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

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

Page 45, line 24, strike “; and” and insert a semi-colon.

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

Page 46, after line 6, insert the following:

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

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

Page 58, after line 12, insert the following:
SEC. 1. CONTRACTS WITH INSTITUTIONS OF HIGHER EDUCATION TO PROVIDE ASSISTANCE.

Section 206 of the Flood Control Act of 1960 (33 U.S.C. 709a) is amended by adding at the end the following:

“(e) CAPACITY TO PROVIDE ASSISTANCE.—In carrying out this section, the Secretary may work with or contract with an institution of higher education, as determined appropriate by the Secretary.”.

SEC. 1. SENSE OF CONGRESS ON THE MISSISSIPPI RIVER-GULF OUTLET, LOUISIANA.

It is the sense of Congress that—

(1) sections 7012(b) and 7013 of the Water Resources Development Act of 2007 (121 Stat. 1280), together with the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234), authorize and direct the Secretary to close and restore the ecosystem adversely affected by the construction and operation of the Mississippi River-Gulf Outlet, Louisiana, at full Federal expense; and

(2) the Secretary should quickly begin construction of such project using existing authorities.

Page 62, after line 14, insert the following:
(25) Kentucky River and North Fork Kentucky River, Kentucky.—Project for flood risk management on the Kentucky River and North Fork Kentucky River near Beattyville and Jackson, Kentucky.

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

Page 74, after line 12, insert the following:


Page 84, after line 19, insert the following:

(b) OPPORTUNITY FOR PARTICIPATION.—In carrying out subsection (a), the Secretary shall provide interested stakeholders, including representatives from the commercial dredging industry, with an opportunity to submit comments to the Secretary.

Page 87, after line 5, insert the following:

SEC. 2. OUACHITA RIVER WATERSHED, ARKANSAS AND LOUISIANA.

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

SEC. 2. REPORT ON SANTA BARBARA STREAMS, LOWER MISSION CREEK, CALIFORNIA.

Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and make publicly available (including on a publicly available website), a report that provides an updated economic review of the remaining portions of the project for flood damage reduction, Santa Barbara streams, Lower Mission Creek, California, authorized by section 101(b) of the Water Resources Development Act of 2000 (114 Stat. 2577), taking into consideration work already completed by the non-Federal interest.

Page 87, line 17, insert “and State” after “Federal”.

Page 91, after line 6, insert the following:

SEC. 2. STUDY ON SHELLFISH HABITAT AND SEAGRASS, FLORIDA CENTRAL GULF COAST.

(a) In General.—Not later than 24 months after the date of enactment of this Act, the Secretary shall carry
out a study, and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report, on projects and activities carried out through the Engineer Research and Development Center to restore shellfish habitat and seagrass in coastal estuaries in the Florida Central Gulf Coast.

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

(1) consult with independent expert scientists and other regional stakeholders with relevant expertise and experience; and

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

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

SEC. 2. NORTHERN ESTUARIES ECOSYSTEM RESTORATION, FLORIDA.

(a) DEFINITIONS.—In this section:

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

(2) NORTHERN ESTUARIES.—The term “northern estuaries” means the Caloosahatchee Estuary, Charlotte Harbor, Indian River Lagoon, Lake Worth Lagoon, and St. Lucie River Estuary.

(3) SOUTH FLORIDA ECOSYSTEM.—

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

(B) INCLUSIONS.—The term “South Florida ecosystem” includes—

(i) the Everglades;

(ii) the Florida Keys;

(iii) the contiguous near-shore coastal water of South Florida; and

(iv) Florida’s Coral Reef.

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

(A) the northern estuaries;

(B) the South Florida ecosystem; and

(C) the study area boundaries of the Indian River Lagoon National Estuary Program.
and the Coastal and Heartland Estuary Partnership, authorized pursuant to section 320 of the Federal Water Pollution Control Act.

(b) PROPOSED COMPREHENSIVE PLAN.—

(1) DEVELOPMENT.—The Secretary shall develop, in cooperation with the non-Federal sponsors of the Central and Southern Florida project and any relevant Federal, State, and Tribal agencies, a proposed comprehensive plan for the purpose of restoring, preserving, and protecting the northern estuaries.

(2) INCLUSIONS.—In carrying out paragraph (1), the Secretary shall develop a proposed comprehensive plan that provides for ecosystem restoration within the northern estuaries, including the elimination of harmful discharges from Lake Okeechobee.

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

(A) the proposed comprehensive plan developed under this subsection; and

(B) recommendations for future feasibility studies within the study area for the ecosystem restoration of the northern estuaries.
(4) INTERIM REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter until the submission of the proposed comprehensive plan under paragraph (3), the Secretary shall submit to Congress an interim report on the development of the proposed comprehensive plan.

