 **STORAGE.**

20 Section 322 of the Water Resources Development Act  
21 of 1990 (33 U.S.C. 2324) is amended—

22 (1) in subsection (b), by striking “2,000,000”  
23 and inserting “3,000,000”; and

24 (2) in subsection (g)—

1 (A) by striking the period at the end and  
2 inserting “; or”;

3 (B) by striking “means a community” and  
4 inserting the following: “means—  
5 “(1) a community”; and

6 (C) by adding at the end the following:

7 “(2) a regional water system that serves a pop-  
8 ulation of less than 100,000, for which the per cap-  
9 ita income is less than the per capita income of not  
10 less than 50 percent of the counties in the United  
11 States.”.

12 **SEC. 351. FLOOD CONTROL AND OTHER PURPOSES.**

13 Section 103(k) of the Water Resources Development  
14 Act of 1986 (33 U.S.C. 2213) is amended—

15 (1) by striking “Except as” and inserting the  
16 following:

17 “(1) IN GENERAL.—Except as”; and

18 (2) by adding at the end the following:

19 “(2) RENEGOTIATION OF TERMS.—

20 “(A) IN GENERAL.—At the request of a  
21 non-Federal interest, the Secretary and the  
22 non-Federal interest may renegotiate the terms  
23 and conditions of an eligible deferred payment,  
24 including—



1 “(i) permitting the non-Federal con-  
2 tribution to be made without interest, pur-  
3 suant to paragraph (1);

4 “(ii) recalculation of the interest rate;

5 “(iii) full or partial forgiveness of in-  
6 terest accrued during the period of con-  
7 struction; and

8 “(iv) a credit against construction in-  
9 terest for a non-Federal investment that  
10 benefits the completion or performance of  
11 the project or separable element.

12 “(B) ELIGIBLE DEFERRED PAYMENT.—An  
13 eligible deferred payment agreement under sub-  
14 paragraph (A) is an agreement for which—

15 “(i) the non-Federal contribution was  
16 made with interest;

17 “(ii) the period of project construction  
18 exceeds 10 years from the execution of a  
19 project partnership agreement or appro-  
20 priation of funds; and

21 “(iii) the construction interest exceeds  
22 \$45,000,000.

23 “(3) CREDIT FOR NON-FEDERAL CONTRIBU-  
24 TION.—

1           “(A) IN GENERAL.—The Secretary is au-  
2           thorized to credit any costs incurred by the  
3           non-Federal interest (including in-kind con-  
4           tributions) to remedy a design or construction  
5           deficiency of a covered project or separable ele-  
6           ment toward the non-Federal share of the cost  
7           of the covered project, if the Secretary deter-  
8           mines the remedy to be integral to the comple-  
9           tion or performance of the covered project.

10           “(B) CREDIT OF COSTS.—If the non-Fed-  
11           eral interest incurs costs or in-kind contribu-  
12           tions for a project to remedy a design or con-  
13           struction deficiency of a project or separable  
14           element which has a 100 percent Federal cost  
15           share, and the Secretary determines the remedy  
16           to be integral to the completion or performance  
17           of the project, the Secretary is authorized to  
18           credit such costs to any interest accrued on a  
19           deferred non-Federal contribution.

20           “(4) TREATMENT OF PRE-PAYMENT.—Notwith-  
21           standing a deferred payment agreement with a non-  
22           Federal interest, the Secretary shall accept, without  
23           interest of any type, the repayment of a non-Federal  
24           contribution for any eligible deferred payment de-  
25           scribed in paragraph (2)(B) for which—

1           “(A) the non-Federal interest makes a  
2           payment of at least \$200 million for that eligi-  
3           ble deferred payment agreement on or before  
4           September 30, 2021; and

5           “(B) the non-Federal interest repays the  
6           remaining principal by September 30, 2023.”.

7 **SEC. 352. ADDITIONAL ASSISTANCE FOR CRITICAL**  
8 **PROJECTS.**

9           (a) **CONSISTENCY WITH REPORTS.**—Congress finds  
10 that the project modifications described in this section are  
11 in accordance with the reports submitted to Congress by  
12 the Secretary under section 7001 of the Water Resources  
13 Reform and Development Act of 2014 (33 U.S.C. 2282d),  
14 titled “Report to Congress on Future Water Resources  
15 Development”, or have otherwise been reviewed by Con-  
16 gress.

17           (b) **MODIFICATIONS.**—

18           (1) **SACRAMENTO AREA, CALIFORNIA.**—Section  
19 219(f)(23) of the Water Resources Development Act  
20 of 1992 (106 Stat. 4835; 113 Stat. 336; 117 Stat.  
21 1840) is amended to read as follows:

22           “(23) **SACRAMENTO AREA, CALIFORNIA.**—  
23 \$45,000,000 for regional water conservation, recy-  
24 cling, reliability, and resiliency projects in Placer, El

1 Dorado, and Sacramento Counties and the San  
2 Juan Suburban Water District, California.”.

3 (2) SOUTH PERRIS, CALIFORNIA.—Section  
4 219(f)(52) of the Water Resources Development Act  
5 of 1992 (106 Stat. 4835; 113 Stat. 336; 114 Stat.  
6 2763A–220) is amended by striking “\$25,000,000”  
7 and inserting “\$50,000,000”.

8 (3) MADISON AND ST. CLAIR COUNTIES, ILLI-  
9 NOIS.—Section 219(f)(55) of the Water Resources  
10 Development Act of 1992 (106 Stat. 4835; 113  
11 Stat. 335; 114 Stat. 2763A–221) is amended by  
12 striking “\$10,000,000” and inserting  
13 “\$45,000,000”.

14 (4) SOUTHERN AND EASTERN KENTUCKY.—  
15 Section 531 of the Water Resources Development  
16 Act of 1996 (110 Stat. 3773; 113 Stat. 348; 117  
17 Stat. 142; 121 Stat. 1226) is amended—

18 (A) in subsection (g), by inserting “Boyd,  
19 Carter, Elliott, Lincoln,” after “Lee,”; and

20 (B) in subsection (h), by striking  
21 “\$40,000,000” and inserting “\$100,000,000”.

22 (5) DESOTO COUNTY, MISSISSIPPI.—Section  
23 219(f)(30) of the Water Resources Development Act  
24 of 1992 (106 Stat. 4835; 113 Stat. 336; 114 Stat.  
25 2763A–220; 119 Stat. 282; 119 Stat. 2257; 122

1 Stat. 1623) is amended by striking “\$75,000,000”  
2 and inserting “\$130,000,000”.

3 (6) JACKSON COUNTY, MISSISSIPPI.—Section  
4 219 of the Water Resources Development Act of  
5 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat.  
6 1494; 121 Stat. 1258) is amended—

7 (A) in subsection (c)(5), by striking “water  
8 supply and” and inserting “water supply,  
9 projects for stormwater and drainage systems,  
10 and”; and

11 (B) in subsection (e)(1), by striking  
12 “\$32,500,000” and inserting “\$57,500,000”.

13 (7) ST. LOUIS, MISSOURI.—Section 219(f)(32)  
14 of the Water Resources Development Act of 1992  
15 (106 Stat. 4835; 113 Stat. 337; 121 Stat. 1233) is  
16 amended by striking “\$35,000,000” and inserting  
17 “\$70,000,000”.

18 (8) MIDWEST CITY, OKLAHOMA.—Section  
19 219(f)(231) of the Water Resources Development  
20 Act of 1992 (106 Stat. 4835; 113 Stat. 336; 121  
21 Stat. 1266) is amended by striking “\$2,000,000”  
22 and inserting “\$5,000,000”.

23 (9) SOUTH CENTRAL PENNSYLVANIA.—Section  
24 313 of the Water Resources Development Act of  
25 1992 (106 Stat. 4845; 109 Stat. 407; 110 Stat.

1 3723; 113 Stat. 310; 117 Stat. 142; 121 Stat.  
2 1146) is amended—

3 (A) in subsection (g)(1), by striking  
4 “\$200,000,000” and inserting “\$400,000,000”;  
5 and

6 (B) in subsection (h)(2), by inserting  
7 “Beaver, Jefferson,” after “Washington,”.

8 (10) LAKES MARION AND MOULTRIE, SOUTH  
9 CAROLINA.—Section 219(f)(25) of the Water Re-  
10 sources Development Act of 1992 (106 Stat. 4835;  
11 113 Stat. 336; 114 Stat. 2763A–220; 117 Stat.  
12 1838; 130 Stat. 1677; 132 Stat. 3818) is amended  
13 by striking “\$89,550,000” and inserting  
14 “\$110,000,000”.

15 (11) EL PASO COUNTY, TEXAS.—Section  
16 219(f)(269) of the Water Resources Development  
17 Act of 1992 (106 Stat. 4835; 113 Stat. 336; 121  
18 Stat. 1268) is amended by striking “\$25,000,000”  
19 and inserting “\$75,000,000”.

20 (12) WESTERN RURAL WATER.—Section 595 of  
21 the Water Resources Development Act of 1999 (113  
22 Stat. 383; 117 Stat. 139; 117 Stat. 142; 117 Stat.  
23 1836; 118 Stat. 440; 121 Stat. 1219; 123 Stat.  
24 2851; 128 Stat. 1316; 130 Stat. 1681) is amend-  
25 ed—

1 (A) by striking the section heading and in-  
2 serting “**WESTERN RURAL WATER.**”;

3 (B) in subsection (b), by inserting “Ari-  
4 zona,” before “rural Idaho”;

5 (C) in subsection (c), by inserting “Ari-  
6 zona,” before “Idaho”; and

7 (D) in subsection (i), by striking “for the  
8 period beginning with fiscal year 2001,  
9 \$435,000,000, to remain available until ex-  
10 pended.” and inserting the following: “, to re-  
11 main available until expended—

12 “(1) for the period beginning with fiscal year  
13 2001, \$435,000,000 for Idaho, Montana, rural Ne-  
14 vada, New Mexico, rural Utah, and Wyoming; and

15 “(2) \$150,000,000 for Arizona.”.

16 (13) CENTRAL WEST VIRGINIA.—Section 571(h)  
17 of the Water Resources Development Act of 1999  
18 (113 Stat. 371; 121 Stat. 1257) is amended by  
19 striking “\$20,000,000” and inserting  
20 “\$100,000,000”.

21 (14) SOUTHERN WEST VIRGINIA.—Section  
22 340(g) of the Water Resources Development Act of  
23 1992 (106 Stat. 4856; 110 Stat. 3727; 113 Stat.  
24 320) is amended by striking “\$40,000,000” and in-  
25 serting “\$120,000,000”.

1 (c) LOWELL CREEK TUNNEL, SEWARD, ALASKA.—  
2 Section 5032(a)(2) of the Water Resources Development  
3 Act of 2007 (Public Law 110–114, 121 Stat. 1205) is  
4 amended by striking “15” and inserting “20”.

5 (d) CAPE ARUNDEL DISPOSAL SITE, MAINE.—Sec-  
6 tion 1312 of the Water Resources Development Act of  
7 2018 (132 Stat. 3821) is amended by striking “December  
8 31, 2021” and inserting “September 30, 2024”.

9 **SEC. 353. PROJECT MODIFICATION AUTHORIZATIONS.**

10 (a) WATER SUPPLY.—The following project modifica-  
11 tions for water supply, as identified in the report entitled  
12 “Report to Congress on Future Water Resources Develop-  
13 ment” dated February 2019, and submitted to Congress  
14 on June 3, 2019, pursuant to section 7001 of the Water  
15 Resources Reform and Development Act of 2014 (33  
16 U.S.C. 2282d) or otherwise reviewed by Congress, are au-  
17 thorized to be carried out by the Secretary substantially  
18 in accordance with the recommendations included in such  
19 report pursuant to section 301(c) of the Water Supply Act  
20 of 1958 (43 U.S.C. 390b(e)) and as follows:

21 (1) CLARENCE CANNON DAM AND MARK TWAIN  
22 LAKE PROJECT, SALT RIVER, MISSOURI.—

23 (A) IN GENERAL.—The project for Clar-  
24 ence Cannon Dam and Mark Twain Lake  
25 Project, Salt River, Missouri, authorized by sec-



1           tion 203 of the Flood Control Act of 1962 (76  
2           Stat. 1189; 79 Stat. 1089; 95 Stat. 1684), is  
3           modified to release 5,600 acre-feet of future use  
4           water supply storage to the Federal Govern-  
5           ment under water supply contract No.  
6           DACW43-88-C-0036, and future financial ob-  
7           ligations for such volume of storage.

8           (B) RELIEF OF CERTAIN OBLIGATIONS.—

9           Upon execution of the amendment required by  
10          subparagraph (C), the State of Missouri shall  
11          be relieved of the obligation to pay the percent-  
12          age of the annual operation and maintenance  
13          expense, the percentage of major replacement  
14          cost, and the percentage of major rehabilitation  
15          costs, of the joint use facilities of the project  
16          described in subparagraph (A), that are attrib-  
17          utable to water supply storage space not being  
18          used by the State during the period before the  
19          State commences use of the storage space.

20          (C) AMENDMENT TO CONTRACT.—The  
21          Secretary shall amend Water Supply Contract  
22          No. DACW43-88-C-0036, dated March 10,  
23          1988, between the United States and the State  
24          of Missouri, to implement the modifications re-  
25          quired under subparagraphs (A) and (B).

1 (2) CITY OF PLATTSBURG.—

2 (A) IN GENERAL.—The project for Smith-  
3 ville Lake, Missouri, authorized pursuant to  
4 section 204 of the Flood Control Act of 1965  
5 (79 Stat. 1080), is modified to release the City  
6 of Plattsburg, Missouri, from—

7 (i) 8,850 acre-feet of future water  
8 supply storage contracts; and

9 (ii) future financial obligations for the  
10 volume of storage described in clause (i).

11 (B) AMENDMENT TO CONTRACT.—The  
12 Secretary shall amend water supply contract  
13 No. DACW41-73-C-0008, between the United  
14 States and the State of Missouri, to implement  
15 the modifications under subparagraph (A).

16 (3) CITY OF SMITHVILLE.—

17 (A) IN GENERAL.—The project for Smith-  
18 ville Lake, Missouri, authorized pursuant to  
19 section 204 of the Flood Control Act of 1965  
20 (79 Stat. 1080), is modified to release the City  
21 of Smithville, Missouri, from—

22 (i) 6,000 acre-feet of future water  
23 supply storage contracts; and

24 (ii) future financial obligations for the  
25 volume of storage described in clause (i).

1 (B) AMENDMENT TO CONTRACT.—The  
2 Secretary shall amend water supply contract  
3 No. DACW-41-73-C-0007, between the  
4 United States and the State of Missouri, to im-  
5 plement the modifications under subparagraph  
6 (A).

