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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R.

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.

IN THE HOUSE OF REPRESENTATIVES

Mr. DEFAZIO (for himself, Mr. GRAVES of Missouri, Mrs. NAPOLITANO, and Mr. WESTERMAN) introduced the following bill; which was referred to the Committee on _____

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.

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

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

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

1 (b) TABLE OF CONTENTS.—The table of contents for
2 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. Funding 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. Assumption of maintenance of a locally preferred plan.
- Sec. 106. Coast Guard anchorages.
- Sec. 107. State contribution of funds for certain operation and maintenance costs.
- Sec. 108. Inland waterway projects.
- Sec. 109. Implementation of water resources principles and requirements.
- Sec. 110. Resiliency planning assistance.
- Sec. 111. Project consultation.
- Sec. 112. Review of resiliency assessments.
- Sec. 113. Small flood control projects.
- Sec. 114. Conforming amendment.
- Sec. 115. Feasibility studies; review of natural and nature-based features.
- Sec. 116. Report on corrosion prevention activities.
- Sec. 117. Quantification of benefits for flood risk management projects in seismic zones.
- Sec. 118. Federal interest determination.
- Sec. 119. Economically disadvantaged community flood protection and hurricane and storm damage reduction study pilot program.
- Sec. 120. Permanent measures to reduce emergency flood fighting needs for communities subject to repetitive flooding.
- Sec. 121. Emergency response to natural disasters.
- Sec. 122. Study on natural infrastructure at Corps of Engineers projects.
- Sec. 123. Review of Corps of Engineers assets.
- Sec. 124. Sense of Congress on multi-purpose projects.
- Sec. 125. Beneficial reuse of dredged material; dredged material management plans.
- Sec. 126. Aquatic ecosystem restoration for anadromous fish.
- Sec. 127. Annual report to Congress.
- Sec. 128. Harmful algal bloom demonstration program.
- Sec. 129. Update on Invasive Species Policy Guidance.
- Sec. 130. Report on debris removal.
- Sec. 131. Missouri River interception-rearing complex construction.
- Sec. 132. Cost and benefit feasibility assessment.
- Sec. 133. Materials, services, and funds for repair, restoration, or rehabilitation of projects.
- Sec. 134. Levee safety.
- Sec. 135. National Dam Safety Program.
- Sec. 136. Rehabilitation of Corps of Engineers constructed pump stations.
- Sec. 137. Non-Federal Project Implementation Pilot Program.
- Sec. 138. Definition of economically disadvantaged community.

TITLE II—STUDIES AND REPORTS

- Sec. 201. Authorization of proposed feasibility studies.
- Sec. 202. Expedited completions.
- Sec. 203. Feasibility study modifications.
- Sec. 204. Selma, Alabama.
- Sec. 205. Comprehensive study of the Sacramento River, Yolo Bypass, California.
- Sec. 206. Great Lakes Coastal Resiliency Study.
- Sec. 207. Rathbun Lake, Chariton River, Iowa.
- Sec. 208. Report on the status of restoration in the Louisiana coastal area.
- Sec. 209. Lower Mississippi River comprehensive study.
- Sec. 210. Upper Mississippi River Comprehensive Plan.
- Sec. 211. Lower Missouri Basin Flood Risk and Resiliency Study, Iowa, Kansas, Nebraska, and Missouri.
- Sec. 212. Cougar and Detroit Dams, Willamette River Basin, Oregon.
- Sec. 213. Port Orford, Oregon.
- Sec. 214. Wilson Creek and Sloan Creek, Fairview, Texas.
- Sec. 215. GAO study on mitigation for water resources development projects.
- Sec. 216. GAO study on application of Harbor Maintenance Trust Fund expenditures.
- Sec. 217. Study on water supply and water conservation at water resources development projects.
- Sec. 218. PFAS review and inventory at Corps facilities.

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. Watercraft inspection stations.
- Sec. 306. Chesapeake Bay Environmental Restoration and Protection Program.
- Sec. 307. Upper Mississippi River System Environmental Management Program.
- Sec. 308. McClellan-Kerr Arkansas River Navigation System.
- Sec. 309. Ouachita-Black River Navigation Project, Arkansas.
- Sec. 310. Sacramento River, Glenn-Colusa, California.
- Sec. 311. Lake Isabella, California.
- Sec. 312. Lower San Joaquin River flood control project.
- Sec. 313. San Diego River and Mission Bay, San Diego County, California.
- Sec. 314. San Francisco, California, Waterfront Area.
- Sec. 315. Western Pacific Interceptor Canal, Sacramento River, California.
- Sec. 316. Rio Grande Environmental Management Program, Colorado, New Mexico, and Texas.
- Sec. 317. New London Harbor Waterfront Channel, Connecticut.
- Sec. 318. Washington Harbor, District of Columbia.
- Sec. 319. Central Everglades, Florida.
- Sec. 320. Miami River, Florida.
- Sec. 321. Taylor Creek Reservoir and Levee L-73 (Section 1), Upper St. Johns River Basin, Florida.
- Sec. 322. San Juan-Chama project; Abiquiu Dam, New Mexico.
- Sec. 323. Pawcatuck River, Little Narragansett Bay and Watch Hill Cove, Rhode Island and Connecticut.
- Sec. 324. Harris County, Texas.
- Sec. 325. Cap Sante Waterway, Washington.

- Sec. 326. Additional assistance for critical projects.
- Sec. 327. Project modification authorizations.
- Sec. 328. Application of credit.
- Sec. 329. Project reauthorizations.
- Sec. 330. Conveyances.
- Sec. 331. Repeals.

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.

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

1 that are derived from the Harbor Maintenance
2 Trust Fund established under section 9505(a)
3 of the Internal Revenue Code of 1986 and that
4 the Congress designates in statute as being for
5 harbor operations and maintenance activities,
6 then the adjustment for that fiscal year shall be
7 the total of such appropriations that are derived
8 from such Fund and designated as being for
9 harbor operations and maintenance activi-
10 ties.’”.

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

14 **SEC. 102. FUNDING FOR NAVIGATION.**

15 (a) **FUNDING FOR NAVIGATION.**—Section 210 of the
16 Water Resources Development Act of 1986 (33 U.S.C.
17 2238) is amended, in the section heading, by striking
18 “**AUTHORIZATION OF APPROPRIATIONS**” and insert-
19 ing “**FUNDING FOR NAVIGATION**”.

20 (b) **OPERATION AND MAINTENANCE OF HARBOR**
21 **PROJECTS.**—Section 210(c) of the Water Resources De-
22 velopment Act of 1986 (33 U.S.C. 2238(c)) is amended—

23 (1) by amending paragraph (1) to read as fol-
24 lows:

1 “(1) IN GENERAL.—For each fiscal year, of the
2 funds made available under this section (including
3 funds appropriated from the Harbor Maintenance
4 Trust Fund), the Secretary shall make expenditures
5 to pay for operation and maintenance costs of the
6 harbors and inland harbors referred to in subsection
7 (a)(2), using—

8 “(A) not less than 20 percent of such
9 funds for emerging harbor projects, to the ex-
10 tent there are identifiable operations and main-
11 tenance needs, including eligible breakwater and
12 jetty needs, at such harbor projects;

13 “(B) not less than 12 percent of such
14 funds for projects that are located within the
15 Great Lakes Navigation System;

16 “(C) 10 percent of such funds for ex-
17 panded uses carried out at donor ports, as such
18 term is defined in section 2106 of the Water
19 Resources Reform and Development Act of
20 2014 (33 U.S.C. 2238c); and

21 “(D) any remaining funds for operation
22 and maintenance costs of any harbor or inland
23 harbor referred to in subsection (a)(2) based on
24 an equitable allocation of such funds among
25 such harbors and inland harbors.”;

1 (2) by amending paragraph (3) to read as fol-
2 lows:

3 “(3) ADDITIONAL USES AT EMERGING HAR-
4 BORS.—

5 “(A) IN GENERAL.—In each fiscal year,
6 the Secretary may use not more than
7 \$5,000,000 of funds designated for emerging
8 harbor projects under paragraph (1)(A) to pay
9 for the costs of up to 10 projects for mainte-
10 nance dredging of a marina or berthing area, in
11 an emerging harbor, that includes an area that
12 is located adjacent to, or is accessible by, a
13 Federal navigation project, subject to subpara-
14 graphs (B) and (C) of this paragraph.

15 “(B) ELIGIBLE EMERGING HARBORS.—
16 The Secretary may use funds as authorized
17 under subparagraph (A) at an emerging harbor
18 that—

19 “(i) supports commercial activities, in-
20 cluding commercial fishing operations,
21 commercial fish processing operations, rec-
22 reational and sport fishing, and commer-
23 cial boat yards; or

1 “(ii) supports activities of the Sec-
2 retary of the department in which the
3 Coast Guard is operating.

4 “(C) COST SHARING REQUIREMENTS.—
5 The Secretary shall require a non-Federal inter-
6 est to contribute not less than 25 percent of the
7 costs for maintenance dredging of that portion
8 of a maintenance dredging project described in
9 subparagraph (A) that is located outside of the
10 Federal navigation project, which may be pro-
11 vided as an in-kind contribution, including
12 through the use of dredge equipment owned by
13 non-Federal interest to carry out such activi-
14 ties.”; and

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

16 “(5) EMERGENCY EXPENDITURES.—Nothing in
17 this subsection prohibits the Secretary from making
18 an expenditure to pay for the operation and mainte-
19 nance costs of a specific harbor or inland harbor, in-
20 cluding the transfer of funding from the operation
21 and maintenance of a separate project, if—

22 “(A) the Secretary determines that the ac-
23 tion is necessary to address the navigation
24 needs of a harbor or inland harbor where safe

1 navigation has been severely restricted due to
2 an unforeseen event; and

3 “(B) the Secretary provides within 90 days
4 of the action notice and information on the
5 need for the action to the Committee on Envi-
6 ronment and Public Works and the Committee
7 on Appropriations of the Senate and the Com-
8 mittee on Transportation and Infrastructure
9 and the Committee on Appropriations of the
10 House of Representatives.”.

11 (c) PRIORITIZATION.—Section 210 of the Water Re-
12 sources Development Act of 1986 (33 U.S.C. 2238) is
13 amended by striking subsection (d) and redesignating sub-
14 sections (e) and (f) as subsections (d) and (e), respectively.

15 (d) ASSESSMENT OF HARBORS AND INLAND HAR-
16 BORS.—Section 210(d)(2)(A)(ii) of the Water Resources
17 Development Act of 1986 (as so redesignated) is amended
18 by striking “expanded uses at eligible harbors or inland
19 harbors referred to in subsection (d)(2)” and inserting
20 “uses described in paragraphs (1)(C) and (3) of sub-
21 section (c)”.

22 (e) DEFINITIONS.—Section 210(e) of the Water Re-
23 sources Development Act of 1986 (as so redesignated) is
24 amended—

25 (1) by striking paragraphs (6) through (9);

1 (2) by redesignating paragraphs (3) through
2 (5) as paragraphs (4) through (6), respectively;

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

5 “(2) EMERGING HARBOR.—The term ‘emerging
6 harbor’ means a harbor or inland harbor referred to
7 in subsection (a)(2) that transits less than
8 1,000,000 tons of cargo annually.

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

12 (4) in paragraph (4) (as so redesignated), by
13 adding at the end the following:

14 “(C) An in-water improvement, if the im-
15 provement—

16 “(i) is for the seismic reinforcement of
17 a wharf or other berthing structure, or the
18 repair or replacement of a deteriorating
19 wharf or other berthing structure, at a
20 port facility;

21 “(ii) benefits commercial navigation at
22 the harbor; and

23 “(iii) is located in, or adjacent to, a
24 berth that is accessible to a Federal navi-
25 gation project.

1 “(D) An activity to maintain slope stability
2 at a berth in a harbor that is accessible to a
3 Federal navigation project if such activity bene-
4 fits commercial navigation at the harbor.”.

5 **SEC. 103. ANNUAL REPORT TO CONGRESS ON THE HARBOR**
6 **MAINTENANCE TRUST FUND.**

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

10 (1) in subsection (a)—

11 (A) by striking “and annually thereafter,”
12 and inserting “and annually thereafter concu-
13 rent with the submission of the President’s an-
14 nual budget request to Congress,”; and

15 (B) by striking “Public Works and Trans-
16 portation” and inserting “Transportation and
17 Infrastructure”; and

18 (2) in subsection (b)(1) by adding at the end
19 the following:

20 “(D) A description of the expected expend-
21 itures from the trust fund to meet the needs of
22 navigation for the fiscal year of the budget re-
23 quest.”.

1 **SEC. 104. ADDITIONAL MEASURES AT DONOR PORTS AND**
2 **ENERGY TRANSFER PORTS.**

3 (a) DEFINITIONS.—Section 2106(a) of the Water Re-
4 sources Reform and Development Act of 2014 (33 U.S.C.
5 2238c(a)) is amended—

6 (1) in paragraph (3)(A)—

7 (A) by amending clause (ii) to read as fol-
8 lows:

9 “(ii) at which the total amount of har-
10 bor maintenance taxes collected (including
11 the estimated taxes related to domestic
12 cargo and cruise passengers) comprise not
13 less than \$15,000,000 annually of the total
14 funding of the Harbor Maintenance Trust
15 Fund in each of the previous 3 fiscal
16 years;”;

17 (B) in clause (iii), by inserting “(including
18 the estimated taxes related to domestic cargo
19 and cruise passengers)” after “taxes collected”;
20 and

21 (C) in clause (iv), by striking “fiscal year
22 2012” and inserting “each of the previous 3 fis-
23 cal years”;

24 (2) in paragraph (5)(B), by striking “fiscal year
25 2012” each place it appears and inserting “each of
26 the previous 3 fiscal years”;

1 (3) by redesignating paragraph (8) as para-
2 graph (9) and inserting after paragraph (7) the fol-
3 lowing:

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

9 (4) in paragraph (9), as so redesignated—

10 (A) by amending subparagraph (B) to read
11 as follows:

12 “(B) at which the total amount of harbor
13 maintenance taxes collected (including the esti-
14 mated taxes related to domestic cargo and
15 cruise passengers) comprise annually more than
16 \$5,000,000 but less than \$15,000,000 of the
17 total funding of the Harbor Maintenance Trust
18 Fund in each of the previous 3 fiscal years;”;

19 (B) in subparagraph (C), by inserting “(in-
20 cluding the estimated taxes related to domestic
21 cargo and cruise passengers)” after “taxes col-
22 lected”; and

23 (C) in subparagraph (D), by striking “fis-
24 cal year 2012” and inserting “each of the pre-
25 vious 3 fiscal years”.

1 (b) REPORT TO CONGRESS; AUTHORIZATION OF AP-
2 PROPRIATIONS.—Section 2106 of the Water Resources
3 Reform and Development Act of 2014 (33 U.S.C. 2238c)
4 is amended—

5 (1) by striking subsection (e) and redesignating
6 subsections (f) and (g) as subsections (e) and (f), re-
7 spectively; and

8 (2) in subsection (e), as so redesignated—

9 (A) in paragraph (1), by striking “2020”
10 and inserting “2030”; and

11 (B) by striking paragraph (3).

12 **SEC. 105. ASSUMPTION OF MAINTENANCE OF A LOCALLY**
13 **PREFERRED PLAN.**

14 Section 204(f) of the Water Resources Development
15 Act of 1986 (33 U.S.C. 2232(f)) is amended to read as
16 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 **SEC. 106. COAST GUARD ANCHORAGES.**

4 The Secretary is authorized to perform dredging at
5 Federal expense within and adjacent to anchorages on the
6 Columbia River established by the Coast Guard pursuant
7 to section 7 of the Act of March 14, 1915 (33 U.S.C. 471),
8 to provide safe anchorage for deep draft vessels commen-
9 surate with the authorized Federal navigation channel
10 depth, including advanced maintenance.

11 **SEC. 107. STATE CONTRIBUTION OF FUNDS FOR CERTAIN**
12 **OPERATION AND MAINTENANCE COSTS.**

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

1 **SEC. 108. INLAND WATERWAY PROJECTS.**

2 (a) IN GENERAL.—Notwithstanding section 102 of
3 the Water Resources Development Act of 1986 (33 U.S.C.
4 2212), 35 percent of the costs of construction of a project
5 to which such section applies shall be paid from amounts
6 appropriated from the Inland Waterways Trust Fund—

7 (1) during each of fiscal years 2021 through
8 2027; and

9 (2) for a project the construction of which is
10 initiated during such period, in each fiscal year until
11 such construction is complete.

12 (b) PRIORITIZATION.—In selecting projects described
13 in subsection (a) for which to initiate construction during
14 any of fiscal years 2021 through 2027, the Secretary shall
15 prioritize projects that are included in the most recent 20-
16 year program for making capital investments developed
17 under section 302(d) of the Water Resources Development
18 Act of 1986 (33 U.S.C. 2251(d)).

19 **SEC. 109. IMPLEMENTATION OF WATER RESOURCES PRIN-**
20 **CIPLES AND REQUIREMENTS.**

21 (a) IN GENERAL.—Not later than 180 days after the
22 date of enactment of this Act, the Secretary shall issue
23 final agency-specific procedures necessary to implement
24 the principles and requirements and the interagency
25 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. 110. 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 FOR ECONOMICALLY DISADVANTAGED
11 COMMUNITIES.—In carrying out section 206 of the Flood
12 Control Act of 1960 (33 U.S.C. 709a), the Secretary shall
13 prioritize the provision of technical assistance to support
14 flood risk resiliency planning efforts of an economically
15 disadvantaged community.

16 **SEC. 111. 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) CONSULTATION.—

1 (1) AGENCIES AND TRIBES.—The Secretary
2 shall ensure that all covered community consultation
3 policies, regulations, and guidance of the Corps of
4 Engineers continue to be implemented, and that con-
5 sultations with Federal and State agencies and In-
6 dian Tribes required for a water resources develop-
7 ment project are carried out.

8 (2) COMMUNITIES.—The Secretary shall ensure
9 that any covered communities, including such com-
10 munities identified in the reports submitted under
11 subsection (a), that are found to be disproportion-
12 ately or adversely affected are included in consulta-
13 tion policies, regulations, and guidance of the Corps
14 of Engineers.

15 (3) PROJECT PLANNING AND CONSTRUCTION.—
16 The Secretary shall ensure that covered communities
17 are consulted in the development of water resources
18 development project planning and construction, for
19 the purposes of achieving environmental justice and
20 addressing any disproportionate or adverse effects
21 on such communities.

22 (c) ENVIRONMENTAL JUSTICE UPDATES.—

23 (1) IN GENERAL.—Not later than 1 year after
24 the date of enactment of this Act, the Secretary
25 shall update any policies, regulations, and guidance

1 of the Corps of Engineers related to achieving envi-
2 ronmental justice for covered communities.

3 (2) RECOMMENDATIONS AND CONSULTATION.—

4 In carrying out paragraph (1), the Secretary shall—

5 (A) consult with a wide array of represent-
6 atives of covered communities; and

7 (B) use the recommendations from the re-
8 ports submitted under subsection (a).

9 (d) COMMUNITY ENGAGEMENT.—The Secretary shall
10 ensure that in carrying out authorized water resources de-
11 velopment projects in, and all other activities of the Corps
12 of Engineers related to, covered communities, the Corps
13 of Engineers—

14 (1) promotes the meaningful involvement of
15 such communities in the project development and
16 implementation, enforcement efforts, and other ac-
17 tivities of the Corps of Engineers;

18 (2) provides guidance and technical assistance
19 to such communities to increase understanding of
20 the project development and implementation activi-
21 ties, regulations, and policies of the Corps of Engi-
22 neers; and

23 (3) cooperates with State, Tribal, and local gov-
24 ernments with respect to activities carried out pur-
25 suant to this subsection.