(5) ADDITIONAL STUDIES AND ANALYSES.—Notwithstanding the submission of the proposed comprehensive plan under paragraph (3), the Secretary shall continue to conduct such studies and analyses after the date of such submission as are necessary for the purpose of restoring, preserving, and protecting the northern estuaries.

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

Page 93, after line 23, insert the following:

SEC. 2. REVIEW OF RECREATIONAL HAZARDS AT THE BANKS OF THE MISSISSIPPI RIVER, LOUISIANA.

The Secretary shall—

(1) carry out a review of potential threats to human life and safety from use of designated rec-
reational areas at the banks of the Mississippi River, Louisiana; and

(2) install such technologies and other measures, including sirens, strobe lights, and signage at such recreational areas that the Secretary, based on the review carried out under paragraph (1), determines necessary for alerting the public of hazardous water conditions or to otherwise minimize or eliminate any identified threats to human life and safety.

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

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

SEC. 2. ELECTRONIC PREPARATION AND SUBMISSION OF APPLICATIONS.

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

(1) in paragraph (1), by striking “Water Resources Development Act of 2016” and inserting “Water Resources Development Act of 2022”; and

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

“(2) REPORT ON ELECTRONIC SYSTEM IMPLEMENTATION.—The Secretary shall submit to the
Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a quarterly report describing the status of the implementation of this section.”.

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

Page 118, after line 19, insert the following:

SEC. 2. REPORT ON CORROSION PREVENTION ACTIVITIES.

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

(1) the extent to which the Secretary has carried out section 1033 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2350);

(2) the extent to which the Secretary has incorporated corrosion prevention activities (as defined in such section) at water resources development
projects constructed or maintained by the Secretary
since the date of enactment of such section; and
(3) in instances where the Secretary has not in-
corporated corrosion prevention activities at such
water resources development projects since such
date, an explanation as to why such corrosion pre-
vention activities have not been incorporated.

Page 127, after line 23, insert the following:

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

Page 129, after line 18, insert the following:

SEC. 3___ST. FRANCIS LAKE CONTROL STRUCTURE.

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

(b) OPERATION BY PROJECT MANAGER.—In setting
the ordinary high water mark under subsection (a), the
Secretary shall ensure that the project manager for the
St. Francis Lake Control Structure may continue oper-
ating such structure in accordance with the instructions
set forth in the document titled “St. Francis Lake Control
1 Structure Standing Instructions to the Project Manager”
2 and published in January 1982 by the Corps of Engineers,
3 Memphis District.

Page 134, after line 2, insert the following:

4 SEC. 3. MURRIETA CREEK, CALIFORNIA.
5
6 Section 103 of title I of appendix B of Public Law
7 106–377 (114 Stat. 1441A–65) (relating to the project
8 for flood control, environmental restoration, and recre-
9 ation, Murrieta Creek, California), is amended—
10 (1) by striking “$89,850,000” and inserting
11 “$252,438,000”;
12 (2) by striking “$57,735,000” and inserting
13 “$162,511,500”; and
14 (3) by striking “$32,115,000” and inserting
15 “$89,926,500”.

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

Page 144, after line 12, insert the following:

17 (d) CONFORMING AMENDMENT.—Section 129(b) of
19 2643) is amended by redesignating paragraphs (2) and
20 (3) as paragraphs (3) and (4), respectively, and inserting
21 after paragraph (1) the following:
“(2) submits the report required by section 318(e) of the Water Resources Development Act of 2022;”.

Page 144, after line 12, insert the following:

SEC. 3. ARGENTINE, EAST BOTTOMS, FAIRFAX-JERSEY CREEK, AND NORTH KANSAS LEVEES UNITS, MISSOURI RIVER AND TRIBUTARIES AT KANSAS CITIES, MISSOURI AND KANSAS.

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


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

Page 153, after line 2, insert the following:
SEC. 3. CENTRAL WEST VIRGINIA.

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

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

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

Page 165, beginning on line 23, strike “water and wastewater infrastructure, including stormwater management, and water supply,” and insert “water and wastewater infrastructure (including stormwater management), water supply and related facilities, environmental restoration, and surface water protection and development, including flooding resilience measures for such infrastructure”.

Page 166, line 19, insert a comma after “infrastructure”.

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

Page 184, line 1, insert “114 Stat. 2763A–220;” before “121”.
Page 191, line 21, insert “; 119 Stat. 2255” after “380”.

Page 193, after line 21, insert the following:

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

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

X