7 (b) FLOOD RISK MANAGEMENT.—The following  
8 project modifications for flood risk management, as identi-  
9 fied in a report entitled “Report to Congress on Future  
10 Water Resources Development”, and submitted to Con-  
11 gress pursuant to section 7001 of the Water Resources  
12 Reform and Development Act of 2014 (33 U.S.C. 2282d)  
13 or otherwise reviewed by Congress, are authorized to be  
14 carried out by the Secretary:

15 (1) Modification of the project for flood risk  
16 management, lower Mississippi River, authorized by  
17 the Act of May 15, 1928 (chapter 569, 45 Stat.  
18 534), to incorporate the Wolf River Backwater and  
19 Nonconnah Creek levee systems into the project, au-  
20 thorized by section 5 of the Act of June 22, 1936  
21 (chapter 688, 49 Stat. 1575; 50 Stat. 881), subject  
22 to the determination of the Secretary that such sys-  
23 tems meet all requirements applicable to such  
24 project.

1           (2) Modification of the project for flood risk  
2 management, Red River below Denison Dam, Arkan-  
3 sas, Louisiana, and Texas, authorized by the Act of  
4 June 28, 1938 (chapter 795, 52 Stat. 1219), to in-  
5 corporate the Cherokee Park Levee into the project,  
6 subject to the determination of the Secretary that  
7 such levee meets all requirements applicable to such  
8 project.

9 **SEC. 354. COMPLETION OF MAINTENANCE AND REPAIR AC-**  
10 **TIVITIES.**

11 (a) EXPEDITED COMPLETIONS.—

12           (1) UPPER SNAKE RIVER BASIN.—The Sec-  
13 retary shall expedite, in coordination with State,  
14 Tribal, and local authorities, the completion of main-  
15 tenance and repair activities for those elements of  
16 the levee systems in the Upper Snake River Basin,  
17 authorized pursuant to the Flood Control Act of  
18 1950 (64 Stat. 179), that are operated and main-  
19 tained by the Secretary.

20           (2) LOWER MISSOURI RIVER BASIN.—The Sec-  
21 retary shall expedite, in coordination with State and  
22 local authorities and stakeholders, the completion of  
23 maintenance and repair activities for those elements  
24 of the levee systems in the Lower Missouri River  
25 Basin, authorized pursuant to the Pick-Sloan Mis-

1       souri River Basin Program (authorized by section  
2       9(b) of the Act of December 22, 1944 (chapter 665,  
3       58 Stat. 891)) or the Missouri River Bank Stabiliza-  
4       tion and Navigation project (authorized by section 2  
5       of the Act of March 2, 1945 (chapter 19, 59 Stat.  
6       19)), that are operated and maintained by the Sec-  
7       retary.

8               (3) COOS BAY NORTH JETTY SYSTEM, OR-  
9       EGON.—The Secretary shall expedite, in coordina-  
10      tion with State and local authorities and stake-  
11      holders, the completion of maintenance and repair  
12      activities for those elements of the Coos Bay North  
13      Jetty system, Oregon, authorized by the first section  
14      of the Act of January 21, 1927 (chapter 47, 44  
15      Stat. 1014), that are operated and maintained by  
16      the Secretary.

17              (4) INDIAN RIVER INLET AND BAY, DELA-  
18      WARE.—The Secretary shall expedite, in coordina-  
19      tion with State and local authorities, the completion  
20      of maintenance and repair activities for the elements  
21      of the project for navigation, Indian River Inlet and  
22      Bay, Delaware, authorized by the Act of August 26,  
23      1937 (chapter 832, 50 Stat. 846), that are operated  
24      and maintained by the Secretary.

1 (b) SAVINGS PROVISION.—Nothing in this section af-  
2 fects the responsibility of the Secretary to comply with the  
3 requirements of any Federal law in carrying out the activi-  
4 ties required to be expedited by this section.

5 **SEC. 355. PROJECT REAUTHORIZATIONS.**

6 (a) IN GENERAL.—

7 (1) MUDDY RIVER, MASSACHUSETTS.—The sep-  
8 arable elements for ecosystem restoration of the  
9 project for flood damage reduction and environ-  
10 mental restoration, Muddy River, Brookline and  
11 Boston, Massachusetts, authorized by section 522 of  
12 the Water Resources Development Act of 2000 (114  
13 Stat. 2656), and deauthorized pursuant to section  
14 6001 of the Water Resources Reform and Develop-  
15 ment Act of 2014 (128 Stat. 1345), are authorized  
16 to be carried out by the Secretary, subject to sub-  
17 section (b).

18 (2) EAST CHESTER CREEK, NEW YORK.—Not-  
19 withstanding section 1001 of the Water Resources  
20 Development Act of 1986 (33 U.S.C. 579a), the  
21 project for navigation, East Chester Creek, New  
22 York, authorized by section 101 of the River and  
23 Harbor Act of 1950 (64 Stat. 164; 100 Stat. 4181),  
24 and deauthorized pursuant to section 1001 of the  
25 Water Resources Development Act of 1986 (33

1 U.S.C. 579(a)), is authorized to be carried out by  
2 the Secretary, subject to subsection (b).

3 (3) CHRISTIANSTED HARBOR, UNITED STATES  
4 VIRGIN ISLANDS.—Notwithstanding section 1002 of  
5 the Water Resources Development Act of 1986 (100  
6 Stat. 4221), the portion of the project for naviga-  
7 tion, Christiansted Harbor, St. Croix, United States  
8 Virgin Islands, authorized by section 101 of the  
9 River and Harbor Act of 1950 (64 Stat. 167), and  
10 deauthorized under section 1002 of the Water Re-  
11 sources Development Act of 1986 (100 Stat. 4221),  
12 is authorized to be carried out by the Secretary, sub-  
13 ject to subsection (b).

14 (4) CHARLOTTE AMALIE (ST. THOMAS) HARBOR,  
15 UNITED STATES VIRGIN ISLANDS.—Notwithstanding  
16 section 1002 of the Water Resources Development  
17 Act of 1986 (100 Stat. 4221), the portion of the  
18 project for navigation, Charlotte Amalie (St. Thom-  
19 as) Harbor, St. Thomas, United States Virgin Is-  
20 lands, authorized by the Act of August 26, 1937  
21 (chapter 832, 50 Stat. 850), and deauthorized under  
22 section 1002 of the Water Resources Development  
23 Act of 1986 (100 Stat. 4221), is authorized to be  
24 carried out by the Secretary, subject to subsection  
25 (b).

1 (b) REPORT TO CONGRESS.—The Secretary shall  
2 complete and submit to the Committee on Transportation  
3 and Infrastructure of the House of Representatives and  
4 the Committee on Environment and Public Works of the  
5 Senate a post-authorization change report (as such term  
6 is defined in section 1132(d) of the Water Resources De-  
7 velopment Act of 2016 (33 U.S.C. 2282e(d)) prior to car-  
8 rying out a project identified in subsection (a).

9 **SEC. 356. CONVEYANCES.**

10 (a) GENERALLY APPLICABLE PROVISIONS.—

11 (1) SURVEY TO OBTAIN LEGAL DESCRIPTION.—

12 The exact acreage and the legal description of any  
13 real property to be conveyed under this section shall  
14 be determined by a survey that is satisfactory to the  
15 Secretary.

16 (2) APPLICABILITY OF PROPERTY SCREENING

17 PROVISIONS.—Section 2696 of title 10, United  
18 States Code, shall not apply to any conveyance  
19 under this section.

20 (3) COSTS OF CONVEYANCE.—An entity to

21 which a conveyance is made under this section shall  
22 be responsible for all reasonable and necessary costs,  
23 including real estate transaction and environmental  
24 documentation costs, associated with the conveyance.



1           (4) LIABILITY.—An entity to which a convey-  
2           ance is made under this section shall hold the  
3           United States harmless from any liability with re-  
4           spect to activities carried out, on or after the date  
5           of the conveyance, on the real property conveyed.  
6           The United States shall remain responsible for any  
7           liability with respect to activities carried out, before  
8           such date, on the real property conveyed.

9           (5) ADDITIONAL TERMS AND CONDITIONS.—  
10          The Secretary may require that any conveyance  
11          under this section be subject to such additional  
12          terms and conditions as the Secretary considers nec-  
13          essary and appropriate to protect the interests of the  
14          United States.

15          (b) EUFAULA, ALABAMA.—

16           (1) CONVEYANCE AUTHORIZED.—The Secretary  
17           shall convey to the City of Eufaula, Alabama, all  
18           right, title, and interest of the United States in and  
19           to the real property described in the Department of  
20           the Army Lease No. DACW01–2–17–0747, con-  
21           taining 56.76 acres, more or less, and being a part  
22           of Tracts L–1268 (26.12 acres), L–1273 (13.71  
23           acres), L–1278 (6.75 acres), and L1279 (10.36  
24           acres) of the Walter F. George Lock and Dam and  
25           Lake project.

1           (2) DEED.—The Secretary shall convey the  
2           property under this subsection by quitclaim deed  
3           under such terms and conditions as the Secretary  
4           determines appropriate to protect the interests of  
5           the United States.

6           (3) CONSIDERATION.—The City of Eufaula,  
7           Alabama, shall pay to the Secretary an amount that  
8           is not less than the fair market value of the property  
9           conveyed under this subsection, as determined by the  
10          Secretary.

11          (c) MONTGOMERY, ALABAMA.—

12           (1) CONVEYANCE AUTHORIZED.—The Secretary  
13           shall convey to the City of Montgomery, Alabama,  
14           all right, title, and interest of the United States in  
15           and to the real property described in paragraph (2).

16           (2) PROPERTY.—The property to be conveyed is  
17           the 62.38 acres of land and water under the primary  
18           jurisdiction of the Secretary in the R.E. “Bob”  
19           Woodruff Project Area that is covered by lease num-  
20           ber DACW01–1–05–0037, including the parcels and  
21           structure known as “Powder Magazine”.

22           (3) DEADLINE.—To the extent practicable, the  
23           Secretary shall complete the conveyance under this  
24           subsection by not later than 180 days after the date  
25           of enactment of this Act.

1           (4) DEED.—The Secretary shall convey the  
2           property under this subsection by quitclaim deed  
3           under such terms and conditions as the Secretary  
4           determines appropriate to protect the interests of  
5           the United States, to include retaining the right to  
6           inundate with water any land transferred under this  
7           subsection.

8           (5) CONSIDERATION.—The City of Mont-  
9           gomery, Alabama, shall pay to the Secretary an  
10          amount that is not less than the fair market value  
11          of the property conveyed under this subsection, as  
12          determined by the Secretary.

13          (d) CONVEYANCE OF WILMINGTON HARBOR NORTH  
14          DISPOSAL AREA, DELAWARE.—

15               (1) IN GENERAL.—As soon as practicable, the  
16               Secretary shall complete the conveyance of the Wil-  
17               mington Harbor North Disposal Area confined dis-  
18               posal facility, Delaware, to the State of Delaware.

19               (2) DEED.—The Secretary shall convey the  
20               property under this subsection by quitclaim deed  
21               under such terms and conditions as the Secretary  
22               determines appropriate to protect the interests of  
23               the United States.

24               (3) CONSIDERATION.—The State of Delaware  
25               shall pay to the Secretary an amount that is not less

1 than the fair market value of the property conveyed  
2 under this subsection, as determined by the Sec-  
3 retary.

4 (e) OHIO RIVER LOCK AND DAM NUMBER 52,  
5 MASSAC COUNTY, ILLINOIS.—

6 (1) CONVEYANCE AUTHORIZED.—The Secretary  
7 shall convey to the Massac-Metropolis Port District,  
8 Illinois, all right, title, and interest of the United  
9 States in and to any real property located north of  
10 the south bank of the Ohio River in Massac County,  
11 Illinois, that is associated with the Ohio River Lock  
12 and Dam 52.

13 (2) DEED.—The Secretary shall convey the  
14 property under this subsection by quitclaim deed  
15 under such terms and conditions as the Secretary  
16 determines appropriate to protect the interests of  
17 the United States.

18 (3) CONSIDERATION.—The Massac-Metropolis  
19 Port District, Illinois, shall pay to the Secretary an  
20 amount that is not less than fair market value of the  
21 property conveyed under this subsection, as deter-  
22 mined by the Secretary.

23 (f) UPPER ST. ANTHONY FALLS LOCK AND DAM,  
24 MINNEAPOLIS, MINNESOTA.—

1           (1) CONVEYANCE AUTHORIZED.—As soon as  
2           practicable after the date of enactment of this Act,  
3           the Secretary shall, upon request—

4                   (A) convey, without consideration, to the  
5           City of Minneapolis, Minnesota, or its designee,  
6           all or substantially all of the real property  
7           owned by the United States adjacent to or in  
8           the vicinity of the Upper St. Anthony Falls  
9           Lock and Dam, subject to the right of the Sec-  
10          retary to retain any easements in such property  
11          solely to the extent necessary to continue to op-  
12          erate and maintain the Upper St. Anthony  
13          Falls Lock and Dam; and

14                   (B) provide, without consideration, to the  
15          City or its designee—

16                          (i) access and use rights by license,  
17                          easement, or similar agreement, to any  
18                          real property and structures at the site of  
19                          the Upper St. Anthony Falls Lock and  
20                          Dam that is not conveyed under subpara-  
21                          graph (A); and

22                          (ii) for any such property retained by  
23                          the Secretary, exclusive license or easement  
24                          over such property to allow the City or its  
25                          designee to construct, use, and operate

1 amenities thereon, and to utilize such  
2 property as a comprehensive recreational,  
3 touristic, and interpretive experience.

4 (2) OWNERSHIP AND OPERATION OF LOCK AND  
5 DAM.—Ownership rights to the Upper St. Anthony  
6 Falls Lock and Dam shall not be conveyed under  
7 this subsection, and the Secretary shall retain all  
8 rights to operate and maintain the Upper St. An-  
9 thony Falls Lock and Dam.

10 (3) REVERSION.—If the Secretary determines  
11 that the property conveyed under this subsection is  
12 not used for a public purpose, all right, title, and in-  
13 terest in and to the property shall revert, at the dis-  
14 cretion of the Secretary, to the United States.

15 (4) UPPER ST. ANTHONY FALLS LOCK AND DAM  
16 DEFINED.—In this subsection, the term “Upper St.  
17 Anthony Falls Lock and Dam” means the lock and  
18 dam located on Mississippi River Mile 853.9 in Min-  
19 neapolis, Minnesota.

20 (g) CLINTON, MISSOURI.—

21 (1) CONVEYANCE AUTHORIZED.—The Secretary  
22 shall convey to the City of Clinton, Missouri, without  
23 consideration, all right, title, and interest of the  
24 United States in and to the real property described  
25 in paragraph (2).