1 (e) TRIBAL LANDS AND CONSULTATION.—The Sec-
2 retary shall ensure that in carrying out authorized water
3 resources development projects and in all other activities
4 of the Corps of Engineers, that the Corps of Engineers—

5 (1)(A) consults with Indian Tribes specifically
6 on any Tribal lands near or adjacent to any activi-
7 ties of the Corps of Engineers, for purposes of iden-
8 tifying lands of ancestral, cultural, or religious im-
9 portance; and

10 (B) cooperates with Indian Tribes to avoid, or
11 otherwise find alternate solutions with respect to,
12 such lands; and

13 (2)(A) consults with Indian Tribes specifically
14 on any Tribal areas near or adjacent to any activi-
15 ties of the Corps of Engineers, for purposes of iden-
16 tifying lands, waters, and other resources critical to
17 the livelihood of the Indian Tribes; and

18 (B) cooperates with Indian Tribes to avoid, or
19 otherwise find alternate solutions with respect to,
20 such areas.

21 (f) DEFINITIONS.—In this section:

22 (1) COMMUNITY OF COLOR.—The term “com-
23 munity of color” means a community of individuals
24 who are—

25 (A) American Indian or Alaska Native;

- 1 (B) Asian or Pacific Islander;
2 (C) Black, not of Hispanic origin; or
3 (D) Hispanic.

4 (2) COVERED COMMUNITY.—The term “covered
5 community” means each of the following:

- 6 (A) A community of color.
7 (B) An economically disadvantaged com-
8 munity.
9 (C) A rural community.
10 (D) A Tribal or indigenous community.

11 **SEC. 112. REVIEW OF RESILIENCY ASSESSMENTS.**

12 (a) RESILIENCY ASSESSMENT.—

13 (1) IN GENERAL.—Not later than 180 days
14 after the date of enactment of this section, and in
15 conjunction with the development of procedures
16 under section 109 of this Act, the Secretary is di-
17 rected to review, and where appropriate, revise the
18 existing planning guidance documents and regula-
19 tions on the assessment of the effects of sea level
20 rise on future water resources development projects
21 to ensure that such guidance documents and regula-
22 tions are based on the best available, peer-reviewed
23 science and data on the current and future effects
24 of sea level rise on coastal communities.

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

3 (A) coordinate the review with the Engi-
4 neer Research and Development Center, other
5 Federal and State agencies, and other relevant
6 entities; and

7 (B) to the maximum extent practicable and
8 where appropriate, utilize data provided to the
9 Secretary by such agencies.

10 (b) ASSESSMENT OF BENEFITS OF SEA LEVEL RISE
11 RESILIENCY IN FEASIBILITY REPORTS.—

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

21 (2) SEA LEVEL RISE RESILIENCY BENEFITS.—
22 To the maximum extent practicable, in carrying out
23 a study pursuant to paragraph (1), the Secretary
24 shall document the potential effects of sea level rise
25 on the project, and benefits of the project relating

1 to sea level rise, during the 50-year period after the
2 date of completion of the project.

3 **SEC. 113. SMALL FLOOD CONTROL PROJECTS.**

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

10 **SEC. 114. CONFORMING AMENDMENT.**

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

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

17 (2) in paragraph (1), by striking “nonstructural
18 flood control measures” and inserting “a flood risk
19 management or hurricane and storm damage risk re-
20 duction measure using a nonstructural feature, or a
21 natural feature or nature-based feature (as those
22 terms are defined in section 1184(a) of the Water
23 Resources Development Act of 2016 (33 U.S.C.
24 2289a(a)),”.

1 **SEC. 115. FEASIBILITY STUDIES; REVIEW OF NATURAL AND**
2 **NATURE-BASED FEATURES.**

3 (a) TECHNICAL CORRECTION.—Section 1149(c) of
4 the Water Resources Development Act of 2018 (33 U.S.C.
5 2282 note; 132 Stat. 3787) is amended by striking “nat-
6 ural infrastructure alternatives” and inserting “natural
7 feature or nature-based feature alternatives (as such
8 terms are defined in section 1184 of the Water Resources
9 Development Act of 2016 (32 U.S.C. 2289a))”.

10 (b) SUMMARY OF ANALYSIS.—To the maximum ex-
11 tent practicable, the Secretary shall include in each feasi-
12 bility report developed under section 905 of the Water Re-
13 sources Development Act of 1986 (33 U.S.C. 2282) for
14 a project that contains a flood risk management or hurri-
15 cane and storm damage risk reduction element, a sum-
16 mary of the natural feature or nature-based feature alter-
17 natives that were evaluated in the development of the fea-
18 sibility report, and, if such alternatives were not included
19 in the recommended plan, an explanation of why such al-
20 ternatives were not included into the recommended plan.

21 **SEC. 116. REPORT ON CORROSION PREVENTION ACTIVI-**
22 **TIES.**

23 Not later than 180 days after the date of enactment
24 of this Act, the Secretary shall submit to the Committee
25 on Transportation and Infrastructure of the House of
26 Representatives and the Committee on Environment and

1 Public Works of the Senate, and make publicly available,
2 a report that describes—

3 (1) the extent to which the Secretary has car-
4 ried out section 1033 of the Water Resources Re-
5 form and Development Act of 2014 (33 U.S.C.
6 2350);

7 (2) the extent to which the Secretary has incor-
8 porated corrosion prevention activities (as defined in
9 such section) at water resources development
10 projects constructed or maintained by the Secretary
11 since the date of enactment of such section; and

12 (3) in instances where the Secretary has not in-
13 corporated corrosion prevention activities at such
14 water resources development projects since such
15 date, an explanation as to why such corrosion pre-
16 vention activities have not been incorporated.

17 **SEC. 117. QUANTIFICATION OF BENEFITS FOR FLOOD RISK**
18 **MANAGEMENT PROJECTS IN SEISMIC ZONES.**

19 (a) IN GENERAL.—Upon the request of the non-Fed-
20 eral interest for a flood risk management project in a seis-
21 mic zone, the Secretary shall quantify the seismic hazard
22 risk reduction benefits for the project if the non-Federal
23 interest identifies, and the Secretary approves, an accept-
24 able methodology to quantify such benefits.

25 (b) APPLICABILITY.—The Secretary shall—

1 (1) include all associated seismic hazard risk re-
2 duction benefits approved by the Secretary in the
3 calculation of the national economic development
4 benefit-cost ratio for a flood risk management
5 project in a seismic hazard zone for purposes of plan
6 formulation pursuant to section 905 of the Water
7 Resources Development Act of 1986; and

8 (2) seek to maximize the combination of flood
9 risk reduction and seismic hazard risk reduction
10 benefits in the formulation of the national economic
11 development alternative for such project.

12 **SEC. 118. FEDERAL INTEREST DETERMINATION.**

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

16 “(b) FEDERAL INTEREST DETERMINATION.—

17 “(1) IN GENERAL.—In preparing a feasibility
18 report under subsection (a) for a study that will ben-
19 efit an economically disadvantaged community, upon
20 request by the non-Federal interest for the study,
21 the Secretary shall first determine the Federal inter-
22 est in carrying out the study and the projects that
23 may be proposed in the study.

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

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

2 “(B) shall not exceed \$200,000.

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

7 “(4) TREATMENT.—

8 “(A) TIMING.—The period during which a
9 determination is being completed under para-
10 graph (1) for a study shall not be included for
11 purposes of the deadline to complete a final fea-
12 sibility report under section 1001(a)(1) of the
13 Water Resources Reform and Development Act
14 of 2014 (33 U.S.C. 2282c(a)(1)).

15 “(B) COST.—The cost of a determination
16 under paragraph (1) shall not be included for
17 purposes of the maximum Federal cost under
18 section 1001(a)(2) of the Water Resources Re-
19 form and Development Act of 2014 (33 U.S.C.
20 2282c(a)(2)).

21 “(5) REPORT TO NON-FEDERAL INTEREST.—If,
22 based on a determination under paragraph (1), the
23 Secretary determines that a study or project is not
24 in the Federal interest because the project will not
25 result, or is unlikely to result, in a recommended

1 plan that will produce national economic develop-
2 ment benefits greater than cost, but may result in
3 a technically sound and environmentally acceptable
4 plan that is otherwise consistent with section 904 of
5 the Water Resources Development Act of 1986 (33
6 U.S.C. 2281), the Secretary shall issue a report to
7 the non-Federal interest with recommendations on
8 how the non-Federal interest might modify the pro-
9 posal such that the project could be in the Federal
10 interest and feasible.”.

11 **SEC. 119. ECONOMICALLY DISADVANTAGED COMMUNITY**
12 **FLOOD PROTECTION AND HURRICANE AND**
13 **STORM DAMAGE REDUCTION STUDY PILOT**
14 **PROGRAM.**

15 (a) IN GENERAL.—Not later than 180 days after the
16 date of enactment of this Act, the Secretary shall establish
17 and implement a pilot program to evaluate opportunities
18 to address the flood risk management and hurricane and
19 storm damage risk reduction needs of economically dis-
20 advantaged communities.

21 (b) PARTICIPATION IN PILOT PROGRAM.—In car-
22 rying out subsection (a), the Secretary shall—

23 (1) publish a notice in the Federal Register
24 that requests from non-Federal interests proposals
25 for the potential feasibility study of a flood risk

1 management project or hurricane and storm damage
2 risk reduction project for an economically disadvan-
3 tagged community;

4 (2) upon request of a non-Federal interest for
5 such a project, provide technical assistance to such
6 non-Federal interest in the formulation of a proposal
7 for a potential feasibility study to be submitted to
8 the Secretary under the pilot program; and

9 (3) review such proposals and select 10 feasi-
10 bility studies for such projects to be carried out by
11 the Secretary, in coordination with the non-Federal
12 interest, under this pilot program.

13 (c) SELECTION CRITERIA.—In selecting a feasibility
14 study under subsection (b)(3), the Secretary shall consider
15 whether—

16 (1) the percentage of people living in poverty in
17 the county or counties in which the project is located
18 is above the percentage of people living in poverty in
19 the State, based on Census Bureau data;

20 (2) the percentage of families with income
21 above the poverty threshold but below the average
22 household income in the county or counties in which
23 the project is located is above the percentage of the
24 same for the State, based on Census Bureau data;

1 (3) the percentage of the population that identi-
2 fies as belonging to a minority or indigenous group
3 in the county or counties in which the project is lo-
4 cated is above the average percentage in the State,
5 based on Census Bureau data; and

6 (4) the project is addressing flooding or hurri-
7 cane or storm damage effects that have a dispropor-
8 tionate impact on a rural community or a commu-
9 nity of color (as such term is defined in section 111
10 of this Act), including Tribal or indigenous peoples.

11 (d) ADMINISTRATION.—Notwithstanding the require-
12 ments of section 105(a)(1)(A) of the Water Resources De-
13 velopment Act of 1986 (33 U.S.C. 2215), the Federal
14 share of the cost of a feasibility study carried out under
15 the pilot program shall be 100 percent.

16 (e) GEOGRAPHIC DIVERSITY.—When selecting feasi-
17 bility studies under subsection (b)(3), the Secretary shall
18 consider the geographic diversity among proposed
19 projects.

20 (f) STUDY REQUIREMENTS.—Feasibility studies car-
21 ried out under this subsection shall, to the maximum ex-
22 tent practical, incorporate natural features or nature-
23 based features (as such terms are defined in section 1184
24 of the Water Resources Development Act of 2016 (33
25 U.S.C. 2289a)), or a combination of such features and

1 nonstructural features, that avoid or reduce at least 50
2 percent of flood or storm damages in one or more of the
3 alternatives included in the final alternatives evaluated.

4 (g) NOTIFICATION.—The Secretary shall notify the
5 Committee on Transportation and Infrastructure of the
6 House of Representatives and the Committee on Environ-
7 ment and Public Works of the Senate of the selection of
8 each feasibility study under the pilot program.

9 (h) COMPLETION.—Upon completion of a feasibility
10 report for a feasibility study selected to be carried out
11 under this section, the Secretary shall transmit the report
12 to Congress for authorization, and shall include the report
13 in the next annual report submitted under section 7001
14 of the Water Resources Reform and Development Act of
15 2014 (33 U.S.C. 2282d).

16 (i) SUNSET.—The authority to commence a feasi-
17 bility study under this section shall terminate on the date
18 that is 10 years after the date of enactment of this Act.

19 (j) REPORT.—Not later than 5 years and 10 years
20 after the date of enactment of this Act, the Secretary shall
21 submit to the Committee on Transportation and Infra-
22 structure of the House of Representatives and the Com-
23 mittee on Environment and Public Works of the Senate,
24 and make publicly available, a report detailing the results

1 of the pilot program carried out under this section, includ-
2 ing—

3 (1) a description of proposals received from
4 non-Federal interests pursuant to subsection (b)(1);

5 (2) a description of technical assistance pro-
6 vided to non-Federal interests under subsection
7 (b)(2); and

8 (3) a description of proposals selected under
9 subsection (b)(3) and criteria used to select such
10 proposals.

11 **SEC. 120. PERMANENT MEASURES TO REDUCE EMERGENCY**
12 **FLOOD FIGHTING NEEDS FOR COMMUNITIES**
13 **SUBJECT TO REPETITIVE FLOODING.**

14 (a) DEFINITIONS.—In this section:

15 (1) AFFECTED COMMUNITY.—The term “af-
16 fected community” means a legally constituted pub-
17 lic body (as that term is used in section 221(b) of
18 the Flood Control Act of 1970 (42 U.S.C. 1962d-
19 5b(b))—

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

23 (B) that has received emergency flood-
24 fighting assistance, including construction of
25 temporary barriers by the Secretary, under sec-

1 tion 5 of the Act of August 18, 1941 (33
2 U.S.C. 701n) with respect to such flood events.

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

8 (b) PROGRAM.—

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

19 (2) CONSIDERATIONS.—In carrying out para-
20 graph (1), the Secretary shall, to the maximum ex-
21 tent practical, review and, where appropriate, incor-
22 porate natural features or nature-based features, or
23 a combination of such features and nonstructural
24 features, that avoid or reduce at least 50 percent of

1 flood or storm damages in one or more of the alter-
2 natives included in the final alternatives evaluated.

3 (3) CONSTRUCTION.—

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

7 (i) the Secretary determines that the
8 project—

9 (I) is advisable to reduce the risk
10 of flooding for an affected community;
11 and

12 (II) produces benefits that are in
13 excess of the estimated costs; and

14 (ii) the Federal share of the cost of
15 the construction does not exceed
16 \$15,000,000.

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

1 (C) FINANCING.—

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

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

22 (4) ABILITY TO PAY.—

23 (A) IN GENERAL.—Any cost-sharing agree-
24 ment for a project entered into pursuant to this

1 section shall be subject to the ability of the af-
2 fected community to pay.

3 (B) DETERMINATION.—The ability of any
4 affected community to pay shall be determined
5 by the Secretary in accordance with procedures
6 established by the Secretary.

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

14 **SEC. 121. EMERGENCY RESPONSE TO NATURAL DISASTERS.**

15 (a) IN GENERAL.—Section 5 of the Act of August
16 18, 1941 (33 U.S.C. 701n) is amended—

17 (1) in subsection (a), by adding at the end the
18 following—

19 “(5) FEASIBILITY STUDY.—

20 “(A) DETERMINATION.—Not later than
21 180 days after receiving, from a non-Federal
22 sponsor of a project to repair or rehabilitate a
23 flood control work described in paragraph (1),
24 a request to initiate a feasibility study to fur-
25 ther modify the relevant flood control work to

1 provide for an increased level of protection, the
2 Secretary shall provide to the non-Federal spon-
3 sor a written decision on whether the Secretary
4 has the authority under section 216 of the
5 Flood Control Act of 1970 (33 U.S.C. 549a) to
6 undertake the requested feasibility study.

7 “(B) RECOMMENDATION.—If the Secretary
8 determines under subparagraph (B) that the
9 Secretary does not have the authority to under-
10 take the requested feasibility study, the Sec-
11 retary shall include the request for a feasibility
12 study in the annual report submitted under sec-
13 tion 7001 of the Water Resources Reform and
14 Development Act of 2014.”;

15 (2) in subsection (c)—

16 (A) in the subsection heading, by striking
17 “LEVEE OWNERS MANUAL” and inserting
18 “ELIGIBILITY”;

19 (B) in paragraph (1), in the heading, by
20 striking “IN GENERAL” and inserting “LEVEE
21 OWNER’S MANUAL”;

22 (C) by redesignating paragraphs (2) and
23 (3) as paragraphs (3) and (4), respectively, and
24 inserting after paragraph (1) the following:

25 “(2) COMPLIANCE.—

1 “(A) IN GENERAL.—Notwithstanding the
2 status of compliance of a non-Federal interest
3 with the requirements of a levee owner’s man-
4 ual described in paragraph (1), or with any
5 other eligibility requirement established by the
6 Secretary related to the maintenance and up-
7 keep responsibilities of the non-Federal interest,
8 the Secretary shall consider the non-Federal in-
9 terest to be eligible for repair and rehabilitation
10 assistance under this section if the non-Federal
11 interest—

12 “(i) enters into a written agreement
13 with the Secretary that identifies any items
14 of deferred or inadequate maintenance and
15 upkeep identified by the Secretary prior to
16 the natural disaster; and

17 “(ii) pays, during performance of the
18 repair and rehabilitation work, all costs to
19 address—

20 “(I) any items of deferred or in-
21 adequate maintenance and upkeep
22 identified by the Secretary; and

23 “(II) any repair or rehabilitation
24 work necessary to address damage the

1 Secretary attributes to such deferred
2 or inadequate maintenance or upkeep.

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

6 “(C) SUNSET.—The authority of the Sec-
7 retary to enter into agreements under para-
8 graph (2) shall terminate on the date that is 5
9 years after the date of enactment of this Act.”;
10 and

11 (D) in paragraph (3) (as so redesignated),
12 by striking “this subsection” and inserting
13 “paragraph (1)”.

14 **SEC. 122. STUDY ON NATURAL INFRASTRUCTURE AT CORPS**
15 **OF ENGINEERS PROJECTS.**

16 (a) DEFINITION OF NATURAL FEATURE AND NA-
17 TURE-BASED FEATURE.—In this section, the terms “nat-
18 ural feature” and “nature-based feature” have the mean-
19 ings given those terms in section 1184(a) of the Water
20 Resources Development Act of 2016 (33 U.S.C.
21 2289a(a)).

22 (b) STUDY.—Not later than 2 years after the date
23 of enactment of this Act, the Comptroller General of the
24 United States shall conduct, and submit to the Committee
25 on Transportation and Infrastructure of the House of

1 Representatives and the Committee on Environment and
2 Public Works of the Senate, a report on the results of
3 a study on the consideration by the Secretary of natural
4 infrastructure, natural features, and nature-based fea-
5 tures in the study of the feasibility of projects for flood
6 risk management, hurricane and storm damage risk re-
7 duction, and ecosystem restoration.

8 (c) REQUIREMENTS.—The study under subsection
9 (b) shall include—

10 (1) a description of guidance or instructions
11 issued, and other measures taken, by the Secretary
12 to consider natural infrastructure, natural features,
13 and nature-based features in project feasibility stud-
14 ies;

15 (2) an assessment, based on information from
16 relevant Federal and non-Federal sources, of—

17 (A) the costs, benefits, and effects associ-
18 ated with natural infrastructure, natural fea-
19 tures, and nature-based features recommended
20 by the Secretary for flood risk management,
21 hurricane and storm damage risk reduction,
22 and ecosystem restoration; and

23 (B) the effectiveness of natural infrastruc-
24 ture, natural features, and nature-based fea-
25 tures;

1 (3) an analysis of projects for flood risk man-
2 agement, hurricane and storm damage risk reduc-
3 tion, and ecosystem restoration that have incor-
4 porated natural infrastructure, natural features, or
5 nature-based features to identify best practices, in-
6 cluding for measuring project benefits and costs;

7 (4) a description of any statutory, fiscal, regu-
8 latory, or other policy barriers to the appropriate
9 consideration and use of a full array of natural in-
10 frastructure, natural features, and nature-based fea-
11 tures in carrying out feasibility studies and projects;
12 and

13 (5) any recommendations for changes to law, or
14 to fiscal, regulatory, or other policies, to improve the
15 use of natural infrastructure, natural features, and
16 nature-based features by the Corps of Engineers in
17 carrying out feasibility studies and projects.

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

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

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

23 “(a) ASSESSMENT.—The Secretary shall conduct an
24 assessment of projects constructed by the Secretary for

1 which the Secretary continues to have financial or oper-
2 ational responsibility.

