

**AMENDMENT TO H.R. 8**  
**OFFERED BY MR. SHUSTER OF PENNSYLVANIA**

Strike section 106 and insert the following:

1 **SEC. 106. REHABILITATION OF CORPS OF ENGINEERS CON-**  
2 **STRUCTED DAMS.**

3 Section 1177 of the Water Resources Development  
4 Act of 2016 (33 U.S.C. 467f–2 note) is amended—

5 (1) in subsection (e), by striking “\$10,000,000”  
6 and inserting “\$40,000,000”; and

7 (2) in subsection (f), by striking “\$10,000,000”  
8 and inserting “\$40,000,000”.

Page 7, after line 18, insert the following:

9 **SEC. 108. IDENTIFICATION OF NONPOWERED DAMS FOR**  
10 **HYDROPOWER DEVELOPMENT.**

11 (a) IN GENERAL.—Not later than 18 months after  
12 the date of enactment of this section, the Secretary shall  
13 develop a list of existing nonpowered dams owned and op-  
14 erated by the Corps of Engineers that have the greatest  
15 potential for hydropower development.

16 (b) CONSIDERATIONS.—In developing the list under  
17 subsection (a), the Secretary may consider the following:

1           (1) The compatibility of hydropower generation  
2           with existing purposes of the dam.

3           (2) The proximity of the dam to existing trans-  
4           mission resources.

5           (3) The existence of studies to characterize en-  
6           vironmental, cultural, and historic resources relating  
7           to the dam.

8           (4) Whether hydropower is an authorized pur-  
9           pose of the dam.

10          (c) AVAILABILITY.—The Secretary shall provide the  
11 list developed under subsection (a) to the Committee on  
12 Transportation and Infrastructure of the House of Rep-  
13 resentatives and the Committee on Environment and Pub-  
14 lic Works of the Senate, and make such list available to  
15 the public.

Page 26, line 23, strike “With respect to” and insert  
“For”.

Page 27, beginning on line 1, strike “and subject to  
the execution of a written agreement described in sub-  
paragraph (B)” and insert “with respect to which a writ-  
ten agreement described in subparagraph (B) has been  
entered into”.

Page 27, line 7, strike “there are”.

Page 27, line 9, insert “have arisen” before “since”.

Page 27, strike line 20 and insert the following:

- 1           “(C) CERTIFICATIONS.—Notwithstanding  
2           subparagraph (A), if a non-Federal interest car-  
3           rying out a project under this section would, in  
4           the absence of a written agreement entered into  
5           under this paragraph, be required to obtain a  
6           certification from a State under Federal law to  
7           carry out the project, such certification shall  
8           still be required if a written agreement is en-  
9           tered into with respect to the project under this  
10          paragraph.”; and  
11          (2) in subsection (d)(3)—  
12           (A) in subparagraph (A), by striking “;  
13           and”;  
14           (B) In subparagraph (B)(ii), by striking  
15           the period at the end and inserting “; and”;  
16           and  
17           (C) by adding at the end the following:  
18           “(C) in the case of reimbursement, appro-  
19           priations are provided by Congress for such  
20           purpose.”; and

Page 28, strike lines 21 and 22 and insert the fol-  
lowing:

1           (3) by striking “from appropriations which may  
2           be provided by Congress for flood-control work” and  
3           inserting “if appropriations are provided by Con-  
4           gress for such purpose”; and

At the end of title I, add the following:

5   **SEC. 126. STUDY OF CORROSION MANAGEMENT AT CORPS**  
6                           **OF ENGINEERS PROJECTS.**

7           (a) **IN GENERAL.**—Not later than 1 year after the  
8           date of enactment of this Act, the Comptroller General  
9           of the United States shall submit to the Committee on  
10           Transportation and Infrastructure of the House of Rep-  
11           resentatives and the Committee on Environment and Pub-  
12           lic Works of the Senate a study of corrosion management  
13           efforts at projects and properties under the control of the  
14           Corps of Engineers.

15           (b) **REQUIREMENTS.**—The study under subsection  
16           (a) shall include—

17                   (1) an analysis of—

18                           (A) asset management protocols that are  
19                           utilized by the Corps of Engineers, including  
20                           protocols that examine both asset integrity and  
21                           the integration of corrosion management efforts  
22                           within the asset lifecycle, which includes the  
23                           stages of design, manufacturing and construc-

1           tion, operation and maintenance, and decom-  
2           missioning;

3           (B) available corrosion prevention tech-  
4           nologies that may be used at projects and prop-  
5           erties under the control of the Corps of Engi-  
6           neers;

7           (C) corrosion-related asset failures and the  
8           management protocols of the Corps of Engi-  
9           neers to incorporate lessons learned from such  
10          failures into work and management practices;

11          (D) training of Corps of Engineers employ-  
12          ees with respect to, and best practices for, iden-  
13          tifying and preventing corrosion at projects and  
14          properties under the control of the Corps of En-  
15          gineers; and

16          (E) the estimated costs and anticipated  
17          benefits, including safety benefits, associated  
18          with the integration of corrosion management  
19          efforts within the asset lifecycle; and

20          (2) a description of Corps of Engineers, stake-  
21          holder, and expert perspectives on the effectiveness  
22          of corrosion management efforts to reduce the inci-  
23          dence of corrosion at projects and properties under  
24          the control of the Corps of Engineers.