1           (2) PROPERTY.—The property to be conveyed is  
2           a tract of land situated in the S  $\frac{1}{2}$  of Section 12  
3           and the N  $\frac{1}{2}$  of Section 13, Township 41 North,  
4           Range 26 West of the Fifth Principal Meridian,  
5           Henry County, Missouri, more particularly described  
6           as follows: Beginning at the point of intersection of  
7           the north line of said S  $\frac{1}{2}$  of Section 12 and the  
8           easterly right-of-way of State Highway No. 13;  
9           thence easterly along the north line of said S  $\frac{1}{2}$  to  
10          the northeast corner of the W  $\frac{1}{2}$  NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  SW  
11           $\frac{1}{4}$  of said Section 12; thence southerly along the  
12          east line of said W  $\frac{1}{2}$  NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  to the  
13          southeast corner thereof; thence easterly along the  
14          north line of the S  $\frac{1}{2}$  NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of said Section  
15          12 to the southwest corner of the W  $\frac{1}{2}$  NW  $\frac{1}{4}$  NW  
16           $\frac{1}{4}$  SE  $\frac{1}{4}$  of said Section 12; thence in a northeast-  
17          erly direction to the northeast corner of said W  $\frac{1}{2}$   
18          NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  ; thence easterly along the  
19          north line of said S  $\frac{1}{2}$  to the westerly right-of-way  
20          of the County Road; thence in a southeasterly and  
21          southerly direction along the westerly right-of-way of  
22          said County Road approximately 2500 feet to the  
23          center of Deer Creek; thence in a southwesterly di-  
24          rection along the center of said Deer Creek, approxi-  
25          mately 3900 feet to the south line of said N  $\frac{1}{2}$  of

1 Section 13; thence westerly along the south line of  
2 said N 1/2 to the easterly right-of-way line of the St.  
3 Louis-San Francisco Railroad; thence in a north-  
4 westerly direction along the easterly right-of-way of  
5 said railroad to the easterly right-of-way of said  
6 State Highway No. 13; thence in a northeasterly di-  
7 rection along the easterly right-of-way of said State  
8 Highway No. 13 to the point of the beginning; and  
9 including a roadway easement for ingress and  
10 egress, described as a strip of land 80 feet in width,  
11 lying 40 feet on each side of the following described  
12 line, the initial extremities of the following described  
13 strip being extended or reduced as required to ex-  
14 actly adjoin the boundary lines which they meet, sit-  
15 uated in the S 1/2 of Section 12, Township 41 North  
16 Range 26 West of the Fifth Principal Meridian,  
17 Henry County, Missouri, more particularly described  
18 as follows: Commencing at the center of said Section  
19 12, thence S1°24'56"W, 1265.52 feet to a point,  
20 thence N88°29'02"W, 483.97 feet to the point of  
21 beginning of the strip of land herein described;  
22 thence in a northeasterly direction along a curve to  
23 the right, said curve having an initial tangent bear-  
24 ing of N3°44'41"E, a radius of 238.73 feet and an  
25 interior angle of 61°29'26", an arc distance of



1       256.21 feet to a point; thence N65°14'07"E 218.58  
2       feet to a point; thence in a northeasterly direction  
3       along a curve to the left, having a radius of 674.07  
4       feet and an interior angle of 36°00'01", an arc dis-  
5       tance of 423.53 feet to a point; thence  
6       N29°14'07"E, 417.87 feet to a point; thence north-  
7       easterly along a curve to the right, having a radius  
8       of 818.51 feet and an interior angle of 14°30'01",  
9       an arc distance of 207.15 feet to a point; thence  
10      N43°44'07"E, 57.00 feet to the southerly right-of-  
11      way line of a county road, containing 2,948 acres,  
12      more or less; Excluding therefrom a tract of land  
13      situated in the S ½ of said Section 12, said Town-  
14      ship and Range, described as commencing at the  
15      center of said Section 12; thence S1°24'56"W,  
16      1265.52 feet to the point of beginning of the tract  
17      of land herein described; thence N88°29'02"W,  
18      1122.50 feet; thence S1°43'26"W, 872.62 feet;  
19      thence S88°29'02"E, 1337.36 feet; thence  
20      N1°43'26"E, 872.62 feet; thence N88°29'02"W,  
21      214.86 feet to the point of beginning, containing  
22      26.79 acres, more or less. The above described tract  
23      contains, in the aggregate, 177.69 acres, more or  
24      less.

1           (3) DEED.—The Secretary shall convey the  
2           property under this subsection by quitclaim deed  
3           under such terms and conditions as the Secretary  
4           determines appropriate to protect the interests of  
5           the United States.

6           (4) REVERSION.—If the Secretary determines  
7           that the property conveyed under this subsection is  
8           not being used for a public purpose, all right, title,  
9           and interest in and to the property shall revert, at  
10          the discretion of the Secretary, to the United States.

11          (h) CITY OF CLINTON, OLD ORCHARD ADDITION,  
12          MISSOURI.—

13           (1) CONVEYANCE AUTHORIZED.—The Secretary  
14           shall convey to the City of Clinton, Missouri, all  
15           right, title, and interest of the United States in and  
16           to the real property described in paragraph (2).

17           (2) PROPERTY.—The property to be conveyed is  
18           Lot 28 in Old Orchard Addition, a subdivision of the  
19           City of Clinton, Henry County, Missouri, containing  
20           0.36 acres, more or less, including any improve-  
21           ments thereon.

22           (3) DEED.—The Secretary shall convey the  
23           property under this subsection by quitclaim deed  
24           under such terms and conditions as the Secretary  
25           determines appropriate to protect the interests of

1 the United States, including such reservations,  
2 terms, and conditions as the Secretary determines  
3 necessary to allow the United States to operate and  
4 maintain the Harry S. Truman Reservoir Project.

5 (4) CONSIDERATION.—The City of Clinton,  
6 Missouri, shall pay to the Secretary an amount that  
7 is not less than the fair market value of the property  
8 conveyed under this subsection, as determined by the  
9 Secretary.

10 (i) TRI-COUNTY LEVEE DISTRICT, MISSOURI.—

11 (1) CONVEYANCE AUTHORIZED.—The Secretary  
12 shall convey to the Tri-County Levee District, Mis-  
13 souri, all right, title, and interest of the United  
14 States in and to the real property described in para-  
15 graph (2).

16 (2) PROPERTY.—The property to be conveyed is  
17 the part of Sections 1 and 12 Township 45 North  
18 Range 6 West of the 5th P.M. in Montgomery Coun-  
19 ty, Missouri, described as follows: A tract of land  
20 being 60' wide and lying South and East of and ad-  
21 joining the centerline of the existing levee and being  
22 described as follows: Commencing at the NW corner  
23 of Section 12, thence S 87° 52' 35" E 587.4',  
24 thence S 01° 29' 25" W 453.68' to the point of the  
25 beginning; said point being in the center of the levee,

1           thence with the centerline of the levee N 77° 01' 30''  
2           E 164.92', thence N 74° 26' 55'' E 250.0', thence  
3           N 72° 27' 55'' E 270.0', thence N 69° 06' 10'' E  
4           300.0', thence N 66° 42' 15'' E 500.0', thence N  
5           64° 14' 30'' E 270.0', thence N 61° 09' 10'' E  
6           800.0', thence N 60° 58' 15'' E 1724.45', thence  
7           leaving the centerline S 01° 10' 35'' W 69.43',  
8           thence parallel with the above described centerline S  
9           60° 58' 15'' W 1689.62', thence S 61° 09' 10'' W  
10          801.71', thence S 64° 14' 30'' W 272.91', thence S  
11          66° 42' 15'' W 502.55', thence S 69° 06' 10'' W  
12          303.02', thence S 72° 27' 55'' W 272.8', thence S  
13          74° 26' 55'' W 252.39', thence S 77° 01' 30'' W  
14          181.75', thence leaving the South side of the levee  
15          N 01° 26' 25'' E 61.96' to the point of beginning  
16          and containing 5.89 acres more or less.

17               (3) DEED.—The Secretary shall convey the  
18               property under this subsection by quitclaim deed  
19               under such terms and conditions as the Secretary  
20               determines appropriate to protect the interests of  
21               the United States.

22               (4) CONSIDERATION.—The Tri-County Levee  
23               District, Missouri, shall pay to the Secretary an  
24               amount that is not less than the fair market value

1 of the property conveyed under this subsection, as  
2 determined by the Secretary.

3 (j) JUDGE JOSEPH BARKER, JR., HOUSE, OHIO.—

4 (1) NON-FEDERAL ENTITY.—In this subsection,  
5 the term “non-Federal entity” means the Friends of  
6 Joseph Barker, Jr., House, a nonprofit organization  
7 in the State of Ohio.

8 (2) CONVEYANCE AUTHORIZED.—

9 (A) IN GENERAL.—Subject to paragraph  
10 (6), the Secretary shall convey to the non-Fed-  
11 eral entity, without consideration, all right,  
12 title, and interest of the United States in and  
13 to the property described in paragraph (3)(A).

14 (B) EASEMENT.—Upon conveyance of the  
15 property under subparagraph (A), the Secretary  
16 shall provide to the non-Federal entity, without  
17 consideration, an easement over the property  
18 described in paragraph (3)(B) for access to the  
19 conveyed property for as long as the non-Fed-  
20 eral entity is in legal possession of the conveyed  
21 property.

22 (3) DESCRIPTIONS OF PROPERTY.—

23 (A) IN GENERAL.—The property referred  
24 to in paragraph (2)(A) is the following (as in  
25 existence on the date of enactment of this Act):

1                   (i) JUDGE JOSEPH BARKER, JR.,  
2                   HOUSE.—The tract of land situated in the  
3                   State of Ohio, Washington County, on the  
4                   Ohio River, and being particularly bounded  
5                   and described as follows: Beginning at a  
6                   point located on the southern right-of-way  
7                   line of Ohio Route 7, a new corner to the  
8                   land now or formerly owned by the United  
9                   States of America; thence, leaving the  
10                  right-of-way of said Route 7 and severing  
11                  the land of said United States of America  
12                  parallel to and approximately 10 feet eas-  
13                  terly of the toe of the existing dredge dis-  
14                  posal berm, southeasterly approximately  
15                  326 feet to a point prior to the current  
16                  Corps of Engineers access to the dredging  
17                  spoil area; thence, northeasterly approxi-  
18                  mately 480 feet paralleling the top of the  
19                  slope to the riverbank side of the house  
20                  and approximately 25 feet northerly there-  
21                  from; thence, northwest approximately 302  
22                  feet to a point in the southern right-of-way  
23                  of Ohio Route 7; thence with the right-of-  
24                  way of said Route 7, southwesterly ap-

1                   proximately 485 feet to the point of begin-  
2                   ning, containing approximately 3.51 acres.

3                   (ii) ROAD TRACT.—The tract of land  
4                   situated in the State of Ohio, Washington  
5                   County, on the Ohio River, and being par-  
6                   ticularly bounded and described as follows:  
7                   Beginning at a point located on the south-  
8                   ern right-of-way line of Ohio Route 7, a  
9                   new corner to the land now or formerly  
10                  owned by the United States of America;  
11                  thence, leaving the right-of-way of said  
12                  Route 7 and severing the land of said  
13                  United States of America and with the  
14                  House Parcel southeasterly 25 feet; thence,  
15                  northeast, running parallel to said Route 7  
16                  right-of-way, approximately 994 feet to a  
17                  point of deflection; thence northeasterly  
18                  368 feet to a point beyond the existing  
19                  fence corner; thence, east 140 feet to the  
20                  edge of the existing Willow Island access  
21                  road; thence with said access road, north-  
22                  westerly approximately 62 feet to a point  
23                  in the southern right-of-way of Ohio Route  
24                  7; thence with the right-of-way of said  
25                  Route 7, southwesterly approximately

1           1,491 feet to the point of beginning, con-  
2           taining approximately 1 acre.

3           (B) EASEMENT.—The property referred to  
4           in paragraph (2)(B) is the following: The tract  
5           of land situated in the State of Ohio, Wash-  
6           ington County, on the Ohio River, and being  
7           particularly bounded and described as follows:  
8           Beginning at a point at the intersection of the  
9           southern right-of-way of Ohio Route 7 and the  
10          northeast side of the existing Willow Island ac-  
11          cess road, a new corner to the land now or for-  
12          merly owned by the United States of America;  
13          thence, southwest, running with said Route 7  
14          right-of-way, approximately 30 feet to a point  
15          on the southwest side of the existing access  
16          road, and corner to the road tract; thence with  
17          said access road and the line of the road parcel,  
18          southeasterly approximately 62 feet to a point;  
19          thence leaving the road parcel and crossing the  
20          existing access road northeasterly approxi-  
21          mately 30 feet to a point located on the north-  
22          east side of the existing access road; thence,  
23          northwesterly approximately 62 feet, to the  
24          point of beginning, containing approximately  
25          0.04 acre.



1           (4) DEED.—The Secretary shall convey the  
2           property under this subsection by quitclaim deed  
3           under such terms and conditions as the Secretary  
4           determines appropriate to protect the interests of  
5           the United States.

6           (5) REVERSION.—If the Secretary determines  
7           that the property conveyed under this subsection is  
8           not being used by the non-Federal entity for a public  
9           purpose, all right, title, and interest in and to the  
10          property shall revert, at the discretion of the Sec-  
11          retary, to the United States.

12          (6) REQUIREMENTS.—

13                (A) IMPROVEMENTS.—The Secretary shall  
14                make such improvements and alterations to the  
15                property described in paragraph (3)(A)(i) as  
16                the Secretary, in consultation with the non-Fed-  
17                eral entity and relevant stakeholders, deter-  
18                mines to be appropriate to facilitate conveyance  
19                of the property and provision of the easement  
20                under this subsection, subject to the condition  
21                that the total cost of those improvements and  
22                alterations undertaken by the Secretary shall be  
23                not more than \$120,000.

1 (B) ENVIRONMENTAL ASSESSMENT.—Be-  
2 fore making a conveyance under paragraph (2),  
3 the Secretary shall—

4 (i) conduct, with respect to the prop-  
5 erty to be conveyed, an assessment of the  
6 environmental condition of the property,  
7 including an investigation of any potential  
8 hazardous, toxic, or radioactive waste  
9 present on such property; and

10 (ii) submit to the non-Federal entity a  
11 report describing the results of such as-  
12 sessment.

13 (C) REFUSAL BY NON-FEDERAL ENTITY.—

14 (i) IN GENERAL.—Upon review by the  
15 non-Federal entity of the report under sub-  
16 paragraph (B), the non-Federal entity may  
17 elect to refuse the conveyance under this  
18 subsection.

19 (ii) ELECTION.—An election under  
20 clause (i)—

21 (I) shall be at the sole discretion  
22 of the non-Federal entity; and

23 (II) shall be made by the non-  
24 Federal entity by not later than the  
25 date that is 30 days after the date of

1 submission of the report under sub-  
2 paragraph (B)(ii).