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

8 “(1) that are not needed for the missions of the
9 Corps of Engineers; or

10 “(2) the modification of which, including
11 though the use of natural features or nature-based
12 features (as those terms are defined in section
13 1184(a) of the Water Resources Development Act of
14 2016 (33 U.S.C. 2289a(a)), could improve the sus-
15 tainable operations of the project, or reduce oper-
16 ation and maintenance costs for the project.

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

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

22 “(2) The economic and environmental impacts
23 of the project on existing communities in the vicinity
24 of the project.

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

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

6 “(5) The extent to which investment of addi-
7 tional Federal resources in the project proposed for
8 divestment or modification, including investment
9 needed to bring the project to a good state of repair,
10 is in the public interest.

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

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

17 “(e) REPORT TO CONGRESS.—

18 “(1) IN GENERAL.—Upon completion of the in-
19 ventory required by subsection (b), the Secretary
20 shall submit 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, and make publicly available, a re-
24 port containing the findings of the Secretary with

1 respect to the assessment and inventory required
2 under this section.

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

11 **SEC. 124. SENSE OF CONGRESS ON MULTI-PURPOSE**
12 **PROJECTS.**

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

22 **SEC. 125. BENEFICIAL REUSE OF DREDGED MATERIAL;**
23 **DREDGED MATERIAL MANAGEMENT PLANS.**

24 (a) NATIONAL POLICY ON THE BENEFICIAL REUSE
25 OF DREDGED MATERIAL.—

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

7 (2) PLACEMENT OF DREDGED MATERIALS.—

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

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

15 (ii) the economic and environmental
16 benefits, efficiencies, and impacts (includ-
17 ing the effects on living coral) of using the
18 dredged material for beneficial uses, in-
19 cluding, in the case of beneficial reuse ac-
20 tivities that involve more than one water
21 resources development project, the benefits,
22 efficiencies, and impacts that result from
23 the combined activities.

24 (B) CALCULATION OF FEDERAL STAND-
25 ARD.—The economic benefits and efficiencies

1 from the beneficial use of dredged material con-
2 sidered by the Secretary under subparagraph
3 (A) shall be included in any determination re-
4 lating to the “Federal standard” by the Sec-
5 retary under section 335.7 of title 33, Code of
6 Federal Regulations for the placement or dis-
7 posal of such material.

8 (b) BENEFICIAL USE OF DREDGED MATERIAL.—

9 (1) PILOT PROGRAM PROJECTS.—Section 1122
10 of the Water Resources Development Act of 2016
11 (33 U.S.C. 2326 note) is amended—

12 (A) in subsection (b)(1), by striking “20”
13 and inserting “30”; and

14 (B) in subsection (g), by striking “20” and
15 inserting “30”.

16 (2) SENSE OF CONGRESS.—It is the sense of
17 Congress that the Secretary, in selecting projects for
18 the beneficial reuse of dredged materials under sec-
19 tion 1122 of the Water Resources Development Act
20 of 2016 (33 U.S.C. 2326 note), should ensure the
21 thorough evaluation of project submissions from
22 rural, small, and economically disadvantaged com-
23 munities.

24 (c) FIVE-YEAR REGIONAL DREDGED MATERIAL
25 MANAGEMENT PLANS.—

1 (1) IN GENERAL.—Not later than 1 year after
2 the date of enactment of this Act, and annually
3 thereafter, the District Commander of each district
4 of the Corps of Engineers that obtains dredged ma-
5 terial through the construction or operation and
6 maintenance of a water resources development
7 project shall, at Federal expense, develop and submit
8 to the Secretary a 5-year dredged material manage-
9 ment plan in coordination with relevant State agen-
10 cies and stakeholders.

11 (2) SCOPE.—Each plan developed under this
12 subsection shall include—

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

15 (B) an estimate of the amount of dredged
16 material likely to be obtained through the con-
17 struction or operation and maintenance of all
18 water resources development projects projected
19 to be carried out within the district during the
20 5-year period following submission of the plan,
21 and the estimated timing for obtaining such
22 dredged material;

23 (C) an identification of potential water re-
24 sources development projects projected to be
25 carried out within the district during such 5-

1 year period that are suitable for, or that re-
2 quire, the placement of dredged material, and
3 an estimate of the amount of dredged material
4 placement capacity of such projects;

5 (D) an evaluation of—

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

8 (ii) the economic and environmental
9 benefits, efficiencies, and impacts (includ-
10 ing the effects on living coral) of using the
11 dredged material for beneficial uses, in-
12 cluding, in the case of beneficial reuse ac-
13 tivities that involve more than one water
14 resources development project, the benefits,
15 efficiencies, and impacts that result from
16 the combined activities; and

17 (E) the district-wide goals for beneficial
18 reuse of the dredged material, including any ex-
19 pected cost savings from aligning and coordi-
20 nating multiple projects (including projects
21 across Corps districts) in the reuse of the
22 dredged material.

23 (3) PUBLIC COMMENT.—In developing each
24 plan under this subsection, each District Com-

1 mander shall provide notice and an opportunity for
2 public comment.

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

8 (d) DREDGE PILOT PROGRAM.—

9 (1) REVISIONS.—Section 1111 of the Water
10 Resources Development Act of 2018 (33 U.S.C.
11 2326 note) is amended—

12 (A) in subsection (a), by striking “for the
13 operation and maintenance of harbors and in-
14 land harbors” and all that follows through the
15 period at the end and inserting the following:

16 “for the—

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

20 “(2) inland and intracoastal waterways of the
21 United States described in section 206 of the Inland
22 Waterways Revenue Act of 1978 (33 U.S.C.
23 1804).”; and

1 (B) in subsection (b), by striking “or in-
2 land harbors” and inserting “, inland harbors,
3 or inland or intracoastal waterways”.

4 (2) COORDINATION WITH EXISTING AUTHORI-
5 TIES.—The Secretary may carry out the dredge pilot
6 program authorized by section 1111 of the Water
7 Resources Development Act of 2018 (33 U.S.C.
8 2326 note) in coordination with Federal regional
9 dredge demonstration programs in effect on the date
10 of enactment of this Act.

11 **SEC. 126. AQUATIC ECOSYSTEM RESTORATION FOR ANAD-**
12 **ROMOUS FISH.**

13 (a) ANADROMOUS FISH HABITAT AND PASSAGE.—
14 Section 206 of the Water Resources Development Act of
15 1996 (33 U.S.C. 2330) is amended—

16 (1) in subsection (a), by adding at the end the
17 following:

18 “(3) ANADROMOUS FISH HABITAT AND PAS-
19 SAGE.—

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

23 “(i) installing fish bypass structures
24 on small water diversions;

25 “(ii) modifying tide gates; and

1 “(iii) restoring or reconnecting
2 floodplains and wetlands that are impor-
3 tant for anadromous fish habitat or pas-
4 sage.

5 “(B) BENEFITS.—A project that includes
6 measures under this paragraph shall be formu-
7 lated to maximize benefits for the anadromous
8 fish species benefitted by the project.”; and
9 (2) by adding at the end the following:

10 “(g) PRIORITIZATION.—The Secretary shall give
11 projects that include measures described in subsection
12 (a)(3) equal priority for implementation as other projects
13 under this section.”.

14 **SEC. 127. ANNUAL REPORT TO CONGRESS.**

15 Section 7001(c)(4)(B) of the Water Resources Re-
16 form and Development Act of 2014 (33 U.S.C.
17 2282d(c)(4)(B)) is amended—

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

19 (2) by redesignating clause (ii) as clause (iii);

20 and

21 (3) by inserting after clause (i) the following:

22 “(ii) the Secretary shall not include
23 proposals in the appendix of the annual re-
24 port that otherwise meet the criteria for
25 inclusion in the annual report solely on the

1 basis that the proposals are for the pur-
2 poses of navigation, flood risk manage-
3 ment, ecosystem restoration, or municipal
4 or agricultural water supply; and”.

5 **SEC. 128. HARMFUL ALGAL BLOOM DEMONSTRATION PRO-**
6 **GRAM.**

7 (a) IN GENERAL.—The Secretary shall carry out a
8 demonstration program to determine the causes of, and
9 implement measures to effectively detect, prevent, treat,
10 and eliminate, harmful algal blooms associated with water
11 resources development projects.

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

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

17 (2) make maximum use of existing Federal and
18 State data and ongoing programs and activities of
19 Federal and State agencies, including the activities
20 of the Secretary carried out through the Engineer
21 Research and Development Center pursuant to sec-
22 tion 1109 of the Water Resources Development Act
23 of 2018 (33 U.S.C. 610 note).

24 (c) FOCUS AREAS.—In carrying out the demonstra-
25 tion program under subsection (a), the Secretary shall un-

1 dertake program activities related to harmful algal blooms
2 in the Great Lakes, the tidal and inland waters of the
3 State of New Jersey, and Lake Okeechobee, Florida.

4 **SEC. 129. UPDATE ON INVASIVE SPECIES POLICY GUID-**
5 **ANCE.**

6 (a) **IN GENERAL.**—The Secretary shall periodically
7 update the Invasive Species Policy Guidance, developed
8 under section 104 of the River and Harbor Act of 1958
9 (33 U.S.C. 610) and the Nonindigenous Aquatic Nuisance
10 Prevention and Control Act of 1990 (16 U.S.C. 4701 et
11 seq.), in accordance with the most recent National
12 Invasive Species Council Management Plan developed pur-
13 suant to Executive Order 13112.

14 (b) **INCLUSION.**—The Secretary may include in the
15 updated guidance invasive species specific efforts at feder-
16 ally authorized water resources development projects lo-
17 cated in—

18 (1) high-altitude lakes; and

19 (2) the Tennessee and Cumberland River ba-
20 sins.

21 **SEC. 130. REPORT ON DEBRIS REMOVAL.**

22 Section 1210 of the Water Resources Development
23 Act of 2018 (132 Stat. 3808) is amended to read as fol-
24 lows:

1 **“SEC. 1210. REPORT ON DEBRIS REMOVAL.**

2 “Not later than 180 days after the date of enactment
3 of the Water Resources Development Act of 2020, the Sec-
4 retary shall submit to Congress and make publicly avail-
5 able a report that describes—

6 “(1) the extent to which, during the 10 fiscal
7 years prior to such date of enactment, the Secretary
8 has carried out section 3 of the Act of March 2,
9 1945 (33 U.S.C. 603a);

10 “(2) how the Secretary has evaluated potential
11 work to be carried out under that section;

12 “(3) the extent to which the Secretary plans to
13 start, continue, or complete debris removal activities
14 in the 3 years following submission of the report.”.

15 **SEC. 131. MISSOURI RIVER INTERCEPTION-REARING COM-**
16 **PLEX CONSTRUCTION.**

17 (a) REPORT.—Not later than 1 year after the date
18 of enactment of this Act, and annually thereafter, the Sec-
19 retary shall submit to the Committee on Transportation
20 and Infrastructure of the House of Representatives and
21 the Committee on Environment and Public Works of the
22 Senate a report on the effects of any interception-rearing
23 complex constructed on the Missouri River on—

24 (1) flood risk management and navigation; and

25 (2) the population recovery of the pallid stur-
26 geon, including baseline population counts.

1 (b) NO ADDITIONAL IRC CONSTRUCTION.—The Sec-
2 retary may not authorize construction of an interception-
3 rearing complex on the Missouri River until the Sec-
4 retary—

5 (1) submits the report required by subsection
6 (a);

7 (2) acting through the Engineer Research and
8 Development Center, conducts further research on
9 interception-rearing complex design, including any
10 effects on existing flows, flood risk management, and
11 navigation; and

12 (3) develops a plan—

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

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

18 (c) FUTURE IRC CONSTRUCTION.—

19 (1) PUBLIC COMMENT.—The Secretary shall
20 provide an opportunity for comment from the public
21 and the Governor of each affected State on any pro-
22 posals to construct an interception-rearing complex
23 after the date of enactment of this Act.

24 (2) PERIOD.—The public comment period re-
25 quired by paragraph (1) shall be not less than 90

1 days for each proposal to construct an interception-
2 rearing complex on the Missouri River.

3 **SEC. 132. COST AND BENEFIT FEASIBILITY ASSESSMENT.**

4 Section 5(a)(2)(B) of the Act of August 18, 1941 (33
5 U.S.C. 701n(a)(2)(B)) is amended—

6 (1) in clause (i)(I), by inserting “or contribute”
7 after “pay”; and

8 (2) in clause (ii)—

9 (A) in the heading, by inserting “AND CON-
10 TRIBUTIONS” after “OF PAYMENTS”;

11 (B) by inserting “or contributions” after
12 “Non-Federal payments”; and

13 (C) by inserting “or contributions” after
14 “non-Federal payments”.

15 **SEC. 133. MATERIALS, SERVICES, AND FUNDS FOR REPAIR,**
16 **RESTORATION, OR REHABILITATION OF**
17 **PROJECTS.**

18 (a) IN GENERAL.—In any area covered by an emer-
19 gency or major disaster declaration declared under the
20 Robert T. Stafford Disaster Relief and Emergency Assist-
21 ance Act (42 U.S.C. 5121 et seq.), the Secretary is au-
22 thorized to accept and use materials, services, and funds,
23 during the period the declaration is in effect, from a non-
24 Federal interest or private entity to repair, restore, or re-
25 habilitate a federally authorized water resources develop-

1 ment project, and to provide reimbursement to such non-
2 Federal interest or private entity for such materials, serv-
3 ices, and funds, in the Secretary's sole discretion, and sub-
4 ject to the availability of appropriations, if the Secretary
5 determines that reimbursement is in the public interest.

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

16 (c) AGREEMENTS.—

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

21 (A) the non-Federal interest shall hold and
22 save the United States free from any and all
23 damages that arise from use of materials or
24 services of the non-Federal interest, except for

1 damages due to the fault or negligence of the
2 United States or its contractors;

3 (B) the non-Federal interest shall certify
4 that the materials or services comply with all
5 applicable laws and regulations under sub-
6 section (b); and

7 (C) any other term or condition required
8 by the Secretary.

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

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

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

18 **SEC. 134. LEVEE SAFETY.**

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

22 “(d) IDENTIFICATION OF DEFICIENCIES.—

23 “(1) IN GENERAL.—For each levee included in
24 an inventory established under subsection (b) or for

1 which the Secretary has conducted a review under
2 subsection (c), the Secretary shall—

3 “(A) identify the specific engineering and
4 maintenance deficiencies, if any; and

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

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

16 **SEC. 135. NATIONAL DAM SAFETY PROGRAM.**

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

19 (1) in subparagraph (A)—

20 (A) by striking clause (iii) and inserting
21 the following:

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

24 “(I) is approved by the relevant
25 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 (B) by striking clause (iv) and inserting
6 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 (2) in subparagraph (B)(i), by inserting “under
14 a hydropower project with an authorized installed
15 capacity of greater than 1.5 megawatts” after
16 “dam”; and

17 (3) in paragraph (10)—

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

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

24 (b) REHABILITATION OF HIGH HAZARD POTENTIAL
25 DAMS.—

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

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

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

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

18 (B) in paragraph (2)—

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

24 (ii) in subparagraph (B)—

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

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

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

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

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

22 (iv) in subparagraph (D), by striking
23 “A grant provided under this section shall
24 not exceed” and inserting “A State may
25 not award a grant to an eligible sub-

1 recipient under this section that exceeds,
2 for any 1 dam,”.

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

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

8 (B) in paragraph (2)—

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

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

18 (iii) in subparagraph (A), by striking
19 “participate in, and comply with,” and in-
20 sserting “demonstrate that the community
21 in which the dam is located participates in,
22 and complies with,”;

23 (iv) in subparagraph (B), by striking
24 “have” and inserting “beginning not later
25 than 2 years after the date on which the

1 Administrator publishes criteria for hazard
2 mitigation plans under paragraph (3),
3 demonstrate that the Tribal or local gov-
4 ernment with jurisdiction over the area in
5 which the dam is located has”; and

6 (v) in subparagraph (C), by striking
7 “50-year period” and inserting “expected
8 life of the dam”; and

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

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

15 (5) FLOODPLAIN MANAGEMENT PLANS.—Sec-
16 tion 8A(e) of the National Dam Safety Program Act
17 (33 U.S.C. 467f–2(e)) is amended—

18 (A) in paragraph (1)—

19 (i) in the matter preceding subpara-
20 graph (A), by striking “the non-Federal
21 sponsor” and inserting “an eligible sub-
22 recipient”; and

23 (ii) in subparagraph (B), by striking
24 “1 year” and inserting “2 years” each
25 place it appears; and

1 (B) by striking paragraph (3) and insert-
2 ing the following:

3 “(3) PLAN CRITERIA AND TECHNICAL SUP-
4 PORT.—The Administrator, in consultation with the
5 Board, shall provide criteria, and may provide tech-
6 nical support, for the development and implementa-
7 tion of floodplain management plans prepared under
8 this subsection.”.

9 (6) CONTRACTUAL REQUIREMENTS.—Section
10 8A(i)(1) of the National Dam Safety Program Act
11 (33 U.S.C. 467f–2(i)(1)) is amended by striking “a
12 non-Federal sponsor” and inserting “an eligible sub-
13 recipient”.

14 **SEC. 136. REHABILITATION OF CORPS OF ENGINEERS CON-**
15 **STRUCTED PUMP STATIONS.**

16 (a) DEFINITIONS.—In this section:

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

19 (A) constructed, in whole or in part, by the
20 Corps of Engineers for flood risk management
21 purposes;

22 (B) that the Secretary has identified as
23 having a major deficiency; and

24 (C) the failure of which the Secretary has
25 determined would impair the function of a flood

1 risk management project constructed by the
2 Corps of Engineers.

3 (2) REHABILITATION.—

4 (A) IN GENERAL.—The term “rehabilita-
5 tion”, with respect to an eligible pump station,
6 means to address a major deficiency of the eli-
7 gible pump station caused by long-term deg-
8 radation of the foundation, construction mate-
9 rials, or engineering systems or components of
10 the eligible pump station.

11 (B) INCLUSIONS.—The term “rehabilita-
12 tion”, with respect to an eligible pump station,
13 includes—

14 (i) the incorporation into the eligible
15 pump station of—

16 (I) current design standards;
17 (II) efficiency improvements; and
18 (III) associated drainage; and

19 (ii) increasing the capacity of the eli-
20 gible pump station, subject to the condition
21 that the increase shall—

22 (I) significantly decrease the risk
23 of loss of life and property damage; or

1 (II) decrease total lifecycle reha-
2 bilitation costs for the eligible pump
3 station.

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

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

9 (1) provide 35 percent of the cost of rehabilita-
10 tion of an eligible pump station carried out under
11 this section; and

12 (2) provide all land, easements, rights-of-way,
13 and necessary relocations associated with the reha-
14 bilitation described in subparagraph (A), at no cost
15 to the Federal Government.

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

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

22 (2) to pay 100 percent of the operation and
23 maintenance costs of the rehabilitated eligible pump
24 station, in accordance with regulations promulgated
25 by the Secretary.

1 (e) TREATMENT.—The rehabilitation of an eligible
2 pump station pursuant to this section shall not be consid-
3 ered to be a separable element of the associated flood risk
4 management project constructed by the Corps of Engi-
5 neers.

6 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
7 authorized to be appropriated to carry out this section
8 \$60,000,000, to remain available until expended.

9 **SEC. 137. NON-FEDERAL PROJECT IMPLEMENTATION**
10 **PILOT PROGRAM.**

11 Section 1043(b) of the Water Resources Reform and
12 Development Act of 2014 (33 U.S.C. 2201 note) is
13 amended—

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

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

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

20 “(9) IMPLEMENTATION GUIDANCE.—

21 “(A) IN GENERAL.—Not later than 120
22 days after the date of enactment of this para-
23 graph, the Secretary shall issue guidance for
24 the implementation of the pilot program that,
25 to the extent practicable, identifies—

1 “(i) the metrics for measuring the
2 success of the pilot program;

3 “(ii) a process for identifying future
4 projects to participate in the pilot pro-
5 gram;

6 “(iii) measures to address the risks of
7 a non-Federal interest constructing
8 projects under the pilot program, including
9 which entity bears the risk for projects
10 that fail to meet the Corps of Engineers
11 standards for design or quality;

12 “(iv) the laws and regulations that a
13 non-Federal interest must follow in car-
14 rying out a project under the pilot pro-
15 gram; and

16 “(v) which entity bears the risk in the
17 event that a project carried out under the
18 pilot program fails to be carried out in ac-
19 cordance with the project authorization or
20 this subsection.