1 **SEC. 127. COSTS IN EXCESS OF FEDERAL PARTICIPATION**  
2 **LIMIT.**

3 Section 14 of the Flood Control Act of 1946 (33  
4 U.S.C. 701r) is amended by inserting “, and if such  
5 amount is not sufficient to cover the costs included in the  
6 Federal cost share for a project, as determined by the Sec-  
7 retary, the non-Federal interest shall be responsible for  
8 any such costs that exceed such amount” before the period  
9 at the end.

Page 36, after line 11, insert the following:

10 (c) UPPER MISSISSIPPI RIVER PROTECTION.—Sec-  
11 tion 2010 of the Water Resources Reform and Develop-  
12 ment Act of 2014 (128 Stat. 1270) is amended by adding  
13 at the end the following:

14 “(d) CONSIDERATIONS.—In carrying out a disposi-  
15 tion study with respect to the Upper St. Anthony Falls  
16 Lock and Dam, including a disposition study under sec-  
17 tion 216 of the Flood Control Act of 1970 (33 U.S.C.  
18 549a), the Secretary may not complete such study until  
19 the Secretary considers, and issues a report to the Com-  
20 mittee on Transportation and Infrastructure of the House  
21 of Representatives and the Committee on Environment  
22 and Public Works of the Senate on—

23 “(1) the feasibility of carrying out modifications  
24 to the Upper St. Anthony Falls Lock and Dam to—

1           “(A) preserve and enhance recreational op-  
2           portunities and the health of the ecosystem; and

3           “(B) maintain the benefits to the natural  
4           ecosystem and human environment; and

5           “(2) the preservation of any portion of the  
6           Upper St. Anthony Falls Lock and Dam necessary  
7           to maintain flood control.”.

Page 37, after line 21, insert the following:

8           (14) Project for navigation, Nome, Alaska.

9           (15) Project for navigation, Three Rivers, Ar-  
10          kansas.

11          (16) Project for ecosystem restoration, Resacas  
12          at Brownsville, Texas.

13          (17) Project for navigation, Norfolk Harbor,  
14          Virginia.

15          (18) Project for coastal storm risk manage-  
16          ment, Norfolk, Virginia.

17          (19) Project for flood risk management, Lower  
18          Cache Creek, California.

19          (20) Project for flood risk management, Lower  
20          San Joaquin River, California, as described in sec-  
21          tion 1322(b)(2)(F) of the Water Resources Develop-  
22          ment Act of 2016 (130 Stat. 1707) (second phase  
23          of feasibility study).

1 (b) LOWER SAN JOAQUIN RIVER, CALIFORNIA.—In  
2 expediting completion of the second phase of the Lower  
3 San Joaquin River feasibility study under subsection  
4 (a)(20), the Secretary shall review and give priority to any  
5 plans and designs requested by non-Federal interests and  
6 incorporate such plans and designs into the Federal study  
7 if the Secretary determines that such plans and designs  
8 are consistent with Federal standards.

Page 38, after line 7, insert the following:

9 (4) Project for navigation, Sault Sainte Marie,  
10 Michigan.

At the end of title III, add the following:

11 **SEC. 310. YUBA RIVER BASIN, CALIFORNIA.**

12 (a) IN GENERAL.—The project for flood damage re-  
13 duction, Yuba River Basin, California, authorized by sec-  
14 tion 101(a)(10) of the Water Resources Development Act  
15 of 1999 (113 Stat. 275) is modified to allow a non-Federal  
16 interest to construct a new levee to connect the existing  
17 levee with high ground.

18 (b) PROJECT DESCRIPTION.—The levee to be con-  
19 structed shall tie into the existing levee at a point  
20 Northing 2186189.2438, Easting 6703908.8657, thence  
21 running east and south along a path to be determined to  
22 a point Northing 2187849.4328, Easting 6719262.0164.



1 (c) COOPERATION AGREEMENT.—The Secretary shall  
 2 execute a conforming amendment to the Memorandum of  
 3 Understanding Respecting the Sacramento River Flood  
 4 Control Project with the State of California dated Novem-  
 5 ber 30, 1953, that is limited to changing the description  
 6 of the project to reflect the modification.

7 (d) NO FEDERAL COST.—

8 (1) REVIEW COSTS.—Before construction of the  
 9 levee described in subsection (b), the Secretary may  
 10 accept and expend funds received from a non-Fed-  
 11 eral interest to review the planning, engineering, and  
 12 design of the levee described in subsection (b) to en-  
 13 sure that such planning, engineering, and design  
 14 complies with Federal standards.

15 (2) NON-FEDERAL SHARE.—The non-Federal  
 16 share of the cost of constructing the levee shall be  
 17 100 percent.

Page 58, before line 3, insert the following:

18 (4) FLOOD RISK MANAGEMENT AND ECO-  
 19 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. NM	Española Valley, Rio Grande	May 11, 2018	Federal: \$40,117,000 Non-Federal: \$21,601,000 Total: \$61,718,000