3 (D) DREDGED MATERIAL PLACEMENT AC-  
4 TIVITIES.—The Secretary shall—

5 (i) notify and coordinate with the non-  
6 Federal entity and relevant stakeholders  
7 before carrying out any dredged material  
8 placement activities associated with the  
9 property described in paragraph (3)(A)  
10 after the date on which such property is  
11 conveyed under this subsection; and

12 (ii) in carrying out a dredged material  
13 placement activity under clause (i), act in  
14 accordance with Engineer Manual EM  
15 1110–2–5025 (or a subsequent version of  
16 that manual).

17 (7) RESERVATION OF RIGHTS.—The Secretary  
18 may reserve and retain from any conveyance under  
19 this subsection a right-of-way or any other right that  
20 the Secretary determines to be necessary for the op-  
21 eration and maintenance of the authorized Federal  
22 channel along the Ohio River.

23 (8) TREATMENT.—Conveyance to the non-Fed-  
24 eral entity under this subsection of property de-  
25 scribed in paragraph (3)(A)(i) shall satisfy all obli-

1       gations of the Secretary with respect to such prop-  
2       erty under—

3               (A) section 306101 of title 54, United  
4       States Code; and

5               (B) section 306108 of title 54, United  
6       States Code, with respect to the effects on the  
7       property of dredged material placement activi-  
8       ties carried out by the Secretary after the date  
9       of the conveyances.

10       (9) INAPPLICABILITY.—Subtitle I of title 40,  
11       and chapter 4 of title 41, United States Code shall  
12       not apply to any conveyance or easement provided  
13       under this subsection.

14       (k) LEABURG FISH HATCHERY, LANE COUNTY, OR-  
15       EGON.—

16               (1) CONVEYANCE AUTHORIZED.—Subject to the  
17       provisions of this subsection, the Secretary shall con-  
18       vey, without consideration, to the State of Oregon,  
19       acting through the Oregon Department of Fish and  
20       Wildlife, all right, title, and interest of the United  
21       States in and to the real property comprising the  
22       Leaburg Fish Hatchery, consisting of approximately  
23       21.55 acres, identified as tracts Q–1500, Q–1501E,  
24       and 300E–1 and described in Department of the

1 Army Lease No. DACW57-1-18-0009, together  
2 with any improvements on the property.

3 (2) WATER RIGHTS.—The Secretary may trans-  
4 fer to the State of Oregon, acting through the Or-  
5 egon Department of Fish and Wildlife, any water  
6 rights held by the United States that are appur-  
7 tenant to the property conveyed under this sub-  
8 section.

9 (3) DEED.—The Secretary shall convey the  
10 property under this subsection by quitclaim deed  
11 under such terms and conditions as the Secretary  
12 determines appropriate to protect the interests of  
13 the United States, including a condition that all of  
14 the property conveyed under this subsection be used  
15 and maintained by the State of Oregon for the pur-  
16 pose of operating a fish hatchery in perpetuity.

17 (4) REVERSION.—If the Secretary determines  
18 that the property conveyed under this subsection is  
19 not being used or maintained by the State of Oregon  
20 for the purpose of operating a fish hatchery in per-  
21 petuity, all or any portion of the property, including  
22 any water rights transferred under this subsection,  
23 shall, at the option of the Secretary, revert to the  
24 United States.

1           (5) SAVINGS CLAUSE.—If the State of Oregon  
2 does not accept the conveyance under this sub-  
3 section, the Secretary may dispose of the property,  
4 including appurtenant water rights, under sub-  
5 chapter III of chapter 5 of title 40, United States  
6 Code.

7           (1) WILLAMETTE FALLS LOCKS, WILLAMETTE  
8 RIVER, OREGON.—

9           (1) DEFINITIONS.—In this section:

10           (A) REAL ESTATE APPENDIX.—The term  
11 “real estate appendix” means Appendix A of  
12 the document published by the District Com-  
13 mander of the Portland District of the Corps of  
14 Engineers, titled “Willamette Falls Locks Wil-  
15 lamette River Oregon Section 216 Disposition  
16 Study with Integrated Environmental Assess-  
17 ment”.

18           (B) RECEIVING ENTITY.—The term “re-  
19 ceiving entity” means an entity identified by the  
20 State of Oregon, in consultation with the Wil-  
21 lamette Falls Locks Commission, to receive the  
22 conveyance under paragraph (2).

23           (C) WILLAMETTE FALLS LOCKS  
24 PROJECT.—The term “Willamette Falls Locks  
25 project” means the project for navigation, Wil-

1 lamette Falls Locks, Willamette River, Oregon,  
2 authorized by the Act of June 25, 1910 (36  
3 Stat. 664, chapter 382).

4 (D) WILLAMETTE FALLS LOCKS RE-  
5 PORT.—The term “Willamette Falls Locks re-  
6 port” means the memorandum of the Director  
7 of Civil Works with the subject “Willamette  
8 Falls Locks (WFL), Willamette River Oregon  
9 Section 216 Disposition Study with Integrated  
10 Environmental Assessment (Study)”, dated  
11 July 11, 2019.

12 (2) CONVEYANCE AUTHORIZED.—The Secretary  
13 is authorized to convey to the receiving entity, with-  
14 out consideration, all right, title, and interest of the  
15 United States in and to any land in which the Fed-  
16 eral Government has a property interest for the Wil-  
17 lamette Falls Locks project, together with any im-  
18 provements on the land, subject to the requirements  
19 of this subsection and in accordance with the Wil-  
20 lamette Falls Locks report.

21 (3) DEED.—The Secretary shall convey the  
22 property under this subsection by quitclaim deed  
23 under such terms and conditions as the Secretary  
24 determines appropriate to protect the interests of  
25 the United States.

1           (4) SUBJECT TO EXISTING EASEMENTS AND  
2 OTHER INTERESTS.—The conveyance of property  
3 under paragraph (2) shall be subject to all existing  
4 deed reservations, easements, rights-of-way, and  
5 leases that are in effect as of the date of the convey-  
6 ance.

7           (5) REVERSION.—If the Secretary determines  
8 that the property conveyed under this subsection  
9 cease to be held in public ownership, all right, title,  
10 and interest in and to the property shall revert, at  
11 the discretion of the Secretary, to the United States.

12           (6) REQUIREMENTS BEFORE CONVEYANCE.—

13           (A) PERPETUAL ROAD EASEMENT.—Be-  
14 fore making the conveyance under paragraph  
15 (2), the Secretary shall acquire a perpetual  
16 road easement from an adjacent property owner  
17 for use of an access road, which easement shall  
18 convey with the property conveyed under such  
19 paragraph.

20           (B) ENVIRONMENTAL COMPLIANCE.—Be-  
21 fore making the conveyance under paragraph  
22 (2), in accordance with the real estate appendix,  
23 the Secretary shall complete a Phase 1 Envi-  
24 ronmental Site Assessment pursuant to the  
25 Comprehensive Environmental Response, Com-



1           pensation, and Liability Act of 1980 (42 U.S.C.  
2           9601 et seq.).

3           (C) HISTORIC PRESERVATION.—The Sec-  
4           retary may enter into a memorandum of agree-  
5           ment with the Oregon State Historic Preserva-  
6           tion Office and the Advisory Council on His-  
7           toric Preservation that identifies actions the  
8           Secretary shall take before making the convey-  
9           ance under paragraph (2).

10          (D) REPAIRS.—Before making the convey-  
11          ance under paragraph (2), the Secretary shall  
12          carry out repairs to address primary seismic  
13          and safety risks in accordance with the rec-  
14          ommendations approved in the Willamette Falls  
15          Locks report.

16          (7) DEAUTHORIZATION.—Beginning on the  
17          date on which the Secretary makes the conveyance  
18          under paragraph (2), the Willamette Falls Locks  
19          project is no longer authorized.

20   **SEC. 357. LAKE EUFAULA ADVISORY COMMITTEE.**

21          Section 3133(b) of the Water Resources Development  
22   Act of 2007 (121 Stat. 1141) is amended by adding at  
23   the end the following:

24               “(5) TERMINATION.—The committee shall ter-  
25               minate on the date that is 30 days after the date on

1       which the committee submits final recommendations  
2       to the Secretary.”.

3   **SEC. 358. REPEAL OF MISSOURI RIVER TASK FORCE,**  
4                   **NORTH DAKOTA.**

5       (a) IN GENERAL.—Section 705 of the Water Re-  
6 sources Development Act of 2000 (114 Stat. 2696) is re-  
7 pealed.

8       (b) CONFORMING AMENDMENTS.—

9           (1) PURPOSES.—Section 702(b)(3) of the  
10 Water Resources Development Act of 2000 (114  
11 Stat. 2695) is amended by inserting “prepared  
12 under section 705(e) (as in effect on the day before  
13 the date of enactment of the Water Resources Devel-  
14 opment Act of 2020)” before the period at the end.

15           (2) DEFINITIONS.—Section 703 of the Water  
16 Resources Development Act of 2000 (114 Stat.  
17 2695) is amended—

18                   (A) by striking paragraphs (2) and (4);

19                   and

20                   (B) by redesignating paragraphs (3) and  
21                   (5) as paragraphs (2) and (3), respectively.

1 **SEC. 359. REPEAL OF MISSOURI RIVER TASK FORCE, SOUTH**  
2 **DAKOTA.**

3 (a) IN GENERAL.—Section 905 of the Water Re-  
4 sources Development Act of 2000 (114 Stat. 2709) is re-  
5 pealed.

6 (b) CONFORMING AMENDMENTS.—

7 (1) PURPOSES.—Section 902(b)(3) of the  
8 Water Resources Development Act of 2000 (114  
9 Stat. 2708) is amended by inserting “prepared  
10 under section 905(e) (as in effect on the day before  
11 the date of enactment of the Water Resources Devel-  
12 opment Act of 2020)” before the period at the end.

13 (2) DEFINITIONS.—Section 903 of the Water  
14 Resources Development Act of 2000 (114 Stat.  
15 2708) is amended—

16 (A) by striking paragraphs (2) and (4);  
17 and

18 (B) by redesignating paragraphs (3) and  
19 (5) as paragraphs (2) and (3), respectively.

20 **SEC. 360. CONFORMING AMENDMENTS.**

21 (a) Section 710 of the Water Resources Development  
22 Act of 1986 (33 U.S.C. 2264), and the item relating to  
23 such section in the table of contents, are repealed.

24 (b) Section 1001 of the Water Resources Develop-  
25 ment Act of 1986 (33 U.S.C. 579a) is amended—

1 (1) in subsection (b), by striking paragraph (2)  
2 and redesignating paragraph (3) as paragraph (2);  
3 and

4 (2) by striking subsection (c).

5 (c) Section 1001 of the Water Resources Reform and  
6 Development Act of 2014 (33 U.S.C. 2282c) is amend-  
7 ed—

8 (1) in subsection (d)—

9 (A) in paragraph (1), by striking “Not-  
10 withstanding the requirements of subsection (c),  
11 the Secretary” and inserting “The Secretary”;

12 (B) by striking “subsections (a) and (c)”  
13 each place it appears and inserting “subsection  
14 (a)”;

15 (C) by striking paragraph (4); and

16 (2) by striking subsection (c) and redesignating  
17 subsections (d) through (g) as subsections (c)  
18 through (f), respectively.

19 (d) Section 6003 of the Water Resources Reform and  
20 Development Act of 2014 (33 U.S.C. 579c), and the item  
21 relating to such section in the table of contents, are re-  
22 pealed.

23 (e) Section 1301 of the Water Resources Develop-  
24 ment Act of 2016 (33 U.S.C. 579d), and the item relating  
25 to such section in the table of contents, are repealed.

1 (f) Section 1302 of the Water Resources Develop-  
2 ment Act of 2016 (33 U.S.C. 579e–1), and the item relat-  
3 ing to such section in the table of contents, are repealed.

4 (g) Section 1301 of the Water Resources Develop-  
5 ment Act of 2018 (33 U.S.C. 579d–1), and the item relat-  
6 ing to such section in the table of contents, are repealed.

7 (h) Section 1302 of the Water Resources Develop-  
8 ment Act of 2018 (33 U.S.C. 579e–2), and the item relat-  
9 ing to such section in the table of contents, are repealed.

## 10 **TITLE IV—WATER RESOURCES** 11 **INFRASTRUCTURE**

### 12 **SEC. 401. PROJECT AUTHORIZATIONS.**

13 The following projects for water resources develop-  
14 ment and conservation and other purposes, as identified  
15 in the reports titled “Report to Congress on Future Water  
16 Resources Development” submitted to Congress pursuant  
17 to section 7001 of the Water Resources Reform and Devel-  
18 opment Act of 2014 (33 U.S.C. 2282d) or otherwise re-  
19 viewed by Congress, are authorized to be carried out by  
20 the Secretary substantially in accordance with the plans,  
21 and subject to the conditions, described in the respective  
22 reports or decision documents designated in this section:

23 (1) NAVIGATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. AK	Port of Nome Modifications	May 29, 2020	Federal: \$378,908,000 Non-Federal: \$126,325,000 Total: \$505,233,000
2. AK	St. George Harbor Improvement, St. George	August 13, 2020	Federal: \$147,874,000 Non-Federal: \$16,508,000 Total: \$164,382,000
3. AK	Unalaska (Dutch Harbor) Chan- nels	February 7, 2020	Federal: \$26,967,000 Non-Federal: \$8,989,000 Total: \$35,956,000
4. CT	New Haven Har- bor Navigation Improvement Project	May 7, 2020	Federal: \$55,250,000 Non-Federal: \$19,442,000 Total: \$74,692,000
5. NY, NJ	New York and New Jersey Harbor Anchor- ages	April 23, 2020	Federal: \$19,550,000 Non-Federal: \$6,520,000 Total: \$26,070,000
6. TX	Gulf Intracoastal Waterway, Brazos River Floodgates and Colorado River Locks	October 23, 2019	Total: \$414,144,000
7. TX	Houston Ship Channel Expan- sion Channel Improvement Project, Harris, Chambers, and Galveston Counties	April 23, 2020	Federal: \$625,204,000 Non-Federal: \$260,431,000 Total: \$885,635,000
8. TX	Matagorda Ship Channel Im- provement Project, Port Lavaca	November 15, 2019	Federal: \$140,156,000 Non-Federal: \$80,500,000 Total: \$220,656,000
9. VA	Atlantic Intra- coastal Water- way, North Landing Bridge Replacement	August 25, 2020	Federal: \$102,755,000 Non-Federal: \$0 Total: \$102,755,000