21 “(B) NEW PROJECT PARTNERSHIP AGREE-
22 MENTS.— The Secretary may not enter into a
23 project partnership agreement under this sub-
24 section during the period beginning on the date
25 of enactment of this paragraph and ending on

1 the date on which the Secretary issues the guid-
2 ance under subparagraph (A).”.

3 **SEC. 138. DEFINITION OF ECONOMICALLY DISADVANTAGED**
4 **COMMUNITY.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of enactment of this Act, the Secretary shall issue
7 guidance defining the term “economically disadvantaged
8 community” for the purposes of this Act and the amend-
9 ments made by this Act.

10 (b) CONSIDERATIONS.—In defining the term “eco-
11 nomically disadvantaged community” under subsection
12 (a), the Secretary shall, to the maximum extent prac-
13 ticable, utilize the criteria under paragraphs (1) or (2) of
14 section 301(a) of the Public Works and Economic Devel-
15 opment Act of 1965 (42 U.S.C. 3161), to the extent that
16 such criteria are applicable in relation to the development
17 of water resources development projects.

18 **TITLE II—STUDIES AND**
19 **REPORTS**

20 **SEC. 201. AUTHORIZATION OF PROPOSED FEASIBILITY**
21 **STUDIES.**

22 (a) IN GENERAL.—The Secretary is authorized to
23 conduct a feasibility study for the following projects for
24 water resources development and conservation and other
25 purposes, as identified in the reports titled “Report to

1 Congress on Future Water Resources Development” sub-
2 mitted to Congress pursuant to section 7001 of the Water
3 Resources Reform and Development Act of 2014 (33
4 U.S.C. 2282d) or otherwise reviewed by Congress:

5 (1) TONTO CREEK, GILA RIVER, ARIZONA.—
6 Project for flood risk management, Tonto Creek,
7 Gila River, Arizona.

8 (2) SULPHUR RIVER, ARKANSAS AND TEXAS.—
9 Project for ecosystem restoration, Sulphur River,
10 Arkansas and Texas.

11 (3) CABLE CREEK, CALIFORNIA.—Project for
12 flood risk management, water supply, and related
13 benefits, Cable Creek, California.

14 (4) DEL MAR BLUFFS, CALIFORNIA.—Project
15 for shoreline stabilization, Del Mar Bluffs, San
16 Diego County, California.

17 (5) REDBANK AND FANCHER CREEKS, CALI-
18 FORNIA.—Project for water conservation and water
19 supply, Redbank and Fancher Creeks, California.

20 (6) RIO HONDO CHANNEL, CALIFORNIA.—
21 Project for ecosystem restoration, Rio Hondo Chan-
22 nel, San Gabriel River, California.

23 (7) SOUTHERN CALIFORNIA, CALIFORNIA.—
24 Project for coastal storm damage reduction, South-
25 ern California.

1 (8) SHINGLE CREEK AND KISSIMMEE RIVER,
2 FLORIDA.—Project for ecosystem restoration and
3 water storage, Shingle Creek and Kissimmee River,
4 Osceola County, Florida.

5 (9) ST. JOHN'S RIVER AND LAKE JESUP, FLOR-
6 IDA.—Project for ecosystem restoration, St. John's
7 River and Lake Jesup, Florida.

8 (10) WAIMEA RIVER, HAWAII.—Project for
9 flood risk management, Waimea River, Kauai, Ha-
10 waii.

11 (11) CHICAGO AREA WATERWAYS SYSTEM, ILLI-
12 NOIS.—Project for ecosystem restoration, recreation,
13 and other purposes, Illinois River, Chicago River,
14 Calumet River, Grand Calumet River, Little Cal-
15 umet River, and other waterways in the vicinity of
16 Chicago, Illinois.

17 (12) FOX RIVER, ILLINOIS.—Project for flood
18 risk management, Fox River, Illinois.

19 (13) LOWER MISSOURI RIVER, KANSAS.—
20 Project for bank stabilization and navigation, Lower
21 Missouri River, Sioux City, Kansas.

22 (14) TANGIPAHOA PARISH, LOUISIANA.—
23 Project for flood risk management, Tangipahoa Par-
24 ish, Louisiana.

1 (15) KENT NARROWS AND CHESTER RIVER,
2 MARYLAND.—Project for navigation, Kent Narrows
3 and Chester River, Queen Anne’s County, Maryland.

4 (16) LOWER ST. CROIX RIVER, MINNESOTA.—
5 Project for flood risk management, ecosystem res-
6 toration, and recreation, Lower St. Croix River,
7 Minnesota.

8 (17) ESCATAWPA RIVER BASIN, MISSISSIPPI.—
9 Project for flood risk management and ecosystem
10 restoration, Escatawpa River, Jackson County, Mis-
11 sissippi.

12 (18) LONG BEACH, BAY ST. LOUIS AND MIS-
13 SISSIPPI SOUND, MISSISSIPPI.—Project for hurricane
14 and storm damage risk reduction and flood risk
15 management, Long Beach, Bay St. Louis and Mis-
16 sissippi Sound, Mississippi.

17 (19) PASCAGOULA RIVER BASIN, MISSISSIPPI.—
18 Project for comprehensive watershed study,
19 Pascagoula, Mississippi.

20 (20) TALLAHOMA AND TALLAHALA CREEKS,
21 MISSISSIPPI.—Project for flood risk management,
22 Leaf River, Jones County, Mississippi.

23 (21) LOWER OSAGE RIVER BASIN, MISSOURI.—
24 Project for ecosystem restoration, Lower Osage
25 River Basin, Missouri.

1 (22) UPPER BASIN AND STONY BROOK (GREEN
2 BROOK SUB-BASIN), RARITAN RIVER BASIN, NEW
3 JERSEY.—Reevaluation of the Upper Basin and
4 Stony Brook portions of the project for flood control,
5 Green Brook Sub-basin, Raritan River Basin, New
6 Jersey, authorized by section 401 of the Water Re-
7 sources Development Act of 1986 (100 Stat. 4119),
8 including the evaluation of non-structural measures
9 to achieve the project purpose.

10 (23) LAKE ONTARIO SHORELINE, NEW YORK.—
11 Project for coastal storm resiliency, Lake Ontario
12 shoreline, New York.

13 (24) WADING RIVER CREEK, NEW YORK.—
14 Project for hurricane and storm damage risk reduc-
15 tion, flood risk management, navigation, and eco-
16 system restoration, Wading River Creek, New York.

17 (25) REEL POINT PRESERVE, NEW YORK.—
18 Project for navigation and shoreline stabilization,
19 Reel Point Preserve, New York.

20 (26) GOLDSMITH INLET, NEW YORK.—Project
21 for navigation, Goldsmith Inlet, New York.

22 (27) TUSCARAWAS RIVER BASIN, OHIO.—
23 Project for comprehensive watershed study,
24 Tuscarawas River Basin, Ohio.

1 (28) LOWER COLUMBIA RIVER BASIN (TURNING
2 BASIN), OREGON AND WASHINGTON.—Project to im-
3 prove turning basins for the project for navigation,
4 Columbia River Channel, Oregon and Washington,
5 authorized by section 101(b)(13) of the Water Re-
6 sources Development Act of 1999 (113 Stat. 280).

7 (29) WILLIAMSPORT, PENNSYLVANIA.—Project
8 for flood risk management and levee rehabilitation,
9 greater Williamsport, Pennsylvania.

10 (30) CITY OF CHARLESTON, SOUTH CARO-
11 LINA.—Project for tidal- and inland-related flood
12 risk management, Charleston, South Carolina.

13 (31) TENNESSEE AND CUMBERLAND RIVER BA-
14 SINS, TENNESSEE.—Project to deter, impede, or re-
15 strict the dispersal of aquatic nuisance species in the
16 Tennessee and Cumberland River Basins, Ten-
17 nessee.

18 (32) PORT ARTHUR AND VICINITY, TEXAS.—
19 Modification of the project for hurricane and storm
20 damage risk reduction, Port Arthur and vicinity,
21 Texas, authorized by section 203 of the Flood Con-
22 trol Act of 1962 (76 Stat. 1184), to reduce the re-
23 sidual risk of flooding through the construction of
24 improvements to interior drainage.

1 (33) PORT OF VICTORIA, TEXAS.—Project for
2 flood risk management, Port of Victoria, Texas.

3 (34) LOWER FOX RIVER BASIN, WISCONSIN.—
4 Project for comprehensive watershed study, Lower
5 Fox River Basin, Wisconsin.

6 (35) UPPER FOX RIVER AND WOLF RIVER, WIS-
7 CONSIN.—Project for flood risk management and
8 ecosystem restoration, Upper Fox River and Wolf
9 River, Wisconsin.

10 (b) SPECIAL RULE.—The Secretary shall consider
11 any study carried out by the Secretary to formulate the
12 modifications to the project for hurricane and storm dam-
13 age risk reduction, Port Arthur and vicinity, Texas, identi-
14 fied in subsection (b)(32) shall be considered a continu-
15 ation of the study carried out for Sabine Pass to Galveston
16 Bay, Texas, authorized by a resolution of the Committee
17 on Environment and Public Works of the Senate, ap-
18 proved June 23, 2004.

19 **SEC. 202. EXPEDITED COMPLETIONS.**

20 (a) FEASIBILITY REPORTS.—The Secretary shall ex-
21 pedite the completion of a feasibility study for each of the
22 following projects, and if the Secretary determines that
23 the project is justified in a completed report, may proceed
24 directly to preconstruction planning, engineering, and de-
25 sign of the project:

1 (1) Project for navigation, St. George Harbor,
2 Alaska.

3 (2) Project for shoreline stabilization, Aunu'u
4 Harbor, American Samoa.

5 (3) Project for shoreline stabilization, Tutuila
6 Island, American Samoa.

7 (4) Project for flood risk management, Lower
8 Santa Cruz River, Arizona.

9 (5) Project for flood control, water conserva-
10 tion, and related purposes, Coyote Valley Dam, Cali-
11 fornia.

12 (6) Project for flood damage reduction and eco-
13 system restoration, Del Rosa Channel, city of San
14 Bernardino, California.

15 (7) Project for flood damage reduction and eco-
16 system restoration, Mission-Zanja Channel, cities of
17 San Bernardino and Redlands, California.

18 (8) Project for flood risk management, Prado
19 Basin, California.

20 (9) Project to modify the project for navigation,
21 San Francisco Bay to Stockton, California.

22 (10) Project to modify the Seven Oaks Dam,
23 California, portion of the project for flood control,
24 Santa Ana River Mainstem, California, authorized
25 by section 401(a) of the Water Resources Develop-

1 ment Act of 1986 (100 Stat. 4113; 101 Stat. 1329–
2 111; 104 Stat. 4611; 110 Stat. 3713; 121 Stat.
3 1115), to include water conservation as an author-
4 ized purpose.

5 (11) Project to modify the project for naviga-
6 tion, Delaware River Mainstem and Channel Deep-
7 ening, Delaware, New Jersey, and Pennsylvania, au-
8 thorized by section 101(6) of the Water Resources
9 Development Act of 1992 (106 Stat. 4802; 113
10 Stat. 300; 114 Stat. 1262) to include the construc-
11 tion of a turning basin located near the Packer Ave-
12 nue Marine Terminal.

13 (12) Project for ecosystem restoration, Central
14 and Southern Florida Project Canal 111 (C-111),
15 South Dade County, Florida.

16 (13) Project for comprehensive hurricane and
17 storm damage risk reduction and shoreline erosion
18 protection, Chicago, Illinois, authorized by section
19 101(a)(12) of the Water Resources Development Act
20 of 1996 (110 Stat. 3664; 113 Stat. 302).

21 (14) Project for flood risk management, Whea-
22 ton, DuPage County, Illinois.

23 (15) Project for flood damage reduction, eco-
24 system restoration, and recreation, Blue River
25 Basin, Kansas City, Kansas, carried out pursuant to

1 the resolution of the Committee on Transportation
2 and Infrastructure of the House of Representatives
3 adopted on September 24, 2008 (docket number
4 2803).

5 (16) Project to deepen the project for naviga-
6 tion, Gulfport Harbor, Mississippi, authorized by
7 section 202(a) of the Water Resources Development
8 Act of 1986 (100 Stat. 4094).

9 (17) Project for hurricane and storm damage
10 risk reduction, Raritan Bay and Sandy Hook Bay,
11 Highlands, New Jersey.

12 (18) Project for navigation, Shark River, New
13 Jersey.

14 (19) Project for flood risk management,
15 Rondout Creek-Wallkill River Watershed, New York,
16 carried out pursuant to the resolution of the Com-
17 mittee on Transportation and Infrastructure of the
18 House of Representatives adopted on May 2, 2007
19 (docket number 2776).

20 (20) Project for ecosystem restoration and hur-
21 ricane and storm damage risk reduction, Spring
22 Creek South (Howard Beach), Queens, New York.

23 (21) Project for flood control, 42nd Street
24 Levee, Springfield, Oregon, being carried out under

1 section 205 of the Flood Control Act of 1948 (33
2 U.S.C. 701s).

3 (22) Project for ecosystem restoration, Hood
4 River at the confluence with the Columbia River, Or-
5 egon.

6 (23) Project for flood risk management, Rio
7 Culebrinas, Puerto Rico.

8 (24) Project for flood risk management, Rio
9 Grande de Manati, Puerto Rico.

10 (25) Project for flood risk management, Rio
11 Guayanilla, Puerto Rico.

12 (26) Project for flood risk management, Dor-
13 chester County, South Carolina.

14 (27) Project for navigation, Georgetown Har-
15 bor, South Carolina.

16 (28) Project for hurricane and storm damage
17 risk reduction, Myrtle Beach, South Carolina.

18 (29) Project to modify the projects for naviga-
19 tion and other purposes, Old Hickory Lock and Dam
20 and the Cordell Hull Dam and Reservoir, Cum-
21 berland River, Tennessee, authorized by the Act of
22 July 24, 1946 (chapter 595, 60 Stat. 636), to add
23 flood risk management as an authorized purpose.

24 (30) Project for flood risk management, eco-
25 system restoration, water supply, and related pur-

1 poses, Lower Rio Grande River, Cameron County,
2 Texas, carried out pursuant to the resolution of the
3 Committee on Transportation and Infrastructure of
4 the House of Representatives adopted on May 21,
5 2003 (docket number 2710).

6 (31) Project for flood risk management, Savan
7 Gut Phase II, St. Thomas, United States Virgin Is-
8 lands.

9 (32) Project for flood risk management, Tur-
10 pentine Run, St. Thomas, United States Virgin Is-
11 lands.

12 (33) Project for navigation, North Landing
13 Bridge, Atlantic Intracoastal Waterway, Virginia.

14 (b) POST-AUTHORIZATION CHANGE REPORTS.—The
15 Secretary shall expedite completion of a post-authorization
16 change report for the following projects:

17 (1) Project for ecosystem restoration, Tres
18 Rios, Arizona.

19 (2) Project for flood control, San Luis Rey
20 River, California.

21 (3) Project for ecosystem restoration, Central
22 and Southern Florida Project Canal 111 (C-111),
23 South Dade County, Florida.

24 (4) Project for ecosystem restoration, Com-
25 prehensive Everglades Restoration Plan,

1 Caloosahatchee River C-43, West Basin Storage
2 Reservoir, Florida.

3 (5) Project for flood risk management, Des
4 Moines Levee System, including Birdland Park
5 Levee, Des Moines and Raccoon Rivers, Des Moines,
6 Iowa.

7 (c) WATERSHED AND RIVER BASIN ASSESSMENTS.—
8 The Secretary shall expedite the completion of an assess-
9 ment under section 729 of the Water Resources Develop-
10 ment Act of 1986 (33 U.S.C. 2267a), for the following:

11 (1) Kansas River Basin, Kansas.

12 (2) Merrimack River Basin, Massachusetts.

13 (d) DISPOSITION STUDY.—The Secretary shall expe-
14 dite the completion of a disposition study, carried out
15 under section 216 of the Flood Control Act of 1970 (33
16 U.S.C. 549a), for the project for Salinas Reservoir (Santa
17 Margarita Lake), California.

18 **SEC. 203. FEASIBILITY STUDY MODIFICATIONS.**

19 (a) SAN FRANCISCO BAY, CALIFORNIA.—Section 142
20 of the Water Resources Development Act of 1976 (90
21 Stat. 2930) is amended—

22 (1) by inserting “, San Francisco, Marin,” after
23 “Sonoma”;

1 (2) by inserting “, and along the ocean shore-
2 line of San Mateo, San Francisco, and Marin Coun-
3 ties,” after “Sacramento and San Joaquin Rivers”;

4 (3) by inserting “and, with respect to the bay
5 and ocean shorelines of San Mateo, San Francisco,
6 and Marin Counties, the feasibility of and the Fed-
7 eral interest in providing measures to adapt to rising
8 sea levels” after “tidal and fluvial flooding”;

9 (4) by striking “investigation” and inserting in
10 its place “investigations”; and

11 (5) by inserting after “San Francisco Bay re-
12 gion” the following: “and, with respect to the bay
13 and ocean shorelines and streams running to the bay
14 and ocean shorelines of San Mateo, San Francisco,
15 and Marin Counties, the effects of proposed meas-
16 ures or improvements on the local economy; habitat
17 restoration, enhancement, or expansion efforts or op-
18 portunities; public infrastructure protection and im-
19 provement; stormwater runoff capacity and control
20 measures, including those that may mitigate flood-
21 ing; erosion of beaches and coasts; and any other
22 measures or improvements relevant to adapting to
23 rising sea levels”.

24 (b) SACRAMENTO RIVER, SOUTHERN SUTTER COUN-
25 TY, CALIFORNIA.—The study for flood control and allied

1 purposes for the Sacramento River Basin, authorized by
2 section 209 of the Flood Control Act of 1962 (76 Stat.
3 1197), is modified to authorize the Secretary to conduct
4 a study for flood risk management, southern Sutter Coun-
5 ty between the Sacramento River and Sutter Bypass, Cali-
6 fornia.

7 (c) SALTON SEA, CALIFORNIA.—In carrying out the
8 program to implement projects to restore the Salton Sea,
9 California, authorized by section 3032 of the Water Re-
10 sources Development Act of 2007 (121 Stat. 1113; 130
11 Stat. 1677), the Secretary is authorized to carry out a
12 study for the construction of a perimeter lake, or a north-
13 ern or southern subset thereof, for the Salton Sea, Cali-
14 fornia.

15 (d) NEW YORK AND NEW JERSEY HARBOR AND
16 TRIBUTARIES, NEW YORK AND NEW JERSEY.—The study
17 for flood and storm damage reduction for the New York
18 and New Jersey Harbor and Tributaries project, author-
19 ized by Act of June 15, 1955 (chapter 140, 69 Stat. 132),
20 and being carried out pursuant to the Disaster Relief Ap-
21 propriations Act, 2013 (Public Law 113–2), is modified
22 to require the Secretary to—

23 (1) evaluate and address the impacts of low-fre-
24 quency precipitation and sea-level rise on the study
25 area;

1 (2) consult with affected communities; and

2 (3) ensure the study is carried out in accord-
3 ance with section 1001 of the Water Resources Re-
4 form and Development Act of 2014 (33 U.S.C.
5 2282e).

6 **SEC. 204. SELMA, ALABAMA.**

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 a report that—

12 (1) provides an update on the study for flood
13 risk management and riverbank stabilization, Selma,
14 Alabama, authorized by resolutions of the Commit-
15 tees on Public Works and Rivers and Harbors of the
16 House of Representatives on June 7, 1961, and
17 April 28, 1936, respectively, the completion of which
18 the Secretary was required to expedite by section
19 1203 of the Water Resources Development Act of
20 2018 (132 Stat. 3803); and

21 (2) identifies project alternatives necessary to—

22 (A) assure the preservation of cultural and
23 historic values associated with national historic
24 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. 205. COMPREHENSIVE STUDY OF THE SACRAMENTO**
5 **RIVER, YOLO BYPASS, CALIFORNIA.**

6 (a) COMPREHENSIVE STUDY.—The Secretary shall
7 conduct a comprehensive study of the Sacramento River
8 in the vicinity of the Yolo Bypass System, California, to
9 identify actions to be undertaken by the Secretary for the
10 comprehensive management of the Yolo Bypass System
11 for the purposes of flood risk management, ecosystem res-
12 toration, water supply, hydropower, and recreation.

13 (b) CONSULTATION AND USE OF EXISTING DATA.—

14 (1) CONSULTATION.—In conducting the com-
15 prehensive study under subsection (a), the Secretary
16 shall consult with the Governor of the State of Cali-
17 fornia, applicable Federal, State, and local agencies,
18 non-Federal interests, the Yolo Bypass and Cache
19 Slough Partnership, and other stakeholders.

20 (2) USE OF EXISTING DATA AND PRIOR STUD-
21 IES.—To the maximum extent practicable and where
22 appropriate, the Secretary may—

23 (A) make use of existing data provided to
24 the Secretary by the entities identified in para-
25 graph (1); and

1 (B) incorporate—

2 (i) relevant information from prior
3 studies and projects carried out by the
4 Secretary within the study area; and

5 (ii) the latest technical data and sci-
6 entific approaches to changing hydrologic
7 and climatic conditions.

8 (c) RECOMMENDATIONS.—

9 (1) IN GENERAL.—In conducting the com-
10 prehensive study under subsection (a), the Secretary
11 may develop a recommendation to Congress for—

12 (A) the construction of a water resources
13 development project;

14 (B) the structural or operational modifica-
15 tion of an existing water resources development
16 project;

17 (C) additional monitoring of, or adaptive
18 management measures to carry out with respect
19 to, existing water resources development
20 projects, to respond to changing hydrologic and
21 climatic conditions; or

22 (D) geographic areas within the Yolo By-
23 pass System for additional study by the Sec-
24 retary.

1 (2) ADDITIONAL CONSIDERATIONS.—Any feasi-
2 bility study carried out pursuant to a recommenda-
3 tion under paragraph (1)(D) shall be considered to
4 be a continuation of the comprehensive study au-
5 thorized under subsection (a).

6 (d) COMPLETION OF STUDY; REPORT TO CON-
7 GRESS.—Not later than 3 years after the date of enact-
8 ment of this section, the Secretary shall submit to the
9 Committee on Transportation and Infrastructure of the
10 House of Representatives and the Committee on Environ-
11 ment and Public Works of the Senate a report detailing—

12 (1) the results of the comprehensive study con-
13 ducted under subsection (a), including any rec-
14 ommendations developed under subsection (c);

15 (2) any additional, site-specific areas within the
16 Yolo Bypass System where additional study for flood
17 risk management or ecosystem restoration projects
18 is recommended by the Secretary; and

19 (3) any interim actions relating to existing
20 water resources development projects undertaken by
21 the Secretary during the study period.

22 (e) DEFINITIONS.—In this section:

23 (1) YOLO BYPASS SYSTEM.—The term “Yolo
24 Bypass System” means the system of weirs, levees,
25 bypass structures, and other water resources devel-

1 opment projects in California’s Sacramento River
2 Valley, extending from the Fremont Weir near
3 Woodland, California, to the Sacramento River near
4 Rio Vista, California, authorized pursuant to section
5 2 of the Act of March 1, 1917 (chapter 144; 39
6 Stat. 949).

7 (2) YOLO BYPASS AND CACHE CLOUGH PART-
8 NERSHIP.—The term “Yolo Bypass and Cache
9 Slough Partnership” means the group of parties to
10 the Yolo Bypass and Cache Slough Memorandum of
11 Understanding, effective May 2016, regarding col-
12 laboration and cooperation in the Yolo Bypass and
13 Cache Slough region.

14 **SEC. 206. GREAT LAKES COASTAL RESILIENCY STUDY.**

15 (a) IN GENERAL.—In carrying out the comprehensive
16 assessment of water resources needs for the Great Lakes
17 System under section 729 of the Water Resources Devel-
18 opment Act of 1986 (33 U.S.C. 2267a), as required by
19 section 1219 of the Water Resources Development Act of
20 2018 (132 Stat. 3811), the Secretary shall—

21 (1) taking into account recent high lake levels
22 within the Great Lakes, assess and make rec-
23 ommendations to Congress on—

24 (A) coastal storm and flood risk manage-
25 ment measures, including measures that use

1 natural features and nature-based features, as
2 those terms are defined in section 1184 of the
3 Water Resources Development Act of 2016 (33
4 U.S.C. 2289a);

5 (B) operation and maintenance of the
6 Great Lakes Navigation System, as such term
7 is defined in section 210 of the Water Re-
8 sources Development Act of 1986 (33 U.S.C.
9 2238);

10 (C) ecosystem protection and restoration;

11 (D) the prevention and control of invasive
12 species and the effects of invasive species; and

13 (E) recreation associated with water re-
14 sources development projects;

15 (2) prioritize actions necessary to protect crit-
16 ical public infrastructure, communities, and critical
17 natural or cultural resources; and

18 (3) to the maximum extent practicable and
19 where appropriate, utilize existing data provided to
20 the Secretary by Federal and State agencies, Indian
21 Tribes, and other stakeholders, including data ob-
22 tained through other Federal programs.

23 (b) RECOMMENDATIONS; ADDITIONAL STUDY.—

24 (1) IN GENERAL.—In carrying out the com-
25 prehensive assessment described in subsection (a),

1 the Secretary may make a recommendation to Con-
2 gress for—

3 (A) the construction of a water resources
4 development project;

5 (B) the structural or operational modifica-
6 tion of an existing water resources development
7 project;

8 (C) such additional monitoring of, or
9 adaptive management measures to carry out
10 with respect to, existing water resources devel-
11 opment projects, to respond to changing hydro-
12 logic and climatic conditions; or

13 (D) geographic areas within the Great
14 Lakes System for additional study by the Sec-
15 retary.

16 (2) ADDITIONAL CONSIDERATIONS.—Any feasi-
17 bility study carried out pursuant to a recommenda-
18 tion under paragraph (1)(D) shall be considered to
19 be a continuation of the comprehensive assessment
20 described in subsection (a).

21 (c) EXEMPTION FROM MAXIMUM STUDY COST AND
22 DURATION LIMITATIONS.—Section 1001 of the Water Re-
23 sources Reform and Development Act of 2014 (33 U.S.C.
24 2282c) shall not apply to any study recommended under
25 subsection (b)(1)(D).

1 **SEC. 207. RATHBUN LAKE, CHARITON RIVER, IOWA.**

2 Not later than 1 year after the date of enactment
3 of this Act, the Secretary shall submit to the Committee
4 on Transportation and Infrastructure of the House of
5 Representatives and the Committee on Environment and
6 Public Works of the Senate a report that evaluates—

7 (1) the existing allocations of storage space for
8 Rathbun Lake, authorized pursuant to the Flood
9 Control Act of 1954 (68 Stat. 1262; 121 Stat.
10 1124), including the existing allocation for municipal
11 water supply;

12 (2) the feasibility of expanding the existing allo-
13 cation of storage for municipal water supply; and

14 (3) the affordability of future municipal water
15 supply allocations from Rathbun Lake, for residen-
16 tial users of such future allocations, at projected fu-
17 ture costs.

18 **SEC. 208. REPORT ON THE STATUS OF RESTORATION IN**
19 **THE LOUISIANA COASTAL AREA.**

20 Not later than 1 year after the date of enactment
21 of this Act, the Coastal Louisiana Ecosystem Protection
22 and Restoration Task Force established by section 7004
23 of Water Resources Development Act of 2007 (121 Stat.
24 1272) shall submit to Congress a report that summarizes
25 the activities and recommendations of the task force, in-
26 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. 209. LOWER MISSISSIPPI RIVER COMPREHENSIVE**
10 **STUDY.**

11 (a) **COMPREHENSIVE STUDY.**—The Secretary shall
12 conduct a comprehensive study of the Lower Mississippi
13 River basin, from Cape Girardeau, Missouri, to the Gulf
14 of Mexico, to identify actions to be undertaken by the Sec-
15 retary for the comprehensive management of the basin for
16 the purposes of flood risk management, navigation, eco-
17 system restoration, water supply, hydropower, and recre-
18 ation.

19 (b) **CONSULTATION AND USE OF EXISTING DATA.**—
20 In conducting the comprehensive study under subsection
21 (a), the Secretary shall consult with applicable Federal,
22 State, and local agencies, Indian Tribes, non-Federal in-
23 terests, and other stakeholders, and, to the maximum ex-
24 tent practicable and where appropriate, make use of exist-
25 ing data provided to the Secretary by such parties.

1 (c) RECOMMENDATIONS.—

2 (1) IN GENERAL.—In conducting the com-
3 prehensive study under subsection (a), the Secretary
4 may develop a recommendation to Congress for—

5 (A) the construction of a water resources
6 development project;

7 (B) the structural or operational modifica-
8 tion of an existing water resources development
9 project;

10 (C) such additional monitoring of, or
11 adaptive management measures to carry out
12 with respect to, existing water resources devel-
13 opment projects, to respond to changing condi-
14 tions; or

15 (D) geographic areas within the Lower
16 Mississippi River basin for additional study by
17 the Secretary.

18 (2) ADDITIONAL CONSIDERATIONS.—Any feasi-
19 bility study carried out pursuant to a recommenda-
20 tion under paragraph (1)(D) shall be considered to
21 be a continuation of the comprehensive study re-
22 quired under subsection (a).

23 (d) COMPLETION OF STUDY; REPORT TO CON-
24 GRESS.—Not later than 3 years after the date of enact-
25 ment of this section, the Secretary shall submit to the

1 Committee on Transportation and Infrastructure of the
2 House of Representatives and the Committee on Environ-
3 ment and Public Works of the Senate a report detailing—

4 (1) the results of the comprehensive study re-
5 quired by this section, including any recommenda-
6 tions developed under subsection (c); and

7 (2) any interim actions relating to existing
8 water resources development projects undertaken by
9 the Secretary during the study period.

10 **SEC. 210. UPPER MISSISSIPPI RIVER COMPREHENSIVE**
11 **PLAN.**

12 (a) **ASSESSMENT.**—The Secretary shall conduct an
13 assessment of the water resources needs of the Upper Mis-
14 sissippi River under section 729 of the Water Resources
15 Development Act of 1986 (33 U.S.C. 2267a).

16 (b) **REQUIREMENTS.**—The Secretary shall carry out
17 the assessment under subsection (a) in accordance with
18 the requirements in section 1206(b) of Water Resources
19 Development Act of 2016 (130 Stat. 1686).

20 **SEC. 211. LOWER MISSOURI BASIN FLOOD RISK AND RESIL-**
21 **IENCY STUDY, IOWA, KANSAS, NEBRASKA,**
22 **AND MISSOURI.**

23 (a) **ADDITIONAL STUDIES.**—

24 (1) **IN GENERAL.**—Except as provided in para-
25 graph (2), upon the request of the non-Federal in-

1 interest for the Lower Missouri Basin study, the Sec-
2 retary shall expand the scope of such study to inves-
3 tigate and provide recommendations relating to—

4 (A) modifications to projects in Iowa, Kan-
5 sas, Nebraska, and Missouri authorized under
6 the Pick-Sloan Missouri River Basin Program
7 (authorized by section 9(b) of the Flood Control
8 Act of December 22, 1944 (chapter 665, 58
9 Stat. 891)) and the Missouri River Bank Sta-
10 bilization and Navigation project (authorized by
11 section 2 of the Act of March 2, 1945 (chapter
12 19, 59 Stat. 19)), including modifications to the
13 authorized purposes of such projects to further
14 flood risk management and resiliency; and

15 (B) modifications to non-Federal, publicly
16 owned levees in the Lower Missouri River
17 Basin.

18 (2) EXCEPTION.—If the Secretary determines
19 that expanding the scope of the Lower Missouri
20 Basin study as provided in paragraph (1) is not
21 practicable, and the non-Federal interest for such
22 study concurs in such determination, the Secretary
23 shall carry out such additional studies as are nec-
24 essary to investigate the modifications described in
25 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 section, the Secretary, to the extent practicable,
22 shall rely on existing data and analysis, including
23 data and analysis prepared under section 22 of the
24 Water Resources Development Act of 1974 (42
25 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 section, if the Secretary determines that a rec-
6 ommended project, or modification to a project de-
7 scribed in paragraph (1), is justified, the Secretary
8 may proceed directly to preconstruction planning,
9 engineering, and design of the project or modifica-
10 tion.

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(e)(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 section;

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 under-
12 taken by the Secretary during the study period.

13 (b) DEFINITIONS.—In this section:

14 (1) LOWER MISSOURI BASIN STUDY.—The term
15 “Lower Missouri Basin study” means the Lower
16 Missouri Basin Flood Risk and Resiliency Study,
17 Iowa, Kansas, Nebraska, and Missouri, authorized
18 pursuant to section 216 of the Flood Control Act of
19 1970 (33 U.S.C. 549a).

20 (2) SMALL COMMUNITY.—The term “small
21 community” means a local government that serves a
22 population of less than 15,000.

1 **SEC. 212. COUGAR AND DETROIT DAMS, WILLAMETTE**
2 **RIVER BASIN, OREGON.**

3 (a) REPORT.—Not later than 2 years after the date
4 of enactment of this Act, the Secretary shall submit to
5 the Committee on Transportation and Infrastructure of
6 the House of Representatives and the Committee on Envi-
7 ronment and Public Works of the Senate, and make pub-
8 licly available, a report providing an initial analysis of
9 deauthorizing hydropower as a project purpose at the Cou-
10 gar and Detroit Dams project.

11 (b) CONTENTS.—The Secretary shall include in the
12 report submitted under subsection (a)—

13 (1) a description of the potential effects of
14 deauthorizing hydropower as a project purpose at
15 the Cougar and Detroit Dams project on—

16 (A) the operation of the project, including
17 with respect to the other authorized purposes of
18 the project;

19 (B) compliance of the project with the En-
20 dangered Species Act;

21 (C) costs that would be attributed to other
22 authorized purposes of the project, including
23 costs relating to compliance with such Act; and

24 (D) other ongoing studies in the Willam-
25 ette River Basin; and

1 written status update regarding efforts to address flooding
2 along Wilson Creek and Sloan Creek in the City of Fair-
3 view, Texas.

4 **SEC. 215. GAO STUDY ON MITIGATION FOR WATER RE-**
5 **SOURCES DEVELOPMENT PROJECTS.**

6 Not later than 18 months after the date of enactment
7 of this Act, the Comptroller General of the United States
8 shall—

9 (1) conduct a study on the mitigation of the im-
10 pact of water resources development projects, includ-
11 ing the impact on fish and wildlife, consistent with
12 the requirements of section 906 of the Water Re-
13 sources Development Act of 1986 (33 U.S.C. 2283),
14 section 307(a) of the Water Resources Development
15 Act of 1990 (33 U.S.C. 2317(a)), and section
16 2036(b) of the Water Resources Development Act of
17 2007 (33 U.S.C. 2283a), including—

18 (A) an evaluation of guidance or instruc-
19 tions issued, and other measures taken, by the
20 Secretary to ensure successful mitigation of
21 such impacts;

22 (B) a review of the methods of mitigation,
23 including the use of in-lieu fees, mitigation
24 banking, and permittee-responsible mitigation,
25 and their long-term effectiveness of restoring or

1 mitigating ecosystem services impacted by such
2 projects;

3 (C) a review of how the use of the different
4 mitigation methods for such projects varies
5 across Corps of Engineers districts;

6 (D) an assessment of the backlog of miti-
7 gation projects, including the number of mitiga-
8 tion projects pending completion to address
9 such impacts resulting from constructed water
10 resources development projects;

11 (E) an evaluation of how the Secretary
12 tracks compliance with the mitigation require-
13 ments across Corps of Engineers districts;

14 (F) a review of how the mitigation require-
15 ments for water resources development projects
16 contributes to the resilience of water resources
17 in the United States;

18 (G) an assessment of whether mitigation is
19 being done prior to or contemporaneously with
20 the construction of projects, as required by sec-
21 tion 906 of the Water Resources Development
22 Act of 1986 (33 U.S.C. 2283);

23 (H) an evaluation of compliance with sec-
24 tion 906(d) of the Water Resources Develop-
25 ment Act of 1986 (33 U.S.C. 2283(d)) for the

1 development of specific mitigation plans for
2 projects, whether such plans were successful in
3 mitigating the designated impacts of the
4 projects, and, in instances where such plans
5 were not successful, what actions the Secretary
6 is taking to modify the plans such that they will
7 be successful; and

8 (I) an assessment of how the Secretary
9 might take advantage of natural infrastructure
10 in mitigation planning to reduce flood risks and
11 flood recovery costs for some communities; and
12 (2) submit to Congress a report that—

13 (A) describes the results of the study con-
14 ducted under paragraph (1);

15 (B) includes recommendations to ensure
16 compliance with and successful implementation
17 of mitigation requirements for water resources
18 development projects; and

19 (C) includes recommendations to ensure
20 existing programs and authorities include the
21 use, to the maximum extent practicable, of nat-
22 ural infrastructure.

1 **SEC. 216. GAO STUDY ON APPLICATION OF HARBOR MAIN-**
2 **TENANCE TRUST FUND EXPENDITURES.**

3 (a) STUDY.—Not later than 18 months after the date
4 of enactment of this Act, the Comptroller General of the
5 United States shall conduct a study of the operation and
6 maintenance needs of Federally authorized harbor and in-
7 land harbor projects, including—

8 (1) an inventory of all Federally authorized har-
9 bor and inland harbor projects;

10 (2) an assessment of current uses of such
11 projects (and, to the extent practicable, the national,
12 regional, and local benefits of such uses), including
13 the uses listed in section 210(d)(2)(B) of the Water
14 Resources Development Act of 1986;

15 (3) an assessment of the annual operation and
16 maintenance needs associated with harbors and in-
17 land harbors referred to in subsection (a)(2) of sec-
18 tion 210 of the Water Resources Development Act
19 of 1986 (33 U.S.C. 2238), including a breakdown of
20 such needs for each of the following types of
21 projects—

22 (A) emerging harbor projects (as defined
23 in such section);

24 (B) moderate-use harbor projects (as de-
25 fined in such section on the day before the date
26 of enactment of this Act);

1 (C) high-use harbor projects (as defined in
2 such section on the day before the date of en-
3 actment of this Act); and

4 (D) projects assigned to harbors and in-
5 land harbors within the Great Lakes Navigation
6 System (as defined in such section);

7 (4) an assessment of any deferred operation
8 and maintenance needs for such projects;

9 (5) an assessment of projected needs associated
10 with donor ports, medium-sized donor ports, and en-
11 ergy transfer ports (as such terms are defined in
12 section 2106 of the Water Resources Reform and
13 Development Act of 2014 (33 U.S.C. 2201)); and

14 (6) an itemization of expenditures provided to
15 donor ports, medium-sized donor ports, and energy
16 transfer ports under section 2106 of the Water Re-
17 sources Reform and Development Act of 2014 (33
18 U.S.C. 2201).

19 (b) REPORT TO CONGRESS.—Upon completion of the
20 report under subsection (a), the Comptroller General shall
21 submit such report to the Committee on Transportation
22 and Infrastructure of the House of Representatives and
23 the Committee on Environment and Public Works of the
24 Senate.

1 **SEC. 217. STUDY ON WATER SUPPLY AND WATER CON-**
2 **SERVATION AT WATER RESOURCES DEVEL-**
3 **OPMENT PROJECTS.**

4 (a) **IN GENERAL.**—Not later than 18 months after
5 the date of enactment of this Act, the Secretary shall sub-
6 mit to the Committee on Transportation and Infrastruc-
7 ture of the House of the Representatives and the Com-
8 mittee on Environment and Public Works of the Senate
9 a report that analyses the benefits and consequences of
10 including municipal water supply and water conservation
11 as a primary mission of the Corps of Engineers in carrying
12 out water resources development projects.