## 1 (2) FLOOD RISK MANAGEMENT.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. AZ	Little Colorado River at Winslow, Navajo County	December 14, 2018	Federal: \$54,260,000 Non-Federal: \$29,217,000 Total: \$83,477,000
2. CA	Westminster, East Garden Grove, California Flood Risk Management	July 9, 2020	Federal: \$324,905,000 Non-Federal: \$940,191,000 Total: \$1,265,096,000
3. CT, NY	Westchester County Streams, Byram River Basin, Fairfield County, Connecticut, and Westchester County, New York	May 7, 2020	Federal: \$15,199,000 Non-Federal: \$15,199,000 Total: \$30,397,000
4. KY	Louisville Metropolitan Flood Protection System Reconstruction, Jefferson and Bullitt Counties	October 27, 2020	Federal: \$122,170,000 Non-Federal: \$65,917,000 Total: \$188,087,000
5. ND	Souris River Basin Flood Risk Management	April 16, 2019	Federal: \$59,582,915 Non-Federal: \$32,364,085 Total: \$91,947,000
6. NJ	Peckman River Basin	April 29, 2020	Federal: \$98,137,000 Non-Federal: \$52,843,000 Total: \$150,980,000
7. NM	Middle Rio Grande Flood Protection, Bernalillo to Belen	March 13, 2020	Federal: \$201,944,451 Non-Federal: \$108,740,000 Total: \$310,684,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
8. OK	Tulsa and West-Tulsa Levee System, Tulsa County	April 23, 2020	Federal: \$89,311,000 Non-Federal: \$48,091,000 Total: \$137,402,000
9. PR	Rio Culebrinas at Aguiadilla and Aguada	August 17, 2020	Federal: \$17,295,600 Non-Federal: \$8,568,400 Total: \$25,864,000
10. PR	Rio Guayanilla Flood Risk Management, Guayanilla	August 13, 2020	Federal: \$103,422,000 Non-Federal: \$55,689,000 Total: \$159,111,000
11. PR	Rio Grande de Manati Flood Risk Management, Ciales	November 18, 2020	Federal: \$9,770,000 Non-Federal: \$4,520,000 Total: \$14,290,000
12. USVI	Savan Gut, St. Thomas	August 24, 2020	Federal: \$48,658,100 Non-Federal: \$25,455,900 Total: \$74,114,000
13. USVI	Turpentine Run, St. Thomas	August 17, 2020	Federal: \$29,817,850 Non-Federal: \$15,311,150 Total: \$45,129,000

1 (3) HURRICANE AND STORM DAMAGE RISK RE-  
2 DUCTION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. DE	Delaware Beneficial Use of Dredged Material for the Delaware River	March 6, 2020	Initial Federal: \$66,464,000 Initial Non-Federal: \$35,789,000 Total: \$102,253,000 Renourishment Federal: \$120,023,000 Renourishment Non-Federal: \$120,023,000 Renourishment Total: \$240,046,000



<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
2. NJ	New Jersey Beneficial Use of Dredged Material for the Delaware River	April 8, 2020	Initial Federal: \$84,071,000 Initial Non-Federal: \$45,270,000 Total: \$129,341,000 Renourishment Federal: \$85,495,000 Renourishment Non-Federal: \$85,495,000 Renourishment Total: \$170,990,000
3. NJ	Rahway River Basin, New Jersey Coastal Storm Risk Management	June 9, 2020	Federal: \$48,322,000 Non-Federal: \$26,020,000 Total: \$74,342,000
4. NJ	Raritan Bay and Sandy Hook Bay, Highlands	August 25, 2020	Federal: \$107,680,000 Non-Federal: \$57,981,000 Total: \$165,661,000
5. NY	East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, Atlantic Coast of New York	August 22, 2019	Initial Federal: \$638,460,000 Initial Non-Federal: \$0 Total: \$638,460,000 Renourishment Federal: \$200,924,000 Renourishment Non-Federal: \$200,924,000 Renourishment Total: \$401,847,000
6. NY	Fire Island Inlet to Montauk Point, New York Reformulation	July 9, 2020	Initial Federal: \$1,576,790,000 Initial Non-Federal: \$0 Total: \$1,576,790,000 Renourishment Federal: \$767,695,000 Renourishment Non-Federal: \$767,695,000 Renourishment Total: \$1,535,390,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
7. NY	Hashamomuck Cove Coastal Storm Risk Management	December 9, 2019	Initial Federal: \$11,920,000 Initial Non-Federal: \$6,418,000 Total: \$18,338,000 Renourishment Federal: \$24,237,000 Renourishment Non-Federal: \$24,237,000 Renourishment Total: \$48,474,000
8. RI	Pawcatuck River Coastal Storm Risk Manage- ment Project	December 19, 2018	Federal: \$37,679,000 Non-Federal: \$20,289,000 Total: \$57,968,000
9. VA	Norfolk Coastal Storm Risk Management	February 5, 2019	Federal: \$942,920,000 Non-Federal: \$507,730,000 Total: \$1,450,650,000

1                   (4) FLOOD RISK MANAGEMENT AND ECO-  
2                   SYSTEM RESTORATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. CO	South Platte River and Trib- utaries, Adams and Denver Counties	July 29, 2019	Federal: \$344,076,000 Non-Federal: \$206,197,000 Total: \$550,273,000

3                   (5) ECOSYSTEM RESTORATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. CA	Delta Islands and Levees	December 18, 2018	Federal: \$17,251,000 Non-Federal: \$9,289,000 Total: \$26,540,000
2. CA	Malibu Creek Ecosystem Restoration, Los Angeles and Ventura Counties	November 13, 2020	Federal: \$172,249,000 Non-Federal: \$106,960,000 Total: \$279,209,000
3. CA	Yuba River Ecosystem Restoration	June 20, 2019	Federal: \$66,975,000 Non-Federal: \$36,064,000 Total: \$103,039,000
4. CO, NM, TX	Rio Grande, Environmental Management Program, Sandia Pueblo to Isleta Pueblo, New Mexico, Ecosystem Restoration	August 5, 2019	Federal: \$16,998,000 Non-Federal: \$9,153,000 Total: \$26,151,000
5. FL	Comprehensive Everglades Restoration Plan, Loxahatchee River Watershed Restoration Project, Martin and Palm Beach Counties	April 8, 2020	Federal: \$379,583,000 Non-Federal: \$375,737,000 Total: \$755,320,000
6. IA, MO	Grand River Basin Ecosystem Restoration	November 18, 2020	Federal: \$78,876,000 Non-Federal: \$42,471,000 Total: \$121,347,000
7. IL	The Great Lakes and Mississippi River Interbasin Study - Brandon Road, Will County	May 23, 2019	Federal: \$557,730,550 Non-Federal: \$300,316,450 Total: \$858,047,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
8. IL	South Fork of the South Branch of the Chicago River, Bubbly Creek, Ecosystem Restoration	July 9, 2020	Federal: \$11,657,000 Non-Federal: \$6,277,000 Total: \$17,934,000
9. MD	Anacostia Watershed Restoration, Prince George's County	December 19, 2018	Federal: \$25,866,750 Non-Federal: \$13,928,250 Total: \$39,795,000
10. MO	St. Louis Riverfront-Meramec River Basin Ecosystem Restoration	November 1, 2019	Federal: \$61,362,893 Non-Federal: \$33,042,107 Total: \$94,405,000
11. NY, NJ	Hudson-Raritan Estuary Ecosystem Restoration	May 26, 2020	Federal: \$273,933,000 Non-Federal: \$147,502,000 Total: \$421,435,000
12. NY	Hudson River Habitat Restoration	November 19, 2020	Federal: \$33,479,000 Non-Federal: \$11,159,000 Total: \$44,638,000
13. TX	Jefferson County Ecosystem Restoration	September 12, 2019	Federal: \$38,942,000 Non-Federal: \$20,969,000 Total: \$59,911,000

## 1 (6) WATER SUPPLY.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. OR	Willamette River Basin Review Reallocation,	December 18, 2019	Federal: \$0 Non-Federal: \$0 Total: \$0

## 2 (7) MODIFICATIONS AND OTHER PROJECTS.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Decision Document</b>	<b>D. Estimated Costs</b>
1. CA	San Luis Rey Flood Control Project, San Diego County	July 24, 2020	Federal: \$143,407,500 Non-Federal: \$47,802,500 Total: \$191,210,000
2. FL	Caloosahatchee River West Basin Storage Reservoir (C-43 WBSR)	July 24, 2020	Federal: \$514,999,000 Non-Federal: \$514,999,000 Total: \$1,029,998,000
3. FL	Central and Southern Flor- ida, Canal 111 (C-111) South Dade Project	September 15, 2020	Federal: \$66,736,500 Non-Federal: \$66,736,500 Total: \$133,473,000
4. KY	Kentucky Lock	June 9, 2020	Total: \$1,166,809,000
5. NC	Carolina Beach Integrated Beach Re- nourishment	June 16, 2020	Federal: \$25,125,000 Non-Federal: \$25,125,000 Total: \$50,250,000
6. NC	Wrightsville Beach	July 2, 2020	Federal: \$60,068,000 Non-Federal: \$18,486,000 Total: \$78,554,000 Renourishment Federal: \$18,918,900 Renourishment Non-Federal: \$10,187,100 Renourishment Total: \$29,106,000
7. TX	Corpus Christi Ship Channel, Deepening and Widening and Barge Shelves	May 4, 2020	Federal: \$406,343,000 Non-Federal: \$275,274,000 Total: \$681,617,000
8. VA	Atlantic Intra- coastal Water- way Deep Creek Bridge Replace- ment	October 19, 2020	Federal: \$59,500,000 Non-Federal: \$0 Total: \$59,500,000

1 **SEC. 402. SPECIAL RULES.**

2 (a) GREAT LAKES AND MISSISSIPPI RIVER  
3 INTERBASIN PROJECT, BRANDON ROAD, WILL COUNTY,  
4 ILLINOIS.—The Secretary shall carry out the project for  
5 ecosystem restoration, Great Lakes and Mississippi River  
6 Interbasin project, Brandon Road, Will County, Illinois,  
7 authorized by section 401 of this Act, substantially in ac-  
8 cordance with the terms and conditions described in the  
9 Report of the Chief of Engineers, dated May 23, 2019,  
10 with the following modifications:

11 (1) The Federal share of the cost of construc-  
12 tion shall be 80 percent.

13 (2) The Secretary may include the addition or  
14 substitution of technologies or measures not de-  
15 scribed in the report, as the Secretary determines to  
16 be advisable.

17 (b) EAST ROCKAWAY INLET TO ROCKAWAY INLET  
18 AND JAMAICA BAY REFORMULATION, NEW YORK.—The  
19 project for hurricane and storm damage reduction, East  
20 Rockaway Inlet to Rockaway Inlet and Jamaica Bay, At-  
21 lantic Coast of New York, authorized by section 401 of  
22 this Act, shall be considered to be a continuation of the  
23 interim response to the authorization by the House of  
24 Representatives dated September 20, 1997, and the au-  
25 thorization under the heading “Department of the  
26 Army—Corps of Engineers—Civil—Construction” under

1 chapter 4 of title X of the Disaster Relief Appropriations  
2 Act, 2013 (127 Stat. 24).

3 (c) TULSA AND WEST-TULSA LEVEE SYSTEM, TULSA  
4 COUNTY, OKLAHOMA.—For the project for flood risk  
5 management, Tulsa and West-Tulsa Levee System, Tulsa  
6 County, Oklahoma, authorized by section 401 of this Act,  
7 the non-Federal contribution for the project shall be fi-  
8 nanced over a period of 30 years from the date of comple-  
9 tion of the project, in accordance with section 103(k) of  
10 the Water Resources Development Act of 1986 (33 U.S.C.  
11 2213(k)).

12 (d) WILLAMETTE RIVER BASIN REVIEW REALLOCA-  
13 TION STUDY.—The Secretary shall carry out the project  
14 for water supply, Willamette River Basin Review Realloca-  
15 tion, Oregon, authorized by section 401 of this Act, sub-  
16 stantially in accordance with the terms and conditions de-  
17 scribed in the Report of the Chief of Engineers, dated De-  
18 cember 18, 2019, with the following modifications:

19 (1) The Secretary shall meet the obligations of  
20 the Corps of Engineers under the Endangered Spe-  
21 cies Act of 1973 by complying with the June 2019  
22 NMFS Willamette Basin Review Study Biological  
23 Opinion Reasonable and Prudent Alternative until  
24 such time, if any, as it is modified or replaced, in  
25 whole or in part, through the consultation process

1 under section 7(a) of the Endangered Species Act of  
2 1973.

3 (2) The Secretary may reallocate not more than  
4 10 percent of overall storage in the joint conserva-  
5 tion pool, as authorized by this Act and without fur-  
6 ther congressional action, if such reallocation is con-  
7 sistent with the ongoing consultation under section  
8 7(a) of the Endangered Species Act of 1973 related  
9 to Willamette Valley System operations.

10 (3) The Secretary shall ensure that the revised  
11 reallocation is not reallocated from a single storage  
12 use, does not seriously affect authorized project pur-  
13 poses, and does not otherwise involve major oper-  
14 ational changes to the project.

15 (e) CANO MARTIN PENA, SAN JUAN, PUERTO  
16 RICO.—Section 5127 of the Water Resources Develop-  
17 ment Act of 2007 (121 Stat. 1242) is amended by striking  
18 “\$150,000,000” and inserting “\$255,816,000”.

19 **SEC. 403. AUTHORIZATION OF PROJECTS BASED ON FEASI-**  
20 **BILITY STUDIES PREPARED BY NON-FED-**  
21 **ERAL INTERESTS.**

22 (a) IN GENERAL.—The Secretary is authorized to  
23 carry out the following projects for water resources devel-  
24 opment and conservation and other purposes, subject to  
25 subsection (b):



1           (1) FORT PIERCE, ST. LUCIE COUNTY, FLOR-  
2           IDA.—The project for hurricane and storm damage  
3           reduction, Fort Pierce, St. Lucie County, Florida, as  
4           described in the review assessment of the Secretary,  
5           titled “Review Assessment of St. Lucie County,  
6           Florida Fort Pierce Shore Protection Project Section  
7           203 Integrated Feasibility Study and Environmental  
8           Assessment (June 2018)” and dated July 2018, at  
9           a total cost of \$33,107,639, and at an estimated  
10          total cost of \$97,958,972 for periodic nourishment  
11          over the 50-year life of the project.

12          (2) BAPTISTE COLLETTE BAYOU, LOUISIANA.—  
13          The project for navigation, Baptiste Collette Bayou,  
14          Louisiana, as described in the review assessment of  
15          the Secretary, titled “Review Assessment of  
16          Plaquemines Parish Government’s Section 203  
17          Study Baptiste Collette Bayou Navigation Channel  
18          Deepening Project Integrated Feasibility Study and  
19          Environmental Assessment (January 2017, Amend-  
20          ed April 2018)” and dated June 2018, at a total  
21          cost of \$44,920,000.