13 (b) **INCLUSION.**—The Secretary shall include in the
14 report submitted under subsection (a)—

15 (1) a description of existing water resources de-
16 velopment projects with municipal water supply or
17 water conservation as authorized purposes, and the
18 extent to which such projects are utilized for such
19 purposes;

20 (2) a description of existing water resources de-
21 velopment projects with respect to which—

22 (A) municipal water supply or water con-
23 servation could be added as a project purpose,
24 including those with respect to which a non-
25 Federal interest has expressed an interest in

1 adding municipal water supply or water con-
2 servation as a project purpose; and

3 (B) such a purpose could be accommodated
4 while maintaining existing authorized purposes;

5 (3) a description of ongoing water resources de-
6 velopment project studies the authorizations for
7 which include authorization for the Secretary to
8 study the feasibility of carrying out the project with
9 a purpose of municipal water supply or water con-
10 servation;

11 (4) an analysis of how adding municipal water
12 supply and water conservation as a primary mission
13 of the Corps of Engineers would affect the ability of
14 the Secretary to carry out future water resources de-
15 velopment projects; and

16 (5) any recommendations of the Secretary relat-
17 ing to including municipal water supply and water
18 conservation as a primary mission of the Corps of
19 Engineers.

20 **SEC. 218. PFAS REVIEW AND INVENTORY AT CORPS FACILI-**
21 **TIES.**

22 (a) INVENTORY OF PFAS AT CORPS FACILITIES.—

23 (1) IN GENERAL.—Not later than 18 months
24 after the date of enactment of this section, and an-
25 nually thereafter the Secretary shall complete an in-

1 ventionary of Corps of Engineers civil works facilities
2 that are or may be contaminated, or could become
3 contaminated, by PFAS.

4 (2) CONTENTS OF INVENTORY.—In carrying
5 out this subsection, the Secretary shall review and
6 identify—

7 (A) all facilities owned or operated by the
8 Corps of Engineers, for which there is a civil
9 works function, that are or may be contami-
10 nated, or could become contaminated, by
11 PFAS;

12 (B) the nature and extent of any such con-
13 tamination or potential for contamination, in-
14 cluding any potential pathways for human expo-
15 sure to PFAS;

16 (C) response measures taken to monitor,
17 control, remove, or remediate PFAS, or other-
18 wise reduce the risk of human exposure to
19 PFAS;

20 (D) for facilities identified under subpara-
21 graph (A), the extent to which such facilities
22 (or any such contamination or potential for con-
23 tamination at such facilities) are related to the
24 civil works functions of the Corps of Engineers;

1 (E) the extent to which the Secretary, or
2 other entities, may have responsibility for such
3 contamination or potential for contamination;
4 and

5 (F) for facilities identified under subpara-
6 graph (A), the costs to remediate and reduce
7 the risk of human exposure to PFAS.

8 (3) COORDINATION WITH OTHER FEDERAL
9 AGENCIES.—To the maximum extent practicable, the
10 actions taken under this subsection shall supplement
11 and support work undertaken by other Federal
12 agencies, including actions taken pursuant to the
13 plan published by the Administrator of the Environ-
14 mental Protection Agency, titled “EPA’s Per- and
15 Polyfluoroalkyl Substances (PFAS) Action Plan”
16 and dated February 2019.

17 (4) REPORT TO CONGRESS.—Upon completion
18 of the inventory under paragraph (1), and annually
19 thereafter concurrent with the President’s annual
20 budget request to Congress, the Secretary shall sub-
21 mit the inventory to the Committee on Transpor-
22 tation and Infrastructure of the House of Represent-
23 atives and the Committee on Environment and Pub-
24 lic Works of the Senate.

25 (b) PFAS TECHNOLOGY RESEARCH.—

1 (B) a lack of available Federal or non-Fed-
2 eral resources; or

3 (C) an authorizing purpose that is no
4 longer relevant or feasible;

5 (2) to create an expedited and definitive process
6 for Congress to deauthorize water resources develop-
7 ment projects that are no longer viable for construc-
8 tion; and

9 (3) to allow the continued authorization of
10 water resources development projects that are viable
11 for construction.

12 (b) PROPOSED DEAUTHORIZATION LIST.—

13 (1) PRELIMINARY LIST OF PROJECTS.—

14 (A) IN GENERAL.—The Secretary shall de-
15 velop a preliminary list of each water resources
16 development project, or separable element of a
17 project, authorized for construction before No-
18 vember 8, 2007, for which—

19 (i) planning, design, or construction
20 was not initiated before the date of enact-
21 ment of this Act; or

22 (ii) planning, design, or construction
23 was initiated before the date of enactment
24 of this Act, but for which no funds, Fed-
25 eral or non-Federal, were obligated for

1 planning, design, or construction of the
2 project or separable element of the project
3 during the current fiscal year or any of the
4 10 preceding fiscal years.

5 (B) USE OF COMPREHENSIVE CONSTRUCTION
6 BACKLOG AND OPERATION AND MAINTENANCE
7 REPORT.—The Secretary may develop
8 the preliminary list from the comprehensive
9 construction backlog and operation and maintenance
10 reports developed pursuant to section
11 1001(b)(2) of the Water Resources Development
12 Act of 1986 (33 U.S.C. 579a).

13 (2) PREPARATION OF PROPOSED DEAUTHORIZATION
14 LIST.—

15 (A) DEAUTHORIZATION AMOUNT.—The
16 Secretary shall prepare a proposed list of
17 projects for deauthorization comprised of a subset
18 of projects and separable elements identified
19 on the preliminary list developed under paragraph
20 (1) that have, in the aggregate, an estimated
21 Federal cost to complete that is at least
22 \$10,000,000,000.

23 (B) DETERMINATION OF FEDERAL COST
24 TO COMPLETE.—For purposes of subparagraph
25 (A), the Federal cost to complete shall take into

1 account any allowances authorized by section
2 902 of the Water Resources Development Act
3 of 1986 (33 U.S.C. 2280), as applied to the
4 most recent project schedule and cost estimate.

5 (C) INCLUSION OF DEAUTHORIZATION OF
6 ANTIQUATED PROJECTS.—The Secretary shall
7 reduce the amount identified for deauthoriza-
8 tion under paragraph (2)(A) by an amount
9 equivalent to the estimated current value of
10 each project, or separable element of a project,
11 that is deauthorized by subsection (f).

12 (3) SEQUENCING OF PROJECTS.—

13 (A) IN GENERAL.—The Secretary shall
14 identify projects and separable elements for in-
15 clusion on the proposed list of projects for de-
16 authorization under paragraph (2) according to
17 the order in which the projects and separable
18 elements were authorized, beginning with the
19 earliest authorized projects and separable ele-
20 ments and ending with the latest project or sep-
21 arable element necessary to meet the aggregate
22 amount under paragraph (2)(A).

23 (B) FACTORS TO CONSIDER.—The Sec-
24 retary may identify projects and separable ele-
25 ments in an order other than that established

1 by subparagraph (A) if the Secretary deter-
2 mines, on a case-by-case basis, that a project or
3 separable element is critical for interests of the
4 United States, based on the possible impact of
5 the project or separable element on public
6 health and safety, the national economy, or the
7 environment.

8 (4) PUBLIC COMMENT AND CONSULTATION.—

9 (A) IN GENERAL.—The Secretary shall so-
10 licit comments from the public and the Gov-
11 ernors of each applicable State on the proposed
12 deauthorization list prepared under paragraph
13 (2)(A).

14 (B) COMMENT PERIOD.—The public com-
15 ment period shall be 90 days.

16 (5) PREPARATION OF FINAL DEAUTHORIZATION
17 LIST.—

18 (A) IN GENERAL.—The Secretary shall
19 prepare a final deauthorization list by—

20 (i) considering any comments received
21 under paragraph (4); and

22 (ii) revising the proposed deauthoriza-
23 tion list prepared under paragraph (2)(A)
24 as the Secretary determines necessary to
25 respond to such comments.

1 (B) APPENDIX.—The Secretary shall in-
2 clude as part of the final deauthorization list an
3 appendix that—

4 (i) identifies each project or separable
5 element on the proposed deauthorization
6 list that is not included on the final de-
7 authorization list; and

8 (ii) describes the reasons why the
9 project or separable element is not in-
10 cluded on the final deauthorization list.

11 (c) SUBMISSION OF FINAL DEAUTHORIZATION LIST
12 TO CONGRESS FOR CONGRESSIONAL REVIEW; PUBLICA-
13 TION.—

14 (1) IN GENERAL.—Not later than 90 days after
15 the date of the close of the comment period under
16 subsection (b)(4), the Secretary shall—

17 (A) submit the final deauthorization list
18 and appendix prepared under subsection (b)(5)
19 to the Committee on Transportation and Infra-
20 structure of the House of Representatives and
21 the Committee on Environment and Public
22 Works of the Senate; and

23 (B) publish the final deauthorization list
24 and appendix in the Federal Register.

1 (2) EXCLUSIONS.—The Secretary shall not in-
2 clude in the final deauthorization list submitted
3 under paragraph (1) any project or separable ele-
4 ment with respect to which Federal funds for plan-
5 ning, design, or construction are obligated after the
6 development of the preliminary list under subsection
7 (b)(1)(A) but prior to the submission of the final de-
8 authorization list under paragraph (1)(A) of this
9 subsection.

10 (d) DEAUTHORIZATION; CONGRESSIONAL REVIEW.—

11 (1) IN GENERAL.—After the expiration of the
12 2-year period beginning on the date of publication of
13 the final deauthorization list and appendix under
14 subsection (c)(1)(B), a project or separable element
15 of a project identified in the final deauthorization
16 list is hereby deauthorized, unless Congress passes a
17 joint resolution disapproving the final deauthoriza-
18 tion list prior to the end of such period.

19 (2) NON-FEDERAL CONTRIBUTIONS.—

20 (A) IN GENERAL.—A project or separable
21 element of a project identified in the final de-
22 authorization list under subsection (c) shall not
23 be deauthorized under this subsection if, before
24 the expiration of the 2-year period referred to
25 in paragraph (1), the non-Federal interest for

1 the project or separable element of the project
2 provides sufficient funds to complete the project
3 or separable element of the project.

4 (B) TREATMENT OF PROJECTS.—Notwith-
5 standing subparagraph (A), each project and
6 separable element of a project identified in the
7 final deauthorization list shall be treated as de-
8 authorized for purposes of the aggregate de-
9 authorization amount specified in subsection
10 (b)(2)(A).

11 (3) PROJECTS IDENTIFIED IN APPENDIX.—A
12 project or separable element of a project identified
13 in the appendix to the final deauthorization list shall
14 remain subject to future deauthorization by Con-
15 gress.

16 (e) SPECIAL RULES.—

17 (1) POST-AUTHORIZATION STUDIES.—A project
18 or separable element of a project may not be identi-
19 fied on the proposed deauthorization list developed
20 under subsection (b), or the final deauthorization list
21 developed under subsection (c), if the project or sep-
22 arable element received funding for a post-authoriza-
23 tion study during the current fiscal year or any of
24 the 10 preceding fiscal years.

1 (2) TREATMENT OF PROJECT MODIFICA-
2 TIONS.—For purposes of this section, if an author-
3 ized water resources development project or sepa-
4 rable element of the project has been modified by an
5 Act of Congress, the date of the authorization of the
6 project or separable element shall be deemed to be
7 the date of the most recent such modification.

8 (f) DEAUTHORIZATION OF ANTIQUATED
9 PROJECTS.—

10 (1) IN GENERAL.—Any water resources devel-
11 opment project, or separable element of a project,
12 authorized for construction prior to November 17,
13 1986, for which construction has not been initiated
14 prior to the date of enactment of this Act, or for
15 which funds have not been obligated for construction
16 in the 10-year period prior to the date of enactment
17 of this Act, is hereby deauthorized.

18 (2) IDENTIFICATION.—Not later than 60 days
19 after the date of enactment of this Act, the Sec-
20 retary shall issue to the Committee on Transpor-
21 tation and Infrastructure of the House of Represent-
22 atives and the Committee on Environment and Pub-
23 lic Works of the Senate a report that identifies—

1 (A) the name of each project, or separable
2 element of a project, deauthorized by paragraph
3 (1); and

4 (B) the estimated current value of each
5 such project or separable element of a project.

6 (g) ECONOMIC AND ENVIRONMENTAL REVIEW OF IN-
7 ACTIVE WATER RESOURCES DEVELOPMENT PROJECTS.—
8 The Secretary or the non-Federal interest may not carry
9 out any authorized water resources development project,
10 or separable element of such project, for which construc-
11 tion has not been initiated in the 20-year period following
12 the date of the authorization of such project or separable
13 element, until—

14 (1) the Secretary provides to the Committee on
15 Transportation and Infrastructure of the House of
16 Representatives and the Committee on Environment
17 and Public Works of the Senate a post-authorization
18 change report that updates the economic and envi-
19 ronmental analysis of the project or separable ele-
20 ment; and

21 (2) the Committee on Transportation and In-
22 frastructure of the House of Representatives and the
23 Committee on Environment and Public Works of the
24 Senate take appropriate action to address any modi-
25 fications to the economic and environmental analysis

1 for the project or separable element of the project
2 contained in the post-authorization change report.

3 (h) DEFINITIONS.—In this section:

4 (1) POST-AUTHORIZATION CHANGE REPORT.—

5 The term “post-authorization change report” has
6 the meaning given such term in section 1132(d) of
7 the Water Resources Development Act of 2016 (33
8 U.S.C. 2282e).

9 (2) POST-AUTHORIZATION STUDY.—The term
10 “post-authorization study” means—

11 (A) a feasibility report developed under
12 section 905 of the Water Resources Develop-
13 ment Act of 1986 (33 U.S.C. 2282);

14 (B) a feasibility study, as defined in sec-
15 tion 105(d) of the Water Resources Develop-
16 ment Act of 1986 (33 U.S.C. 2215(d)); or

17 (C) a review conducted under section 216
18 of the Flood Control Act of 1970 (33 U.S.C.
19 549a), including an initial appraisal that—

20 (i) demonstrates a Federal interest;

21 and

22 (ii) requires additional analysis for the
23 project or separable element.

24 (3) WATER RESOURCES DEVELOPMENT

25 PROJECT.—The term “water resources development

1 project” includes an environmental infrastructure
2 assistance project or program of the Corps of Engi-
3 neers.

4 **SEC. 302. ABANDONED AND INACTIVE NONCOAL MINE RES-**
5 **TORATION.**

6 Section 560(f) of the Water Resources Development
7 Act of 1999 (33 U.S.C. 2336(f)) is amended by striking
8 “\$20,000,000” and inserting “\$30,000,000”.

9 **SEC. 303. TRIBAL PARTNERSHIP PROGRAM.**

10 Section 203(b)(4) of the Water Resources Develop-
11 ment Act of 2000 (33 U.S.C. 2269) is amended by strik-
12 ing “\$12,500,000” each place it appears and inserting
13 “\$15,000,000”.

14 **SEC. 304. LAKES PROGRAM.**

15 Section 602(a) of the Water Resources Development
16 Act of 1986 (Public Law 99–662, 100 Stat. 4148; 110
17 Stat. 3758; 113 Stat. 295; 121 Stat. 1076) is amended—

18 (1) in paragraph (27), by striking “and” at the
19 end;

20 (2) in paragraph (28), by striking the period at
21 the end and inserting a semicolon; and

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

23 “(29) Ellis Pond and Guild Pond, Norwood,
24 Massachusetts; and

1 “(30) Memorial Pond, Walpole, Massachu-
2 setts.”.

3 **SEC. 305. WATERCRAFT INSPECTION STATIONS.**

4 Section 104(d)(1)(A) of the River and Harbor Act
5 of 1958 (33 U.S.C. 610(d)(1)(A)) is amended—

6 (1) in clause (ii), by striking “; and” and in-
7 serting a semicolon;

8 (2) in clause (iii), by striking “Arizona River
9 Basins.” and inserting “Arkansas River Basins;
10 and”; and

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

12 “(iv) to protect the Russian River
13 Basin, California.”.

14 **SEC. 306. CHESAPEAKE BAY ENVIRONMENTAL RESTORA-**
15 **TION AND PROTECTION PROGRAM.**

16 (a) IN GENERAL.—Section 510 of the Water Re-
17 sources Development Act of 1996 (Public Law 104–303,
18 110 Stat. 3759; 121 Stat. 1202; 128 Stat. 1317) is
19 amended—

20 (1) by redesignating subsection (h) as sub-
21 section (i) and inserting after subsection (g) the fol-
22 lowing:

23 “(h) PROJECT CAP.—The total cost of a project car-
24 ried out under this section may not exceed \$15,000,000.”;
25 and

1 (2) in subsection (i) (as so redesignated), by
2 striking “\$40,000,000” and inserting
3 “\$60,000,000”.

4 (b) **OUTREACH AND TRAINING.**—The Secretary shall
5 conduct public outreach and workshops for non-Federal
6 interests to provide information on the Chesapeake Bay
7 environmental restoration and protection program estab-
8 lished under section 510 of the Water Resources Develop-
9 ment Act of 1996, including how to participate in the pro-
10 gram.

11 **SEC. 307. UPPER MISSISSIPPI RIVER SYSTEM ENVIRON-**
12 **MENTAL MANAGEMENT PROGRAM.**

13 Section 1103(e)(3) of the Water Resources Develop-
14 ment Act of 1986 (33 U.S.C. 652(e)(3)) is amended by
15 striking “\$22,750,000” and inserting “\$40,000,000”.

16 **SEC. 308. MCCLELLAN-KERR ARKANSAS RIVER NAVIGA-**
17 **TION SYSTEM.**

18 Any Federal funds, regardless of the account from
19 which the funds were provided, used to carry out construc-
20 tion of the modification to the McClellan-Kerr Arkansas
21 River Navigation System, authorized in section 136 of the
22 Energy and Water Development Appropriations Act, 2004
23 (117 Stat. 1842), shall be considered by the Secretary as
24 initiating construction of the project such that future
25 funds will not require a new investment decision.

1 **SEC. 309. OUACHITA-BLACK RIVER NAVIGATION PROJECT,**
2 **ARKANSAS.**

3 The project for navigation, Ouachita-Black River, Ar-
4 kansas, authorized by section 101 of the River and Harbor
5 Act of 1960 (Public Law 86–645), is modified to include
6 water supply as a project purpose, subject to completion
7 by the Secretary of a feasibility study and any other review
8 necessary for such modification.

9 **SEC. 310. SACRAMENTO RIVER, GLENN-COLUSA, CALI-**
10 **FORNIA.**

11 The portion of project for flood control, Sacramento
12 River, California, authorized by section 2 of the Act of
13 March 1, 1917 (chapter 144, 39 Stat. 949; 103 Stat. 649;
14 110 Stat. 3709; 112 Stat. 1841; 113 Stat. 299), con-
15 sisting of a riverbed gradient restoration facility at the
16 Glenn-Colusa Irrigation District Intake, is no longer au-
17 thorized beginning on the date of enactment of this Act.

18 **SEC. 311. LAKE ISABELLA, CALIFORNIA.**

19 (a) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that the Secretary, when evaluating alternative loca-
21 tions for construction of a permanent Isabella Lake Vis-
22 itor Center by the Corps of Engineers to replace the facil-
23 ity impacted by the Isabella Dam safety modification
24 project, should afford substantial weight to the site pref-
25 erence of the local community.

1 (b) AUTHORITY.—The Secretary may acquire such
2 interests in real property as the Secretary determines nec-
3 essary or advisable to support construction of the Isabella
4 Dam safety modification project.

5 (c) TRANSFER.—The Secretary may transfer any real
6 property interests acquired under subsection (b) to any
7 other Federal agency or department without reimburse-
8 ment.

9 (d) ISABELLA DAM SAFETY MODIFICATION PROJECT
10 DEFINED.—In this section, the term “Isabella Dam safety
11 modification project” means the dam safety modification
12 project at the Isabella Reservoir in the San Joaquin Val-
13 ley, California (authorized by Act of December 22, 1944
14 (chapter 665, 58 Stat. 901)), including the component of
15 the project relating to construction a visitor center facility.

16 **SEC. 312. LOWER SAN JOAQUIN RIVER FLOOD CONTROL**
17 **PROJECT.**

18 The Secretary shall align the schedules of, and maxi-
19 mize complimentary efforts, minimize duplicative prac-
20 tices, and ensure coordination and information sharing
21 with respect to—

22 (1) the project for flood risk management,
23 Lower San Joaquin River, authorized by section
24 1401(2) of the Water Resources Development Act of
25 2018 (132 Stat. 3836); and

1 (2) the second phase of the feasibility study for
2 the Lower San Joaquin River project for flood risk
3 management, authorized for expedited completion by
4 section 1203(a)(7) of the Water Resources Develop-
5 ment Act 2018 (132 Stat. 3803).

6 **SEC. 313. SAN DIEGO RIVER AND MISSION BAY, SAN DIEGO**
7 **COUNTY, CALIFORNIA.**

8 The portion of the project for flood control and navi-
9 gation, San Diego River and Mission Bay, San Diego
10 County, California, authorized by the Act of July 24, 1946
11 (chapter 595, 60 Stat. 636), identified in the National
12 Levee Database established under section 9004 of the
13 Water Resources Development Act of 2007 (33 U.S.C.
14 3303) as the San Diego River 3 segment and consisting
15 of a 785-foot-long segment of the right bank levee from
16 Station 209+41.75 to its end at Station 217+26.75, as
17 described in construction plans dated August 30, 1951,
18 is no longer authorized beginning on the date of enactment
19 of this Act.

20 **SEC. 314. SAN FRANCISCO, CALIFORNIA, WATERFRONT**
21 **AREA.**

22 (a) IN GENERAL.—Section 114 of the River and Har-
23 bor Act of 1968 (33 U.S.C. 59h) is amended to read as
24 follows:

1 **“SEC. 114. SAN FRANCISCO, CALIFORNIA, WATERFRONT**
2 **AREA.**

3 “(a) AREA TO BE DECLARED NONNAVIGABLE.—The
4 following area is declared to be nonnavigable waters of the
5 United States: All of that portion of the City and County
6 of San Francisco, California, lying shoreward of a line be-
7 ginning at the intersection of the southerly right of way
8 line of Earl Street prolongation with the Pierhead United
9 States Government Pierhead line, the Pierhead line as de-
10 fined in the State of California Harbor and Navigation
11 Code Section 1770, as amended in 1961; thence northerly
12 along said Pierhead line to its intersection with a line par-
13 allel with and distant 10 feet easterly from, the existing
14 easterly boundary line of Pier 30–32; thence northerly
15 along said parallel line and its northerly prolongation, to
16 a point of intersection with a line parallel with, and distant
17 10 feet northerly from, the existing northerly boundary of
18 Pier 30–32; thence westerly along last said parallel line
19 to its intersection with said Pierhead line; thence northerly
20 along said Pierhead line, to the intersection of the easterly
21 right of way line of Van Ness Avenue, formerly Marlette
22 Street, prolongation to the Pierhead line.

23 “(b) REQUIREMENT THAT AREA BE IMPROVED.—
24 The declaration of nonnavigability under subsection (a)
25 applies only to those parts of the area described in sub-
26 section (a) that are or will be bulkheaded, filled, or other-

1 wise occupied or covered by permanent structures and
2 does not affect the applicability of any Federal statute or
3 regulation that relates to filling of navigable waters or to
4 other regulated activities within the area described in sub-
5 section (a), including sections 9 and 10 of the Act of
6 March 3, 1899 (33 U.S.C. 401, 403), section 404 of the
7 Federal Water Pollution Control Act, and the National
8 Environmental Policy Act of 1969.

9 “(c) INCLUSION OF EMBARCADERO HISTORIC DIS-
10 TRICT.—Congress finds and declares that the area de-
11 scribed in subsection (a) contains the seawall, piers, and
12 wharves that comprise the Embarcadero Historic District
13 listed on the National Register of Historic Places on May
14 12, 2006.”.

15 (b) CONFORMING AMENDMENT.—Section 5052 of the
16 Water Resources Development Act of 2007 (33 U.S.C.
17 59h–1) is repealed.

18 **SEC. 315. WESTERN PACIFIC INTERCEPTOR CANAL, SAC-**
19 **RAMENTO RIVER, CALIFORNIA.**

20 The portion of the project for flood protection on the
21 Sacramento River, authorized by section 2 of the of March
22 1, 1917 (chapter 144, 39 Stat. 949; 45 Stat. 539; 50 Stat.
23 877; 55 Stat. 647; 80 Stat. 1422), consisting of the por-
24 tion of the levee from GPS coordinate N2147673.584
25 E6690904.187 to N2147908.413 E6689057.060 associ-

1 ated with the Western Pacific Interceptor Canal, is no
2 longer authorized beginning on the date of the enactment
3 of this Act.

4 **SEC. 316. RIO GRANDE ENVIRONMENTAL MANAGEMENT**
5 **PROGRAM, COLORADO, NEW MEXICO, AND**
6 **TEXAS.**

7 Section 5056(f) of the Water Resources Development
8 Act of 2007 (Public Law 110–114, 121 Stat. 1213; 128
9 Stat. 1314) is amended by striking “2019” and inserting
10 “2029”.

11 **SEC. 317. NEW LONDON HARBOR WATERFRONT CHANNEL,**
12 **CONNECTICUT.**

13 (a) IN GENERAL.—The portion of the project for
14 navigation, New London Harbor, Connecticut, authorized
15 by the first section of the Act of June 13, 1902 (chapter
16 1079, 32 Stat. 333), described in subsection (b) is no
17 longer authorized beginning on the date of enactment of
18 this Act.

19 (b) AREA DESCRIBED.—The area referred to in sub-
20 section (a) is generally the portion between and around
21 the 2 piers at the State Pier in New London, specifically
22 the area—

23 (1) beginning at a point N691263.78,
24 E1181259.26;

1 (2) running N 35°01'50.75" W about 955.59
2 feet to a point N692046.26, E1180710.74;

3 (3) running N 54°58'06.78" E about 100.00
4 feet to a point N692103.66, E1180792.62;

5 (4) running S 35°01'50.75" E about 989.8 feet
6 to a point N691293.17, E1181360.78; and

7 (5) running S 73°51'15.45" W about 105.69
8 feet to the point described in paragraph (1).

9 **SEC. 318. WASHINGTON HARBOR, DISTRICT OF COLUMBIA.**

10 Beginning on the date of enactment of this Act, the
11 project for navigation, Washington Harbor, District of Co-
12 lumbia, authorized by the Act of August 30, 1935 (chapter
13 831, 49 Stat. 1031), is modified to reduce, in part, the
14 authorized dimensions of the project, such that the re-
15 maining authorized dimensions are as follows:

16 (1) A 200 foot wide, 15 foot deep channel with
17 a center line beginning at a point East 1,317,064.30
18 and North 440,373.32, thence to a point East
19 1,316,474.30 and North 440,028.31, thence to a
20 point East 1,315,584.30 and North 439,388.30,
21 thence to a point East 1,315,259.31 and North
22 438,908.30.

23 (2) A transition area 200 foot wide to 300 foot
24 wide, 15 foot deep, with a center line beginning at

1 a point East 1,315,259.31 and North 438,908.30 to
2 a point East 1,315,044.31 and North 438,748.30.

3 (3) A 300 foot wide, 15 foot deep channel with
4 a centerline beginning a point East 1,315,044.31
5 and North 438,748.30, thence to a point East
6 1,314,105.31 and North 438,124.79, thence to a
7 point East 1,311,973.30 and North 438,807.78,
8 thence to a point East 1,311,369.73 and North
9 438,577.42, thence to a point East 1,311,015.73
10 and North 438,197.57, thence to a point East
11 1,309,713.47 and North 435,678.91.

12 (4) A transition area 300 foot wide to 400 foot
13 wide, 15 foot deep to 24 foot deep, with a center line
14 beginning at a point East 1,309,713.47 and North
15 435,678.91 to a point East 1,307,709.33 and North
16 434,488.25.

17 (5) A 400 foot wide, 24 foot deep channel with
18 a centerline beginning at a point East 1,307,709.33
19 and North 434,488.25, thence to a point East
20 1,307,459.33 and North 434,173.25, thence to a
21 point East 1,306,476.82 and North 1,306,476.82,
22 thence to a point East 1,306,209.79 and North
23 431,460.21, thence to a point at the end of the
24 channel near Hains Point East 1,305,997.63 and
25 North 429,978.31.

1 **SEC. 319. CENTRAL EVERGLADES, FLORIDA.**

2 The project for ecosystem restoration, Central Ever-
3 glades, authorized by section 1401(4) of the Water Re-
4 sources Development Act of 2016 (130 Stat. 1713), is
5 modified to include the project for ecosystem restoration,
6 Central and Southern Florida, Everglades Agricultural
7 Area, authorized by section 1308 of the Water Resources
8 Development Act of 2018 (132 Stat. 3819) and to author-
9 ize the Secretary to carry out the project as so combined.

10 **SEC. 320. MIAMI RIVER, FLORIDA.**

11 The portion of the project for navigation, Miami
12 River, Florida, authorized by the Act of July 3, 1930 (46
13 Stat. 925; 59 Stat. 16; 74 Stat. 481; 100 Stat. 4257),
14 beginning at the existing railroad bascule bridge and ex-
15 tending approximately 1,000 linear feet upstream to an
16 existing salinity barrier and flood control structure, is no
17 longer authorized beginning on the date of enactment of
18 this Act.

19 **SEC. 321. TAYLOR CREEK RESERVOIR AND LEVEE L-73**

20 **(SECTION 1), UPPER ST. JOHNS RIVER BASIN,**
21 **FLORIDA.**

22 The portions of the project for flood control and other
23 purposes, Central and Southern Florida, authorized by
24 section 203 of the Flood Control Act of 1948 (62 Stat.
25 1176), consisting of the Taylor Creek Reservoir and Levee
26 L-73, Section 1, within the Upper St. Johns River Basin,

1 Florida, are no longer authorized beginning on the date
2 of enactment of this Act.

3 **SEC. 322. SAN JUAN-CHAMA PROJECT; ABIQUIU DAM, NEW**
4 **MEXICO.**

5 (a) ABIQUIU RESERVOIR.—Section 5(b) of Public
6 Law 97–140 (43 U.S.C. 620a note) is amended by strik-
7 ing “a total of two hundred thousand acre-feet”.

8 (b) WATER STORAGE AT ABIQUIU DAM, NEW MEX-
9 ICO.—Section 1 of Public Law 100–522 (43 U.S.C. 620a
10 note) is amended—

11 (1) by striking “200,000 acre-feet”;

12 (2) by inserting “and San Juan-Chama
13 project” after “Rio Grande system”; and

14 (3) by striking “, in lieu of the water storage
15 authorized by section 5 of Public Law 97–140, to
16 the extent that contracting entities under section 5
17 of Public Law 97–140 no longer require such stor-
18 age”.

19 (c) WATER STORAGE.—The Secretary shall—

20 (1) store up to elevation 6230.00 NGVD29 at
21 Abiquiu Dam, New Mexico, to the extent that the
22 necessary real property interests have been acquired
23 by any entity requesting such storage; and

24 (2) amend the March 20, 1986, contract be-
25 tween the United States of America and the Albu-

1 querque Bernalillo County Water Utility Authority
2 (assigned by the City of Albuquerque, New Mexico
3 to the Albuquerque Bernalillo County Water Utility
4 Authority) for water storage space in Abiquiu Res-
5 ervoir to allow for storage by the Albuquerque
6 Bernalillo County Water Utility Authority of San
7 Juan-Chama project water or native Rio Grande sys-
8 tem water up to elevation 6230.00 NGVD29.

9 (d) STORAGE AGREEMENTS WITH USERS OTHER
10 THAN THE ALBUQUERQUE BERNALILLO COUNTY WATER
11 UTILITY AUTHORITY.—The Secretary shall—

12 (1) retain or enter into new agreements with
13 entities for a proportionate allocation of 29,100
14 acre-feet of storage space pursuant to section 5 of
15 Public Law 97–140; and

16 (2) amend or enter into new storage agree-
17 ments for storage of San Juan-Chama project water
18 or native Rio Grande system water up to the space
19 allocated for each entity’s proportionate share of
20 San Juan-Chama water.

21 (e) OPERATIONS DOCUMENTS.—The Secretary shall
22 amend or revise any existing operations documents, in-
23 cluding the Water Control Manual or operations plan for
24 Abiquiu Reservoir, as necessary to meet the requirements
25 of this section.

1 (f) LIMITATIONS.—In carrying out this section, the
2 following limitations shall apply:

3 (1) The storage of native Rio Grande system
4 water shall be subject to the provisions of the Rio
5 Grande Compact and the resolutions of the Rio
6 Grande Compact Commission.

7 (2) The storage of native Rio Grande system
8 water shall only be authorized to the extent that the
9 necessary water ownership and storage rights have
10 been acquired by the entity requesting such storage.

11 (3) The storage of native Rio Grande system
12 water or San-Juan Chama project water shall not
13 interfere with the authorized purposes of the
14 Abiquiu Dam and Reservoir project.

15 (4) Each user of storage space, regardless of
16 source of water, shall pay for any increase in costs
17 attributable to storage of that user's water.

18 **SEC. 323. PAWCATUCK RIVER, LITTLE NARRAGANSETT BAY**
19 **AND WATCH HILL COVE, RHODE ISLAND AND**
20 **CONNECTICUT.**

21 Beginning on the date of enactment of this Act, that
22 portion of the project for navigation, Pawcatuck River,
23 Little Narragansett Bay and Watch Hill Cove, Rhode Is-
24 land and Connecticut, authorized by section 2 of the Act
25 of March 2, 1945 (chapter 19, 59 Stat. 13), consisting

1 of a 10-foot deep, 16-acre anchorage area in Watch Hill
2 Cove is no longer authorized.

3 **SEC. 324. HARRIS COUNTY, TEXAS.**

4 Section 575 of the Water Resources Development Act
5 of 1996 (110 Stat. 3789) is repealed.

6 **SEC. 325. CAP SANTE WATERWAY, WASHINGTON.**

7 Beginning on the date of enactment of this Act, the
8 project for navigation, Cap Sante Waterway and Naviga-
9 tion Channel, Skagit County, Washington, authorized by
10 the Act of March 2, 1919 (chapter 95, 40 Stat. 1285),
11 is modified to deauthorize the portion of the project con-
12 sisting of an approximately 334,434 foot area of the Fed-
13 eral channel within Anacortes Harbor inside and directly
14 adjacent to the Federal breakwater and training wall
15 structure, starting at a point with coordinates
16 N557015.552, E1210819.619, thence running S88
17 13'2.06"E approximately 200 feet to a point with coordi-
18 nates N557009.330, E1211019.522, thence running S01
19 46'58.08"W approximately 578 feet to a point with co-
20 ordinates N556431.405, E1211001.534, thence running
21 S49 49'50.23"W approximately 69 feet to a point with
22 coordinates N556387.076, E1210949.002, thence running
23 S51 53'0.25"E approximately 35 feet to a point with co-
24 ordinates N556365.662, E1210976.316, thence running
25 S49 38'58.48"W approximately 112 feet to a point with

1 coordinates N556292.989, E1210890.775, thence running
2 N88 13'1.87"W approximately 109 feet to a point with
3 coordinates N556296.367, E1210782.226, thence running
4 S46 46'58.97"W approximately 141 feet to a point with
5 coordinates N556199.527, E1210679.164, thence running
6 N88 13'1.77"W approximately 700 feet to a point with
7 coordinates N556221.305, E1209979.502, thence running
8 N01 46'58.08"E approximately 250 feet to a point with
9 coordinates N556471.184, E1209987.280, thence running
10 S88 13'1.77"E approximately 815 feet to a point with co-
11 ordinates N556445.828, E1210801.886, thence running
12 N01 46'58.08"E approximately 570 feet to the point of
13 origin.

14 **SEC. 326. ADDITIONAL ASSISTANCE FOR CRITICAL**
15 **PROJECTS.**

16 (a) **CONSISTENCY WITH REPORTS.**—Congress finds
17 that the project modifications described in this section are
18 in accordance with the reports submitted to Congress by
19 the Secretary under section 7001 of the Water Resources
20 Reform and Development Act of 2014 (33 U.S.C. 2282d),
21 titled “Report to Congress on Future Water Resources
22 Development”, or have otherwise been reviewed by Con-
23 gress.

24 (b) **MODIFICATIONS.**—

1 (1) SACRAMENTO AREA, CALIFORNIA.—Section
2 219(f)(23) of the Water Resources Development Act
3 of 1992 (106 Stat. 4835; 113 Stat. 336; 117 Stat.
4 1840) is amended to read as follows:

5 “(23) SACRAMENTO AREA, CALIFORNIA.—
6 \$45,000,000 for regional water conservation, recy-
7 cling, reliability, and resiliency projects in Placer, El
8 Dorado, and Sacramento Counties and the San
9 Juan Suburban Water District, California.”.

10 (2) SOUTH PERRIS, CALIFORNIA.—Section
11 219(f)(52) of the Water Resources Development Act
12 of 1992 (106 Stat. 4835; 113 Stat. 336; 114 Stat.
13 2763A–220) is amended by striking “\$25,000,000”
14 and inserting “\$50,000,000”.

15 (3) SOUTHERN AND EASTERN KENTUCKY.—
16 Section 531 of the Water Resources Development
17 Act of 1996 (110 Stat. 3773; 113 Stat. 348; 117
18 Stat. 142; 121 Stat. 1226) is amended—

19 (A) in subsection (g), by inserting “Boyd,
20 Carter, Elliott, Lincoln,” after “Lee,”; and

21 (B) in subsection (h), by striking
22 “\$40,000,000” and inserting “\$80,000,000”.

23 (4) DESOTO COUNTY, MISSISSIPPI.—Section
24 219(f)(30) of the Water Resources Development Act
25 of 1992 (106 Stat. 4835; 113 Stat. 336; 114 Stat.

1 2763A–220; 119 Stat. 282; 119 Stat. 2257; 122
2 Stat. 1623) is amended by striking “\$75,000,000”
3 and inserting “\$130,000,000”.

4 (5) JACKSON COUNTY, MISSISSIPPI.—Section
5 219(e)(1) of the Water Resources Development Act
6 of 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat.
7 1494; 121 Stat. 1258) is amended by striking
8 “\$32,500,000” and inserting “\$57,500,000”.

9 (6) ST. LOUIS, MISSOURI.—Section 219(f)(32)
10 of the Water Resources Development Act of 1992
11 (106 Stat. 4835; 113 Stat. 337; 121 Stat. 1233) is
12 amended by striking “\$35,000,000” and inserting
13 “\$70,000,000”.

14 (7) MIDWEST CITY, OKLAHOMA.—Section
15 219(f)(231) of the Water Resources Development
16 Act of 1992 (106 Stat. 4835; 113 Stat. 336; 121
17 Stat. 1266) is amended by striking “\$2,000,000”
18 and inserting “\$5,000,000”.

19 (8) SOUTH CENTRAL PENNSYLVANIA.—Section
20 313 of the Water Resources Development Act of
21 1992 (106 Stat. 4845; 109 Stat. 407; 110 Stat.
22 3723; 113 Stat. 310; 117 Stat. 142; 121 Stat.
23 1146) is amended—

1 (A) in subsection (g)(1), by striking
2 “\$200,000,000” and inserting “\$400,000,000”;
3 and

4 (B) in subsection (h)(2), by inserting
5 “Beaver, Jefferson,” after “Washington,”.

6 (9) LAKES MARION AND MOULTRIE, SOUTH
7 CAROLINA.—Section 219(f)(25) of the Water Re-
8 sources Development Act of 1992 (106 Stat. 4835;
9 113 Stat. 336; 114 Stat. 2763A–220; 117 Stat.
10 1838; 130 Stat. 1677; 132 Stat. 3818) is amended
11 by striking “\$89,550,000” and inserting
12 “\$110,000,000”.