22          (3) HOUMA NAVIGATION CANAL, LOUISIANA.—  
23          The project for navigation, Houma Navigation  
24          Canal, Louisiana, as described in the review assess-  
25          ment of the Secretary, titled “Review Assessment of

1 Houma Navigation Canal Deepening Project Section  
2 203 Integrated Feasibility Report and DRAFT En-  
3 vironmental Impact Statement (June 2018)” and  
4 dated July 2018, at a total cost of \$253,458,000.

5 (4) PORT FOURCHON BELLE PASS CHANNEL,  
6 LOUISIANA.—The project for navigation, Port  
7 Fourchon Belle Pass Channel, Louisiana, as de-  
8 scribed in the review assessment of the Secretary, ti-  
9 tled “Review Assessment of Port Fourchon Belle  
10 Pass Channel Deepening Project Section 203 Feasi-  
11 bility Study (January 2019, revised January 2020)”  
12 and dated April 2020, at a total cost of  
13 \$95,483,000.

14 (5) WILMINGTON HARBOR, NORTH CAROLINA.—  
15 The project for navigation, Wilmington Harbor,  
16 North Carolina, as described in the review assess-  
17 ment of the Secretary, titled “Review Assessment of  
18 Wilmington Harbor, North Carolina Navigation Im-  
19 provement Project Integrated Section 203 Study &  
20 Environmental Report (February 2020)” and dated  
21 May 2020, at a total cost of \$834,093,000.

22 (6) CHACON CREEK, TEXAS.—The project for  
23 flood risk management, ecosystem restoration, and  
24 other purposes, Chacon Creek, Texas, as described  
25 in the review assessment of the Secretary, titled

1 “Review Assessment of Chacon Creek, Texas Section  
2 203 Integrated Feasibility Report and DRAFT En-  
3 vironmental Assessment (August 2018)” and dated  
4 September 2018, at a total cost of \$51,973,000.

5 (b) REQUIREMENTS.—The Secretary may only carry  
6 out a project authorized under subsection (a)—

7 (1) substantially in accordance with the applica-  
8 ble review assessment for the project submitted by  
9 the Secretary under section 203(c) of the Water Re-  
10 sources Development Act of 1986, as identified in  
11 subsection (a) of this section, and subject to such  
12 modifications or conditions as the Secretary con-  
13 siders appropriate and identifies in a final assess-  
14 ment that addresses the concerns, recommendations,  
15 and conditions identified by the Secretary in the ap-  
16 plicable review assessment; and

17 (2) after the Secretary transmits to the Com-  
18 mittee on Transportation and Infrastructure of the  
19 House of Representatives and the Committee on En-  
20 vironment and Public Works of the Senate such  
21 final assessment.

1           **TITLE V—OTHER MATTERS**

2   **SEC. 501. UPDATE ON INVASIVE SPECIES POLICY GUID-**  
3                   **ANCE.**

4           (a) **IN GENERAL.**—The Secretary shall periodically  
5 update the Invasive Species Policy Guidance, developed  
6 under section 104 of the River and Harbor Act of 1958  
7 (33 U.S.C. 610) and the Nonindigenous Aquatic Nuisance  
8 Prevention and Control Act of 1990 (16 U.S.C. 4701 et  
9 seq.), in accordance with the most recent National  
10 Invasive Species Council Management Plan developed pur-  
11 suant to Executive Order 13112.

12           (b) **INCLUSION.**—The Secretary may include in the  
13 updated guidance invasive species specific efforts at feder-  
14 ally authorized water resources development projects lo-  
15 cated in—

16                   (1) high-altitude lakes; and

17                   (2) the Tennessee and Cumberland River ba-  
18           sins.

19   **SEC. 502. AQUATIC INVASIVE SPECIES RESEARCH.**

20           Section 1108 of the Water Resources Development  
21 Act of 2018 (33 U.S.C. 2263a) is amended—

22                   (1) in subsection (a)—

23                           (A) by striking “management” and insert-  
24           ing “prevention, management,”; and

1 (B) by inserting “, elodea, quagga mus-  
2 sels,” after “Asian carp”; and

3 (2) in subsection (b)—

4 (A) by inserting “or could be impacted in  
5 the future” after “impacted”; and

6 (B) by striking “Pacific” and all that fol-  
7 lows through the period at the end and insert-  
8 ing “Pacific, Arctic, and Gulf Coasts, the Great  
9 Lakes, and reservoirs operated and maintained  
10 by the Secretary.”.

11 **SEC. 503. TERRESTRIAL NOXIOUS WEED CONTROL PILOT**  
12 **PROGRAM.**

13 (a) **IN GENERAL.**—The Secretary shall carry out a  
14 pilot program, in consultation with the Federal Inter-  
15 agency Committee for the Management of Noxious and  
16 Exotic Weeds, to identify and develop new and improved  
17 strategies for terrestrial noxious weed control on Federal  
18 land under the jurisdiction of the Secretary.

19 (b) **PARTNERSHIPS.**—In carrying out the pilot pro-  
20 gram under subsection (a), the Secretary shall act in part-  
21 nership with such other individuals and entities as the  
22 Secretary determines to be appropriate.

23 (c) **COOPERATIVE AGREEMENTS.**—The Secretary  
24 may utilize cooperative agreements with county and State

1 agencies for the implementation of the pilot program  
2 under subsection (a).

3 (d) REPORT TO CONGRESS.—Not later than 2 years  
4 after the date of enactment of this Act, the Secretary shall  
5 provide to the Committee on Environment and Public  
6 Works of the Senate and the Committee on Transpor-  
7 tation and Infrastructure of the House of Representatives  
8 a report describing the new and improved strategies devel-  
9 oped through the pilot program under subsection (a).

10 **SEC. 504. INVASIVE SPECIES RISK ASSESSMENT,**  
11 **PRIORITIZATION, AND MANAGEMENT.**

12 Section 528(f)(2) of the Water Resources Develop-  
13 ment Act of 1996 (110 Stat. 3771) is amended—

14 (1) by redesignating subparagraphs (I) and (J)  
15 as subparagraphs (J) and (K), respectively;

16 (2) by inserting after subparagraph (H) the fol-  
17 lowing:

18 “(I) shall, using existing amounts appro-  
19 priated to the Task Force, develop and update,  
20 as appropriate, a priority list of invasive species  
21 that—

22 “(i) reflects an assessment of ecologi-  
23 cal risk that the listed invasive species rep-  
24 resent;

1 “(ii) includes populations of invasive  
2 plants and animals that—

3 “(I) are significantly impacting  
4 the structure and function of ecologi-  
5 cal communities, native species, or  
6 habitat within the South Florida eco-  
7 system; or

8 “(II) demonstrate a strong po-  
9 tential to reduce, obscure, or other-  
10 wise alter key indicators used to  
11 measure Everglades restoration  
12 progress; and

13 “(iii) shall be used by the Task Force  
14 and agencies and entities represented on  
15 the Task Force to focus cooperative and  
16 collaborative efforts—

17 “(I) to guide applied research;

18 “(II) to develop innovative strate-  
19 gies and tools to facilitate improved  
20 management, control, or eradication  
21 of listed invasive species;

22 “(III) to implement specific man-  
23 agement, control, or eradication ac-  
24 tivities at the appropriate periodicity  
25 and intensity necessary to reduce or

1           neutralize the impacts of listed  
2           invasive species, including the use of  
3           qualified skilled volunteers when ap-  
4           propriate; and

5                       “(IV) to develop innovative strat-  
6                       egies and tools to prevent future in-  
7                       troductions of nonnative species;”;

8           (3) in subparagraph (J) (as so redesignated),  
9           by striking “ecosystem” and inserting “ecosystem,  
10          including the activities described in subparagraph  
11          (I)”;

12          (4) in clause (i) of subparagraph (K) (as so re-  
13          designated), by inserting “, including the priority list  
14          under subparagraph (I) and the activities described  
15          in that subparagraph” after “Task Force”.

16 **SEC. 505. INVASIVE SPECIES MITIGATION AND REDUCTION.**

17          Section 104 of the River and Harbor Act of 1958  
18          (33 U.S.C. 610) is amended—

19               (1) in subsection (b)—

20                       (A) in paragraph (1)—

21                               (i) in the matter preceding subpara-  
22                               graph (A), by striking “this section  
23                               \$110,000,000” and inserting “this section  
24                               (except for subsections (f) and (g))  
25                               \$130,000,000”;



1 (ii) in subparagraph (B), by striking  
2 “and” at the end;

3 (iii) in subparagraph (C), by striking  
4 the period at the end and inserting a semi-  
5 colon; and

6 (iv) by adding at the end the fol-  
7 lowing:

8 “(D) \$30,000,000 shall be made available  
9 to carry out subsection (d)(1)(A)(iv); and

10 “(E) \$10,000,000 shall be made available  
11 to carry out subsection (d)(1)(A)(v).”;

12 (B) by redesignating paragraph (2) as  
13 paragraph (3);

14 (C) by inserting after paragraph (1) the  
15 following:

16 “(2) OTHER PROGRAMS.—

17 “(A) IN GENERAL.—There are authorized  
18 to be appropriated—

19 “(i) \$10,000,000 for each of fiscal  
20 years 2021 through 2024 to carry out sub-  
21 section (f); and

22 “(ii) \$50,000,000 for each of fiscal  
23 years 2021 through 2024 to carry out sub-  
24 section (g)(2).

1           “(B) INVASIVE PLANT SPECIES PILOT PRO-  
2           GRAM.—There is authorized to be appropriated  
3           to the Secretary of the Interior, acting through  
4           the Director of the United States Fish and  
5           Wildlife Service, \$10,000,000 to carry out sub-  
6           section (g)(3).”; and

7           (D) in paragraph (3) (as so redesignated),  
8           by inserting “or (2)(A)” after “paragraph (1)”;  
9           (2) in subsection (d)—

10           (A) in the subsection heading, by inserting  
11           “AND DECONTAMINATION” after “INSPEC-  
12           TION”;

13           (B) in paragraph (1)—

14           (i) in subparagraph (A)—

15           (I) in the subparagraph heading,  
16           by inserting “AND DECONTAMINA-  
17           TION” after “INSPECTION”;

18           (II) in clause (ii), by striking  
19           “and” at the end;

20           (III) in clause (iii), by striking  
21           “Arizona River Basins.” and inserting  
22           “Arkansas River Basins;”; and

23           (IV) by adding at the end the fol-  
24           lowing:

1                   “(iv) to protect the Russian River  
2                   Basin, California; and

3                   “(v) to protect basins and watersheds  
4                   that adjoin an international border be-  
5                   tween the United States and Canada.”;  
6                   and

7                   (ii) by striking subparagraph (B) and  
8                   inserting the following:

9                   “(B) LOCATIONS.—The Secretary shall  
10                  place watercraft inspection and decontamination  
11                  stations under subparagraph (A) at locations  
12                  with the highest likelihood of preventing the  
13                  spread of aquatic invasive species into and out  
14                  of waters of the United States, as determined  
15                  by the Secretary in consultation with the Gov-  
16                  ernors and entities described in paragraph  
17                  (3).”;

18                  (C) in paragraph (3)(A), by striking “(iii)”  
19                  and inserting “(v)”;

20                  (D) by striking “watercraft inspection sta-  
21                  tions” each place it appears and inserting  
22                  “watercraft inspection and decontamination sta-  
23                  tions”;

24                  (3) by adding at the end the following:

1       “(f) INVASIVE SPECIES MANAGEMENT PILOT PRO-  
2 GRAM.—

3           “(1) DEFINITION OF INVASIVE SPECIES.—In  
4 this subsection, the term ‘invasive species’ has the  
5 meaning given the term in section 1 of Executive  
6 Order 13112 (64 Fed. Reg. 6183; relating to  
7 invasive species (February 3, 1999)) (as amended by  
8 section 2 of Executive Order 13751 (81 Fed. Reg.  
9 88609; relating to safeguarding the Nation from the  
10 impacts of invasive species (December 5, 2016))).

11           “(2) DEVELOPMENT OF PLANS.—The Sec-  
12 retary, in coordination with the Aquatic Nuisance  
13 Species Task Force, shall carry out a pilot program  
14 under which the Secretary shall collaborate with  
15 States in the Upper Missouri River Basin in devel-  
16 oping voluntary aquatic invasive species management  
17 plans to mitigate the effects of invasive species on  
18 public infrastructure facilities located on reservoirs  
19 of the Corps of Engineers in those States.

20           “(3) MANAGEMENT PLAN.—

21           “(A) IN GENERAL.—The Secretary, in con-  
22 sultation with the Governor of each State in the  
23 Upper Missouri River Basin that elects to par-  
24 ticipate in the pilot program, shall prepare a  
25 management plan, or update or expand an ex-

1           isting plan, for each participating State that  
2           identifies public infrastructure facilities located  
3           on reservoirs of the Corps of Engineers in those  
4           States that—

5                   “(i) are affected by aquatic invasive  
6                   species; and

7                   “(ii) need financial and technical as-  
8                   sistance in order to maintain operations.

9                   “(B) USE OF EXISTING PLANS.—In devel-  
10                  oping a management plan under subparagraph  
11                  (A), the Secretary shall consider a management  
12                  plan submitted by a participating State under  
13                  section 1204(a) of the Nonindigenous Aquatic  
14                  Nuisance Prevention and Control Act of 1990  
15                  (16 U.S.C. 4724(a)).

16                  “(4) TERMINATION OF AUTHORITY.—The au-  
17                  thority provided under this subsection shall termi-  
18                  nate on September 30, 2024.

19                  “(g) INVASIVE SPECIES PREVENTION, CONTROL,  
20                  AND ERADICATION.—

21                   “(1) DEFINITION OF INVASIVE SPECIES.—In  
22                   this subsection, the term ‘invasive species’ has the  
23                   meaning given the term in section 1 of Executive  
24                   Order 13112 (64 Fed. Reg. 6183; relating to  
25                   invasive species (February 3, 1999)) (as amended by

1 section 2 of Executive Order 13751 (81 Fed. Reg.  
2 88609; relating to safeguarding the Nation from the  
3 impacts of invasive species (December 5, 2016)).

4 “(2) INVASIVE SPECIES PARTNERSHIPS.—

5 “(A) IN GENERAL.—The Secretary may  
6 enter into partnerships with applicable States  
7 and other Federal agencies to carry out actions  
8 to prevent the introduction of, control, or eradi-  
9 cate, to the maximum extent practicable,  
10 invasive species that adversely impact water  
11 quantity or water quality in the Platte River  
12 Basin, the Upper Colorado River Basin, the  
13 Upper Snake River Basin, and the Upper Mis-  
14 souri River Basin.

15 “(B) PRIORITIZATION.—In selecting ac-  
16 tions to carry out under a partnership under  
17 subparagraph (A), the Secretary shall give pri-  
18 ority to projects that are intended to control or  
19 eradicate the Russian olive (*Elaeagnus*  
20 *angustifolia*) or saltcedar (of the genus  
21 *Tamarix*).

22 “(3) INVASIVE PLANT SPECIES PILOT PRO-  
23 GRAM.—

24 “(A) DEFINITIONS.—In this paragraph:

1           “(i) ELIGIBLE ENTITY.—The term ‘el-  
2           igible entity’ means a partnership between  
3           or among 2 or more entities that—

4                   “(I) includes—

5                           “(aa) at least 1 flood control  
6                           district; and

7                           “(bb) at least 1 city, county,  
8                           township, town, borough, parish,  
9                           village, or other general purpose  
10                          political subdivision of a State or  
11                          Indian Tribe (as defined in sec-  
12                          tion 4 of the Indian Self-Deter-  
13                          mination and Education Assist-  
14                          ance Act (25 U.S.C. 5304)); and

15                          “(II) may include any other enti-  
16                          ty (such as a nonprofit organization  
17                          or institution of higher education), as  
18                          determined by the Secretary.

19           “(ii) INVASIVE PLANT SPECIES.—The  
20           term ‘invasive plant species’ means a plant  
21           that is nonnative to the ecosystem under  
22           consideration, the introduction of which  
23           causes or is likely to cause economic harm  
24           or harm to human health.

1           “(B) PILOT PROGRAM.—The Secretary of  
2           the Interior, acting through the Director of the  
3           United States Fish and Wildlife Service, shall  
4           establish a pilot program under which such Sec-  
5           retary shall work with eligible entities to carry  
6           out activities—

7                   “(i) to remove invasive plant species  
8                   in riparian areas that contribute to  
9                   drought conditions in—

10                           “(I) the Lower Colorado River  
11                           Basin;

12                           “(II) the Rio Grande River  
13                           Basin;

14                           “(III) the Texas Gulf Coast  
15                           Basin; and

16                           “(IV) the Arkansas-White-Red  
17                           Basin;

18                           “(ii) where appropriate, to replace the  
19                           invasive plant species described in clause  
20                           (i) with ecologically suitable native species;  
21                           and

22                           “(iii) to maintain and monitor ripar-  
23                           ian areas in which activities are carried out  
24                           under clauses (i) and (ii).



1           “(C) REPORT TO CONGRESS.—Not later  
2           than 18 months after the date of enactment of  
3           this subsection, the Secretary of the Interior,  
4           acting through the Director of the United  
5           States Fish and Wildlife Service, shall submit  
6           to the Committee on Environment and Public  
7           Works of the Senate and the Committee on  
8           Transportation and Infrastructure of the House  
9           of Representatives a report describing the im-  
10          plementation of the pilot program.

11           “(D) TERMINATION OF AUTHORITY.—The  
12          authority provided under this paragraph shall  
13          terminate on September 30, 2024.

14           “(4) COST SHARE.—The Federal share of an  
15          action carried out under a partnership under para-  
16          graph (2) or an activity carried out under the pilot  
17          program under paragraph (3) shall not exceed 80  
18          percent of the total cost of the action or activity.”.

19   **SEC. 506. AQUATIC INVASIVE SPECIES PREVENTION.**

20          Section 1039(b) of the Water Resources Reform and  
21          Development Act of 2014 (16 U.S.C. 4701 note) is  
22          amended—

23                 (1) in paragraph (1)—

24                         (A) in the paragraph heading, by striking

25                         “UPPER MISSISSIPPI AND OHIO RIVER BASINS

1 AND TRIBUTARIES” and inserting “MISSISSIPPI  
2 RIVER AND TRIBUTARIES, INCLUDING SUB-BA-  
3 SINS”;

4 (B) in subparagraph (A), by striking  
5 “Upper Mississippi and Ohio River basins and  
6 tributaries” and inserting “Mississippi River  
7 and tributaries, including the 6 sub-basins of  
8 the River,”; and

9 (C) in subparagraph (B), by striking “and  
10 the document prepared” and all that follows  
11 through “February 2012.” and inserting “the  
12 Mississippi River Basin Asian Carp Control  
13 Strategy Framework, and the Asian Carp Re-  
14 gional Coordinating Committee’s Asian Carp  
15 Action Plan.”; and

16 (2) in paragraph (2)—

17 (A) in subparagraph (A)—

18 (i) by striking “December 31 of each  
19 year” and inserting “December 31, 2020,  
20 and biennially thereafter”; and

21 (ii) by striking “Upper Mississippi  
22 and Ohio River basins and tributaries”  
23 and inserting “Mississippi River and tribu-  
24 taries, including the 6 sub-basins of the  
25 River”; and

1 (B) in subparagraph (B)—

2 (i) in clause (i), by striking “Upper  
3 Mississippi and Ohio River basins and trib-  
4 utaries” and inserting “Mississippi River  
5 and tributaries, including the 6 sub-basins  
6 of the River,”; and

7 (ii) in clause (ii), by striking “Upper  
8 Mississippi and Ohio River basins and trib-  
9 utaries” and inserting “Mississippi River  
10 and tributaries, including the 6 sub-basins  
11 of the River”.

12 **SEC. 507. INVASIVE SPECIES IN ALPINE LAKES PILOT PRO-**  
13 **GRAM.**

14 (a) ESTABLISHMENT.—The Secretary of the Interior,  
15 acting through the Director of the United States Fish and  
16 Wildlife Service, shall establish a pilot program (referred  
17 to in this section as the “pilot program”) to develop and  
18 carry out effective measures necessary to prevent, control,  
19 or eradicate aquatic invasive species in alpine lakes that  
20 are not located within a unit of the National Park System.

21 (b) PARTNERSHIPS.—The Secretary of the Interior,  
22 acting through the Director of the United States Fish and  
23 Wildlife Service, shall offer to enter into a partnership to  
24 carry out the pilot program with—

25 (1) any relevant partnering Federal agency; and

1               (2) any relevant compact agency organized with  
2               the consent of Congress under article I, section 10  
3               of the Constitution of the United States.

4               (c) **AUTHORIZATION OF APPROPRIATIONS.**—There is  
5               authorized to be appropriated to carry out the pilot pro-  
6               gram \$25,000,000 for the period of fiscal years 2022  
7               through 2024.

8               **SEC. 508. MURDER HORNET ERADICATION PILOT PRO-**  
9               **GRAM.**

10              (a) **GRANT AUTHORITY.**—The Secretary of the Inte-  
11              rior, acting through the Director of the Fish and Wildlife  
12              Service, and in consultation with all relevant Federal  
13              agencies, shall establish a pilot program to provide finan-  
14              cial assistance to States for management, research, and  
15              public education activities necessary to—

16                      (1) eradicate the Asian giant hornet; and

17                      (2) restore bee populations damaged by the  
18              Asian giant hornet.

19              (b) **ELIGIBILITY.**—A State is eligible to receive finan-  
20              cial assistance under this section if the State has dem-  
21              onstrated to the Secretary of the Interior sufficient need  
22              to implement measures to eradicate the Asian giant hor-  
23              net.

24              (c) **COST SHARING.**—

1           (1) FEDERAL SHARE.—The Federal share of  
2           the costs of activities carried out under the pilot pro-  
3           gram may not exceed 75 percent of the total costs  
4           of such activities.

5           (2) IN-KIND CONTRIBUTIONS.—The non-Fed-  
6           eral share of the costs of activities carried out under  
7           the pilot program may be provided in the form of in-  
8           kind contributions of materials or services.

9           (d) LIMITATION ON ADMINISTRATIVE EXPENSES.—  
10          Not more than 5 percent of financial assistance provided  
11          by the Secretary of the Interior under this section may  
12          be used for administrative expenses.

13          (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
14          authorized to be appropriated to the Secretary of the Inte-  
15          rior to carry out the pilot program \$4,000,000 for each  
16          of fiscal years 2021 through 2025.

17          (f) DEFINITIONS.—In this section:

18               (1) ASIAN GIANT HORNET.—The term “Asian  
19               giant hornet” means a *Vespa mandarinia*.

20               (2) STATE.—The term “State” means each of  
21               the several States, the District of Columbia, and the  
22               territories and insular possessions of the United  
23               States.

1 (g) SUNSET.—The authority under this section shall  
2 terminate on the date that is 5 years after the date of  
3 enactment of this Act.

4 **SEC. 509. ASIAN CARP PREVENTION AND CONTROL PILOT**  
5 **PROGRAM.**

6 (a) CORPS OF ENGINEERS ASIAN CARP PREVENTION  
7 PILOT PROGRAM.—

8 (1) IN GENERAL.—The Secretary, in conjunc-  
9 tion with the Tennessee Valley Authority and other  
10 relevant Federal agencies, shall carry out an Asian  
11 carp prevention pilot program to carry out projects  
12 to manage and prevent the spread of Asian carp  
13 using innovative technologies, methods, and meas-  
14 ures.

15 (2) PROJECT SELECTION.—

16 (A) LOCATION.—Each project under the  
17 pilot program shall be carried out in a river sys-  
18 tem or reservoir in the Cumberland River Wa-  
19 tershed or Tennessee River Watershed in which  
20 Asian carp populations are expanding or have  
21 been documented.

22 (B) CONSULTATION.—In selecting projects  
23 to carry out under the pilot program, the Sec-  
24 retary shall consult with—

1 (i) applicable Federal, State, and local  
2 agencies;

3 (ii) institutions of higher education;  
4 and

5 (iii) relevant private organizations, in-  
6 cluding nonprofit organizations.

7 (C) LIMITATIONS.—

8 (i) NUMBER OF PROJECTS.—The Sec-  
9 retary may select not more than 10  
10 projects to carry out under the pilot pro-  
11 gram.

12 (ii) DEADLINE.—Not later than Sep-  
13 tember 30, 2024, the Secretary shall com-  
14 plete projects selected to be carried out  
15 under the pilot program.

16 (3) BEST PRACTICES.—In carrying out the pilot  
17 program, to the maximum extent practicable, the  
18 Secretary shall consider existing best practices, such  
19 as those described in the document of the Asian  
20 Carp Working Group of the Aquatic Nuisance Spe-  
21 cies Task Force entitled “Management and Control  
22 Plan for Bighead, Black, Grass, and Silver Carps in  
23 the United States” and dated November 2007.

24 (4) COST-SHARE.—

1           (A) IN GENERAL.—The Federal share of  
2           the costs of a project carried out under the pro-  
3           gram may not exceed 75 percent of the total  
4           costs of the project.

5           (B) OPERATION, MAINTENANCE, REHA-  
6           BILITATION, AND REPAIR.—After the comple-  
7           tion of a project under the pilot program, the  
8           Federal share of the costs for operation, main-  
9           tenance, rehabilitation, and repair of the project  
10          shall be 100 percent.

11          (5) MEMORANDUM OF AGREEMENT.—For  
12          projects carried out in reservoirs owned or managed  
13          by the Tennessee Valley Authority, the Secretary  
14          and the Tennessee Valley Authority shall execute a  
15          memorandum of agreement establishing the frame-  
16          work for a partnership and the terms and conditions  
17          for sharing expertise and resources.

18          (6) PAYMENTS.—The Secretary is authorized to  
19          accept and expend funds from the Tennessee Valley  
20          Authority to complete any work under this section at  
21          a reservoir owned or managed by the Tennessee Val-  
22          ley Authority.

23          (7) REPORT.—Not later than 2 years after the  
24          date of enactment of this Act, and 2 years there-  
25          after, the Secretary shall submit to Congress a re-



1 port describing the results of the pilot program, in-  
2 cluding an analysis of the effectiveness of the inno-  
3 vative technologies, methods, and measures used in  
4 projects carried out under the pilot program at pre-  
5 venting the spread, or managing the eradicating of,  
6 Asian carp.

7 (8) AUTHORIZATION OF APPROPRIATIONS.—  
8 There is authorized to be appropriated to carry out  
9 this subsection \$25,000,000, to remain available  
10 until expended.

11 (b) FISH AND WILDLIFE SERVICE ASIAN CARP  
12 ERADICATION PROGRAM.—

13 (1) ESTABLISHMENT.—The Secretary of the In-  
14 terior, acting through the Director of the United  
15 States Fish and Wildlife Service, shall establish a  
16 program to provide financial assistance to States to  
17 implement measures, including for management, re-  
18 search, and public education activities, necessary to  
19 eradicate the Asian carp.

20 (2) ELIGIBILITY.—A State is eligible to receive  
21 financial assistance under this subsection if such  
22 State has demonstrated to the Secretary of the Inte-  
23 rior sufficient need to implement measures to eradi-  
24 cate the Asian carp.

1           (3) PRIORITY.—In providing financial assist-  
2           ance under the program, the Secretary of the Inte-  
3           rior shall give priority to States in the Cumberland  
4           River Watershed or the Tennessee River Watershed  
5           in which Asian carp populations are expanding or  
6           have been documented.

7           (4) COST SHARING.—

8                 (A) FEDERAL SHARE.—The Federal share  
9                 of the costs of activities carried out under the  
10                program may not exceed 80 percent of the total  
11                costs of such activities.

12               (B) IN-KIND CONTRIBUTIONS.—The non-  
13               Federal share of the costs of activities carried  
14               out under the program may be provided in the  
15               form of in-kind contributions of materials or  
16               services.

17           (5) LIMITATION ON ADMINISTRATIVE EX-  
18           PENSES.—Not more than 5 percent of financial as-  
19           sistance provided by the Secretary of the Interior  
20           under this subsection may be used for administrative  
21           expenses.

22           (6) AUTHORIZATION OF APPROPRIATIONS.—  
23           There is authorized to be appropriated to the Sec-  
24           retary of the Interior to carry out this subsection

1       \$4,000,000 for each of fiscal years 2021 through  
2       2025.

3       **SEC. 510. INVASIVE SPECIES IN NONCONTIGUOUS STATES**  
4                                   **AND TERRITORIES PILOT PROGRAM.**

5       (a) ESTABLISHMENT.—The Secretary of the Interior,  
6 acting through the Director of the United States Fish and  
7 Wildlife Service, shall establish a pilot program to carry  
8 out measures necessary to prevent, control, or eradicate  
9 invasive species in culturally significant forested water-  
10 sheds in noncontiguous States and territories of the  
11 United States in which the Corps of Engineers is carrying  
12 out flood risk management projects.

13       (b) IMPLEMENTATION.—The Secretary of the Inte-  
14 rior, acting through the Director of the United States Fish  
15 and Wildlife Service, is encouraged to carry out the meas-  
16 ures described in subsection (a) in consultation with—

17               (1) States, any territory or possession of the  
18 United States, and units of local government, includ-  
19 ing federally recognized Indian Tribes (as defined in  
20 section 4 of the Indian Self-Determination and Edu-  
21 cation Assistance Act (25 U.S.C. 5304)); and

22               (2) nonprofit organizations with knowledge of,  
23 and experience in, forested watershed management,  
24 including nonprofit organizations with a primary

1 purpose of serving and partnering with indigenous  
2 communities.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
4 authorized to be appropriated to carry out the pilot pro-  
5 gram under subsection (a) \$25,000,000 for the period of  
6 fiscal years 2022 through 2024.

7 **SEC. 511. SOIL MOISTURE AND SNOWPACK MONITORING.**

8 (a) INSTALLATION OF NETWORK.—

9 (1) IN GENERAL.—In accordance with the ac-  
10 tivities required under section 4003(a) of the Water  
11 Resources Reform and Development Act of 2014  
12 (128 Stat. 1310; 130 Stat. 1676), and to support  
13 the goals of the Weather Research and Forecasting  
14 Innovation Act of 2017 (Public Law 115–25) and  
15 the National Integrated Drought Information Sys-  
16 tem Reauthorization Act of 2018 (Public Law 115–  
17 423), the Secretary, in coordination with the Admin-  
18 istrator of the National Oceanic and Atmospheric  
19 Administration (referred to in this section as the  
20 “Administrator”), the Chief of the Natural Re-  
21 sources Conservation Service, the Director of the  
22 United States Geological Survey, and the Commis-  
23 sioner of Reclamation, shall continue installation of  
24 a network of soil moisture and plains snowpack

1 monitoring stations, and modification of existing sta-  
2 tions, in the Upper Missouri River Basin.

3 (2) REQUIREMENTS.—In carrying out installa-  
4 tion and modification activities under paragraph (1),  
5 the Secretary—

6 (A) may continue to enter into agreements,  
7 including cooperative agreements, with State  
8 mesonet programs for purposes of installing  
9 new stations or modifying existing stations;

10 (B) shall transfer ownership and all re-  
11 sponsibilities for operation and maintenance of  
12 new stations to the respective State mesonet  
13 program for the State in which the monitoring  
14 station is located on completion of installation  
15 of the station; and

16 (C) shall establish, in consultation with the  
17 Administrator, requirements and standards for  
18 the installation of new stations and modification  
19 of existing stations to ensure seamless data in-  
20 tegration into—

21 (i) the National Mesonet Program;

22 (ii) the National Coordinated Soil  
23 Moisture Network; and

24 (iii) other relevant networks.

1           (3) AUTHORIZATION OF APPROPRIATIONS.—

2           There is authorized to be appropriated to carry out  
3           this subsection, in addition to any other funds au-  
4           thorized to be appropriated for the installation of a  
5           network of soil moisture and plains snowpack moni-  
6           toring stations or the modification of existing sta-  
7           tions in the Upper Missouri River Basin, \$7,000,000  
8           for each of fiscal years 2021 through 2025.

9           (b) SOIL MOISTURE AND SNOWPACK MONITORING  
10          PILOT PROGRAM.—

11           (1) IN GENERAL.—Not later than 180 days  
12           after the date of the enactment of this Act, the Ad-  
13           ministrator shall establish within the National  
14           Mesonet Program a pilot program for the acquisition  
15           and use of data generated by the network described  
16           in subsection (a).

17           (2) REQUIREMENTS.—In establishing the pilot  
18           program under paragraph (1), the Administrator  
19           shall—

20                   (A) enter into agreements with State  
21                   mesonet programs in the Upper Missouri River  
22                   Basin to acquire data generated by the network  
23                   described in subsection (a) that—

24                           (i) are similar to the agreements in ef-  
25                           fect as of the date of the enactment of this

1 Act with States under the National  
2 Mesonet Program; and

3 (ii) allow for sharing of data with  
4 other Federal agencies and with institu-  
5 tions engaged in federally supported re-  
6 search, including the United States  
7 Drought Monitor, as appropriate and fea-  
8 sible;

9 (B) in coordination with the Secretary, the  
10 Chief of the Natural Resources Conservation  
11 Service, the Director of the United States Geo-  
12 logical Survey, and the Commissioner of Rec-  
13 lamation, gather data from the operation of the  
14 network to inform ongoing efforts of the Na-  
15 tional Oceanic and Atmospheric Administration  
16 in support of—

17 (i) the National Integrated Drought  
18 Information System, including the Na-  
19 tional Coordinated Soil Moisture Network;

20 (ii) the United States Drought Mon-  
21 itor;

22 (iii) the National Water Model and  
23 other relevant national modeling efforts;

24 (iv) validation, verification, and cali-  
25 bration of satellite-based, in situ, and other

1 remote sensing activities and output prod-  
2 ucts;

3 (v) flood risk and water resources  
4 monitoring initiatives by the Secretary and  
5 the Commissioner; and

6 (vi) any other programs or initiatives  
7 the Administrator considers appropriate;

8 (C) at the request of State mesonet pro-  
9 grams, or as the Administrator considers appro-  
10 priate, provide technical assistance to such pro-  
11 grams under the pilot program under para-  
12 graph (1) to ensure proper data requirements;  
13 and

14 (D) ensure an appropriate mechanism for  
15 quality control and quality assurance is em-  
16 ployed for the data acquired under the pilot  
17 program, such as the Meteorological Assimila-  
18 tion Data Ingest System.

19 (3) STUDY REQUIRED.—

20 (A) IN GENERAL.—Not later than 1 year  
21 after the date of the enactment of this Act, the  
22 Administrator shall initiate a study of the pilot  
23 program required by paragraph (1) to evaluate  
24 the data generated by the network described in  
25 subsection (a) and the applications of that data



1 to programs and initiatives described in para-  
2 graph (2)(B).

3 (B) ELEMENTS.—The study required by  
4 subparagraph (A) shall include an assessment  
5 of—

6 (i) the contribution of the soil mois-  
7 ture, snowpack, and other relevant data  
8 generated by the network described in sub-  
9 section (a) to weather, subseasonal and  
10 seasonal, and climate forecasting products  
11 on the local, regional, and national levels;

12 (ii) the enhancements made to the  
13 National Integrated Drought Information  
14 System, the National Water Model, and  
15 the United States Drought Monitor, and  
16 other relevant national modeling efforts,  
17 using data and derived data products gen-  
18 erated by the network;

19 (iii) the contribution of data gen-  
20 erated by the network to remote sensing  
21 products and approaches;

22 (iv) the viability of the ownership and  
23 operational structure of the network; and

24 (v) any other matters the Adminis-  
25 trator considers appropriate, in coordina-

1                   tion with the Secretary, the Chief of the  
2                   Natural Resources Conservation Service,  
3                   the Director of the United States Geologi-  
4                   cal Survey, and the Commissioner of Rec-  
5                   lamation.

6                   (4) REPORT REQUIRED.—Not later than 4  
7                   years after the date of the enactment of this Act, the  
8                   Administrator shall submit to the appropriate con-  
9                   gressional committees a report—

10                   (A) setting forth the findings of the study  
11                   required by paragraph (3); and

12                   (B) making recommendations based on  
13                   those findings to improve weather, subseasonal,  
14                   seasonal, and climate monitoring nationally.

15                   (5) GOVERNMENT ACCOUNTABILITY OFFICE  
16                   AUDIT.—

17                   (A) IN GENERAL.—Not later than 60 days  
18                   after the report required by paragraph (4) is  
19                   submitted, the Comptroller General of the  
20                   United States shall initiate an audit to evaluate  
21                   that report and determine whether—

22                   (i) the Administrator, in conducting  
23                   the pilot program under paragraph (1),  
24                   has utilized the relevant data generated by  
25                   the network described in subsection (a) in

1 the manner most beneficial to the pro-  
2 grams and initiatives described in para-  
3 graph (2)(B);

4 (ii) the acquisition agreements entered  
5 into under paragraph (2)(A) with State  
6 mesonet programs fully comply with the  
7 requirements of that paragraph; and

8 (iii) the heads of other agencies, in-  
9 cluding the Secretary, the Chief of the  
10 Natural Resources Conservation Service,  
11 the Director of the United States Geologi-  
12 cal Survey, and the Commissioner of Rec-  
13 lamation, are utilizing the data generated  
14 by the network to better inform and im-  
15 prove the missions of those agencies.

16 (B) REPORT REQUIRED.—Not later than  
17 270 days after initiating the audit required by  
18 subparagraph (A), the Comptroller General  
19 shall submit to the appropriate congressional  
20 committees a report setting forth the findings  
21 of the audit.

22 (6) APPROPRIATE CONGRESSIONAL COMMIT-  
23 TEES DEFINED.—In this subsection, the term “ap-  
24 propriate congressional committees” means—

1 (A) the Committee on Commerce, Science,  
2 and Transportation, the Committee on Environ-  
3 ment and Public Works, and the Committee on  
4 Energy and Natural Resources of the Senate;  
5 and

6 (B) the Committee on Transportation and  
7 Infrastructure, the Committee on Science,  
8 Space, and Technology, and the Committee on  
9 Natural Resources of the House of Representa-  
10 tives.

11 **SEC. 512. GREAT LAKES ST. LAWRENCE SEAWAY DEVELOP-**  
12 **MENT CORPORATION.**

13 (a) RENAMING THE SAINT LAWRENCE SEAWAY DE-  
14 VELOPMENT CORPORATION.—The Act of May 13, 1954  
15 (33 U.S.C. 981 et seq.) is amended—

16 (1) in section 1 (33 U.S.C. 981), by striking  
17 “Saint Lawrence Seaway Development Corporation”  
18 and inserting “Great Lakes St. Lawrence Seaway  
19 Development Corporation”; and

20 (2) in section 2(b) (33 U.S.C. 982(b)), by strik-  
21 ing “Saint Lawrence Seaway Development Corpora-  
22 tion” and inserting “Great Lakes St. Lawrence Sea-  
23 way Development Corporation”.

24 (b) REFERENCES.—Any reference to the Saint Law-  
25 rence Seaway Development Corporation in any law, regu-

1 lation, document, record, Executive order, or other paper  
2 of the United States shall be deemed to be a reference  
3 to the Great Lakes St. Lawrence Seaway Development  
4 Corporation.

5 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

6 (1) TITLE 5.—Section 5315 of title 5, United  
7 States Code, is amended by striking “Saint Law-  
8 rence Seaway Development Corporation” and insert-  
9 ing “Great Lakes St. Lawrence Seaway Develop-  
10 ment Corporation”.

11 (2) TITLE 18.—Section 2282B of title 18,  
12 United States Code, is amended by striking “Saint  
13 Lawrence Seaway Development Corporation” and in-  
14 sserting “Great Lakes St. Lawrence Seaway Develop-  
15 ment Corporation”.

16 (3) INTERNAL REVENUE CODE.—Section  
17 9505(a)(2) of the Internal Revenue Code of 1986  
18 (26 U.S.C. 9505(a)(2)) is amended by striking  
19 “Saint Lawrence Seaway Development Corporation”  
20 and inserting “Great Lakes St. Lawrence Seaway  
21 Development Corporation”.

22 (4) TITLE 31.—Section 9101(3)(K) of title 31,  
23 United States Code, is amended by striking “Saint  
24 Lawrence Seaway Development Corporation” and in-

1       serting “Great Lakes St. Lawrence Seaway Develop-  
2       ment Corporation”.

3               (5) WATER RESOURCES DEVELOPMENT ACT OF  
4       1986.—The Water Resources Development Act of  
5       1986 (33 U.S.C. 2211 et seq.) is amended—

6               (A) in section 206 (33 U.S.C. 2234), by  
7       striking “Saint Lawrence Seaway Development  
8       Corporation” and inserting “Great Lakes St.  
9       Lawrence Seaway Development Corporation”;

10              (B) in section 210(a)(1) (33 U.S.C.  
11       2238(a)(1)), by striking “Saint Lawrence Sea-  
12       way Development Corporation” and inserting  
13       “Great Lakes St. Lawrence Seaway Develop-  
14       ment Corporation”;

15              (C) in section 214(2)(B) (33 U.S.C.  
16       2241(2)(B)), by striking “Saint Lawrence Sea-  
17       way Development Corporation” and inserting  
18       “Great Lakes St. Lawrence Seaway Develop-  
19       ment Corporation”; and

20              (D) in section 1132(b) (33 U.S.C.  
21       2309(b)), by striking “Saint Lawrence Seaway  
22       Development Corporation” and inserting  
23       “Great Lakes St. Lawrence Seaway Develop-  
24       ment Corporation” each place it appears.

1           (6) TITLE 46.—Title 46, United States Code, is  
2 amended—

3           (A) in section 2109, by striking “Saint  
4 Lawrence Seaway Development Corporation”  
5 and inserting “Great Lakes St. Lawrence Sea-  
6 way Development Corporation”;

7           (B) in section 8103(g), by striking “Saint  
8 Lawrence Seaway Development Corporation”  
9 and inserting “Great Lakes St. Lawrence Sea-  
10 way Development Corporation”;

11           (C) in section 8503(c), by striking “Saint  
12 Lawrence Seaway Development Corporation”  
13 and inserting “Great Lakes St. Lawrence Sea-  
14 way Development Corporation”;

15           (D) in section 55112(a)(3), by striking  
16 “St. Lawrence Seaway Development Corpora-  
17 tion” and inserting “Great Lakes St. Lawrence  
18 Seaway Development Corporation”;

19           (E) in section 55331(3), by striking “Saint  
20 Lawrence Seaway Development Corporation”  
21 and inserting “Great Lakes St. Lawrence Sea-  
22 way Development Corporation”; and

23           (F) in section 70032, by striking “Saint  
24 Lawrence Seaway Development Corporation”  
25 and inserting “Great Lakes St. Lawrence Sea-

1 way Development Corporation” each place it  
2 appears.

3 (7) TITLE 49.—

4 (A) IN GENERAL.—Title 49, United States  
5 Code, is amended—

6 (i) in section 110—

7 (I) in the heading, by striking  
8 **“Saint Lawrence Seaway De-**  
9 **velopment Corporation”** and in-  
10 sserting **“Great Lakes St. Law-**  
11 **rence Seaway Development**  
12 **Corporation”**; and

13 (II) in subsection (a), by striking  
14 “Saint Lawrence Seaway Development  
15 Corporation” and inserting “Great  
16 Lakes St. Lawrence Seaway Develop-  
17 ment Corporation”; and

18 (ii) in section 6314(c)(2)(G), by strik-  
19 ing “Saint Lawrence Seaway Development  
20 Corporation” and inserting “Great Lakes  
21 St. Lawrence Seaway Development Cor-  
22 poration”.

23 (B) TABLE OF SECTIONS.—The table of  
24 sections for chapter 1 of subtitle I of title 49,  
25 United States Code, is amended by amending



1           the item relating to section 110 to read as fol-  
2           lows:

“110. Great Lakes St. Lawrence Seaway Development Corporation.”.

Amend the title so as to read: “A bill to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes.”.