13 (10) EL PASO COUNTY, TEXAS.—Section
14 219(f)(269) of the Water Resources Development
15 Act of 1992 (106 Stat. 4835; 113 Stat. 336; 121
16 Stat. 1268) is amended by striking “\$25,000,000”
17 and inserting “\$75,000,000”.

18 (11) WESTERN RURAL WATER.—Section 595 of
19 the Water Resources Development Act of 1999 (113
20 Stat. 383; 117 Stat. 139; 117 Stat. 142; 117 Stat.
21 1836; 118 Stat. 440; 121 Stat. 1219; 123 Stat.
22 2851; 128 Stat. 1316; 130 Stat. 1681) is amend-
23 ed—

24 (A) by striking the section heading and in-
25 serting “**WESTERN RURAL WATER.**”;

1 (B) in subsections (b) and (c), by inserting
2 “Arizona,” before “Idaho” each place it ap-
3 pears; and

4 (C) in subsection (i), by striking “for the
5 period beginning with fiscal year 2001,
6 \$435,000,000, to remain available until ex-
7 pended.” and inserting the following: “, to re-
8 main available until expended—

9 “(1) for the period beginning with fiscal year
10 2001, \$435,000,000 for Idaho, Montana, rural Ne-
11 vada, New Mexico, rural Utah, and Wyoming; and
12 “(2) \$150,000,000 for Arizona.”.

13 (12) CENTRAL WEST VIRGINIA.—Section 571(h)
14 of the Water Resources Development Act of 1999
15 (113 Stat. 371; 121 Stat. 1257) is amended by
16 striking “\$20,000,000” and inserting
17 “\$40,000,000”.

18 (13) SOUTHERN WEST VIRGINIA.—Section
19 340(g) of the Water Resources Development Act of
20 1992 (106 Stat. 4856; 110 Stat. 3727; 113 Stat.
21 320) is amended by striking “\$40,000,000” and in-
22 serting “\$120,000,000”.

23 (c) LOWELL CREEK TUNNEL, SEWARD, ALASKA.—
24 Section 5032(a)(2) of the Water Resources Development

1 Act of 2007 (Public Law 110–114, 121 Stat. 1205) is
2 amended by striking “15” and inserting “20”.

3 **SEC. 327. PROJECT MODIFICATION AUTHORIZATIONS.**

4 (a) WATER SUPPLY.—The following project modifica-
5 tions for water supply, as identified in the report entitled
6 “Report to Congress on Future Water Resources Develop-
7 ment” dated February 2019, and submitted to Congress
8 on June 3, 2019, pursuant to section 7001 of the Water
9 Resources Reform and Development Act of 2014 (33
10 U.S.C. 2282d) or otherwise reviewed by Congress, are au-
11 thorized to be carried out by the Secretary substantially
12 in accordance with the recommendations, included in such
13 report pursuant to section 301(c) of the Water Supply Act
14 of 1958 (43 U.S.C. 390b(e)):

15 (1) The project modification for the State of
16 Missouri, Clarence Cannon Dam and Mark Twain
17 Lake Project Salt River, Missouri.

18 (2) The project modification for the City of
19 Plattsburg, Smithville Lake, Missouri.

20 (3) The project modification for the City of
21 Smithville, Smithville Lake, Missouri.

22 (b) FLOOD RISK MANAGEMENT.—The following
23 project modifications for flood risk management, as identi-
24 fied in a report entitled “Report to Congress on Future
25 Water Resources Development”, and submitted to Con-

1 gress pursuant to section 7001 of the Water Resources
2 Reform and Development Act of 2014 (33 U.S.C. 2282d)
3 or otherwise reviewed by Congress, are authorized to be
4 carried out by the Secretary:

5 (1) Modification of the project for flood risk
6 management, lower Mississippi River, authorized by
7 the Act of May 15, 1928 (chapter 569, 45 Stat.
8 534), to incorporate the Wolf River Backwater and
9 Nonconnah Creek levee systems into the project, au-
10 thorized by section 5 of the Act of June 22, 1936
11 (chapter 688, 49 Stat. 1575; 50 Stat. 881), subject
12 to the determination of the Secretary that such sys-
13 tems meet all requirements applicable to such
14 project.

15 (2) Modification of the project for flood risk
16 management, Red River below Denison Dam, Arkan-
17 sas, Louisiana, and Texas, authorized by the Act of
18 June 28, 1938 (chapter 795, 52 Stat. 1219) to in-
19 corporate the Cherokee Park Levee into the project,
20 subject to the determination of the Secretary that
21 such levee meets all requirements applicable to such
22 project.

23 **SEC. 328. APPLICATION OF CREDIT.**

24 Section 7007(d) of the Water Resources Development
25 Act of 2007 (121 Stat.1277; 128 Stat. 1226) is amended

1 by inserting “, or may be applied to reduce the amounts
2 required to be paid by the non-Federal interest under the
3 terms of the deferred payment agreements entered into
4 between the Secretary and the non-Federal interest for the
5 projects authorized by section 7012(a)(1)” before the pe-
6 riod at the end.

7 **SEC. 329. PROJECT REAUTHORIZATIONS.**

8 (a) IN GENERAL.—

9 (1) MUDDY RIVER, MASSACHUSETTS.—The sep-
10 arable elements for ecosystem restoration of the
11 project for flood damage reduction and environ-
12 mental restoration, Muddy River, Brookline and
13 Boston, Massachusetts, authorized by section 522 of
14 the Water Resources Development Act of 2000 (114
15 Stat. 2656), and deauthorized pursuant to section
16 6001 of the Water Resources Reform and Develop-
17 ment Act of 2014 (128 Stat. 1345), are authorized
18 to be carried out by the Secretary, subject to sub-
19 section (b).

20 (2) EAST CHESTER CREEK, NEW YORK.—Not-
21 withstanding section 1001 of the Water Resources
22 Development Act of 1986 (33 U.S.C. 579a), the
23 project for navigation, East Chester Creek, New
24 York, authorized by section 101 of the River and
25 Harbor Act of 1950 (64 Stat. 164; 100 Stat. 4181),

1 and deauthorized pursuant to section 1001 of the
2 Water Resources Development Act of 1986 (33
3 U.S.C. 579(a)), is authorized to be carried out by
4 the Secretary, subject to subsection (b).

5 (3) CHRISTIANSTED HARBOR, UNITED STATES
6 VIRGIN ISLANDS.—Notwithstanding section 1002 of
7 the Water Resources Development Act of 1986 (100
8 Stat. 4221), the portion of the project for naviga-
9 tion, Christiansted Harbor, St. Croix, United States
10 Virgin Islands, authorized by section 101 of the
11 River and Harbor Act of 1950 (64 Stat. 167), and
12 deauthorized under section 1002 of the Water Re-
13 sources Development Act of 1986 (100 Stat. 4221)
14 is authorized to be carried out by the Secretary, sub-
15 ject to subsection (b).

16 (4) CHARLOTTE HARBOR, UNITED STATES VIR-
17 GIN ISLANDS.—Notwithstanding section 1002 of the
18 Water Resources Development Act of 1986 (100
19 Stat. 4221), the portion of the project for naviga-
20 tion, Charlotte Amalie (St. Thomas) Harbor, St.
21 Thomas, United States Virgin Islands, authorized by
22 the Act of August 26, 1937 (chapter 832, 50 Stat.
23 850), and deauthorized under section 1002 of the
24 Water Resources Development Act of 1986 (100

1 Stat. 4221) is authorized to be carried out by the
2 Secretary, subject to subsection (b).

3 (b) REPORT TO CONGRESS.—The Secretary shall
4 complete and submit to the Committee on Transportation
5 and Infrastructure of the House of Representatives and
6 the Committee on Environment and Public Works of the
7 Senate a post-authorization change report (as such term
8 is defined in section 1132(d) of the Water Resources De-
9 velopment Act of 2016 (33 U.S.C. 2282e(d)) prior to car-
10 rying out a project identified in subsection (a).

11 **SEC. 330. CONVEYANCES.**

12 (a) GENERALLY APPLICABLE PROVISIONS.—

13 (1) SURVEY TO OBTAIN LEGAL DESCRIPTION.—

14 The exact acreage and the legal description of any
15 real property to be conveyed under this section shall
16 be determined by a survey that is satisfactory to the
17 Secretary.

18 (2) APPLICABILITY OF PROPERTY SCREENING
19 PROVISIONS.—Section 2696 of title 10, United
20 States Code, shall not apply to any conveyance
21 under this section.

22 (3) COSTS OF CONVEYANCE.—An entity to
23 which a conveyance is made under this section shall
24 be responsible for all reasonable and necessary costs,

1 including real estate transaction and environmental
2 documentation costs, associated with the conveyance.

3 (4) LIABILITY.—An entity to which a convey-
4 ance is made under this section shall hold the
5 United States harmless from any liability with re-
6 spect to activities carried out, on or after the date
7 of the conveyance, on the real property conveyed.
8 The United States shall remain responsible for any
9 liability with respect to activities carried out, before
10 such date, on the real property conveyed.

11 (5) ADDITIONAL TERMS AND CONDITIONS.—
12 The Secretary may require that any conveyance
13 under this section be subject to such additional
14 terms and conditions as the Secretary considers nec-
15 essary and appropriate to protect the interests of the
16 United States.

17 (b) EUFAULA, ALABAMA.—

18 (1) CONVEYANCE AUTHORIZED.—The Secretary
19 shall convey to the City of Eufaula, Alabama, all
20 right, title, and interest of the United States in and
21 to the real property described in the Department of
22 the Army Lease No. DACW01–2–17–0747, con-
23 taining 56.76 acres, more or less, and being a part
24 of Tracts L–1268 (26.12 acres), L–1273 (13.71
25 acres), L–1278 (6.75 acres), and L1279 (10.36

1 acres) of the Walter F. George Lock and Dam and
2 Lake project.

3 (2) DEED.—The Secretary shall convey the
4 property under this subsection by quitclaim deed
5 under such terms and conditions as the Secretary
6 determines appropriate to protect the interests of
7 the United States.

8 (3) CONSIDERATION.—The City of Eufaula,
9 Alabama, shall pay to the Secretary an amount that
10 is not less than the fair market value of the property
11 conveyed under this subsection, as determined by the
12 Secretary.

13 (c) MONTGOMERY, ALABAMA.—

14 (1) CONVEYANCE AUTHORIZED.—The Secretary
15 shall convey to the City of Montgomery, Alabama,
16 all right, title, and interest of the United States in
17 and to the real property described in paragraph (2).

18 (2) PROPERTY.—The property to be conveyed is
19 the 62.38 acres of land and water under the primary
20 jurisdiction of the Secretary in the R.E. “Bob”
21 Woodruff Project Area that is covered by lease num-
22 ber DACW01–1–05–0037, including the parcels and
23 structure known as “Powder Magazine”.

24 (3) DEED.—The Secretary shall convey the
25 property under this subsection by quitclaim deed

1 under such terms and conditions as the Secretary
2 determines appropriate to protect the interests of
3 the United States, to include retaining the right to
4 inundate with water any land transferred under this
5 subsection.

6 (4) CONSIDERATION.—The City of Mont-
7 gomery, Alabama, shall pay to the Secretary an
8 amount that is not less than the fair market value
9 of the property conveyed under this subsection, as
10 determined by the Secretary.

11 (d) OHIO RIVER LOCK AND DAM NUMBER 52,
12 MASSAC COUNTY, ILLINOIS.—

13 (1) CONVEYANCE AUTHORIZED.—The Secretary
14 shall convey to the Massac-Metropolis Port District,
15 Illinois, all right, title, and interest of the United
16 States in and to any real property located north of
17 the south bank of the Ohio River in Massac County,
18 Illinois, that is associated with the Ohio River Lock
19 and Dam 52.

20 (2) DEED.—The Secretary shall convey the
21 property under this subsection by quitclaim deed
22 under such terms and conditions as the Secretary
23 determines appropriate to protect the interests of
24 the United States.

1 (3) CONSIDERATION.—The Massac-Metropolis
2 Port District, Illinois, shall pay to the Secretary an
3 amount that is not less than fair market value of the
4 property conveyed under this subsection, as deter-
5 mined by the Secretary.

6 (e) CLINTON, MISSOURI.—

7 (1) CONVEYANCE AUTHORIZED.—The Secretary
8 shall convey to the City of Clinton, Missouri, without
9 consideration, all right, title, and interest of the
10 United States in and to the real property described
11 in paragraph (2).

12 (4) PROPERTY.—The property to be conveyed is
13 a tract of land situated in the S $\frac{1}{2}$ of Section 12
14 and the N $\frac{1}{2}$ of Section 13, Township 41 North,
15 Range 26 West of the Fifth Principal Meridian,
16 Henry County, Missouri, more particularly described
17 as follows: Beginning at the point of intersection of
18 the north line of said S $\frac{1}{2}$ of Section 12 and the
19 easterly right-of-way of State Highway No. 13;
20 thence easterly along the north line of said S $\frac{1}{2}$ to
21 the northeast corner of the W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW
22 $\frac{1}{4}$ of said Section 12; thence southerly along the
23 east line of said W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ to the
24 southeast corner thereof; thence easterly along the
25 north line of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section

1 12 to the southwest corner of the W $\frac{1}{2}$ NW $\frac{1}{4}$ NW
2 $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 12; thence in a northeast-
3 erly direction to the northeast corner of said W $\frac{1}{2}$
4 NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$; thence easterly along the
5 north line of said S $\frac{1}{2}$ to the westerly right-of-way
6 of the County Road; thence in a southeasterly and
7 southerly direction along the westerly right-of-way of
8 said County Road approximately 2500 feet to the
9 center of Deer Creek; thence in a southwesterly di-
10 rection along the center of said Deer Creek, approxi-
11 mately 3900 feet to the south line of said N $\frac{1}{2}$ of
12 Section 13; thence westerly along the south line of
13 said N $\frac{1}{2}$ to the easterly right-of-way line of the St.
14 Louis-San Francisco Railroad; thence in a north-
15 westerly direction along the easterly right-of-way of
16 said railroad to the easterly right-of-way of said
17 State Highway No. 13; thence in a northeasterly di-
18 rection along the easterly right-of-way of said State
19 Highway No. 13 to the point of the beginning; and
20 including a roadway easement for ingress and
21 egress, described as a strip of land 80 feet in width,
22 lying 40 feet on each side of the following described
23 line, the initial extremities of the following described
24 strip being extended or reduced as required to ex-
25 actly adjoin the boundary lines which they meet, sit-

1 uated in the S ½ of Section 12, Township 41 North
2 Range 26 West of the Fifth Principal Meridian,
3 Henry County, Missouri, more particularly described
4 as follows: Commencing at the center of said Section
5 12, thence S1°24'56"W, 1265.52 feet to a point,
6 thence N88°29'02"W, 483.97 feet to the point of
7 beginning of the strip of land herein described;
8 thence in a northeasterly direction along a curve to
9 the right, said curve having an initial tangent bear-
10 ing of N3°44'41"E, a radius of 238.73 feet and an
11 interior angle of 61°29'26", an arc distance of
12 256.21 feet to a point; thence N65°14'07"E 218.58
13 feet to a point; thence in a northeasterly direction
14 along a curve to the left, having a radius of 674.07
15 feet and an interior angle of 36°00'01", an arc dis-
16 tance of 423.53 feet to a point; thence
17 N29°14'07"E, 417.87 feet to a point; thence north-
18 easterly along a curve to the right, having a radius
19 of 818.51 feet and an interior angle of 14°30'01",
20 an arc distance of 207.15 feet to a point; thence
21 N43°44'07"E, 57.00 feet to the southerly right-of-
22 way line of a county road, containing 2,948 acres,
23 more or less; Excluding therefrom a tract of land
24 situated in the S ½ of said Section 12, said Town-
25 ship and Range, described as commencing at the

1 center of said Section 12; thence $S1^{\circ}24'56''W$,
2 1265.52 feet to the point of beginning of the tract
3 of land herein described; thence $N88^{\circ}29'02''W$,
4 1122.50 feet; thence $S1^{\circ}43'26''W$, 872.62 feet;
5 thence $S88^{\circ}29'02''E$, 1337.36 feet; thence
6 $N1^{\circ}43'26''E$, 872.62 feet; thence $N88^{\circ}29'02''W$,
7 214.86 feet to the point of beginning, containing
8 26.79 acres, more or less. The above described tract
9 contains, in the aggregate, 177.69 acres, more or
10 less.

11 (2) DEED.—The Secretary shall convey the
12 property under this subsection by quitclaim deed
13 under such terms and conditions as the Secretary
14 determines appropriate to protect the interests of
15 the United States.

16 (3) REVERSION.—If the Secretary determines
17 that the property conveyed under this subsection is
18 not being used for a public purpose, all right, title,
19 and interest in and to the property shall revert, at
20 the discretion of the Secretary, to the United States.

21 (f) CITY OF CLINTON, OLD ORCHARD ADDITION,
22 MISSOURI.—

23 (1) CONVEYANCE AUTHORIZED.—The Secretary
24 shall convey to the City of Clinton, Missouri, all

1 right, title, and interest of the United States in and
2 to the real property described in paragraph (2).

3 (2) PROPERTY.—The property to be conveyed is
4 Lot 28 in Old Orchard Addition, a subdivision of the
5 City of Clinton, Henry County, Missouri, containing
6 0.36 acres, more or less, including any improve-
7 ments thereon.

8 (3) DEED.—The Secretary shall convey the
9 property under this subsection by quitclaim deed
10 under such terms and conditions as the Secretary
11 determines appropriate to protect the interests of
12 the United States, including such reservations,
13 terms, and conditions as the Secretary determines
14 necessary to allow the United States to operate and
15 maintain the Harry S. Truman Reservoir Project.

16 (4) CONSIDERATION.—The City of Clinton,
17 Missouri, shall pay to the Secretary an amount that
18 is not less than the fair market value of the property
19 conveyed under this subsection, as determined by the
20 Secretary.

21 (g) TRI-COUNTY LEVEE DISTRICT, MISSOURI.—

22 (1) CONVEYANCE AUTHORIZED.—The Secretary
23 shall convey to the Tri-County Levee District, Mis-
24 souri, all right, title, and interest of the United

1 States in and to the real property described in para-
2 graph (2).

3 (2) PROPERTY.—The property to be conveyed is
4 the part of Sections 1 and 12 Township 45 North
5 Range 6 West of the 5th P.M. in Montgomery Coun-
6 ty, Missouri, described as follows: A tract of land
7 being 60' wide and lying South and East of and ad-
8 joining the centerline of the existing levee and being
9 described as follows: Commencing at the NW corner
10 of Section 12, thence S 87° 52' 35'' E 587.4',
11 thence S 01° 29' 25'' W 453.68' to the point of the
12 beginning; said point being in the center of the levee,
13 thence with the centerline of the levee N 77° 01' 30''
14 E 164.92', thence N 74° 26' 55'' E 250.0', thence
15 N 72° 27' 55'' E 270.0', thence N 69° 06' 10'' E
16 300.0', thence N 66° 42' 15'' E 500.0', thence N
17 64° 14' 30'' E 270.0', thence N 61° 09' 10'' E
18 800.0', thence N 60° 58' 15'' E 1724.45', thence
19 leaving the centerline S 01° 10' 35'' W 69.43',
20 thence parallel with the above described centerline S
21 60° 58' 15'' W 1689.62', thence S 61° 09' 10'' W
22 801.71', thence S 64° 14' 30'' W 272.91', thence S
23 66° 42' 15'' W 502.55', thence S 69° 06' 10'' W
24 303.02', thence S 72° 27' 55'' W 272.8', thence S
25 74° 26' 55'' W 252.39', thence S 77° 01' 30'' W

1 181.75', thence leaving the South side of the levee
2 N 01° 26' 25" E 61.96' to the point of beginning
3 and containing 5.89 acres more or less.

4 (3) DEED.—The Secretary shall convey the
5 property under this subsection by quitclaim deed
6 under such terms and conditions as the Secretary
7 determines appropriate to protect the interests of
8 the United States.

9 (4) CONSIDERATION.—The Tri-County Levee
10 District, Missouri, shall pay to the Secretary an
11 amount that is not less than the fair market value
12 of the property conveyed under this subsection, as
13 determined by the Secretary.

14 (h) JUDGE JOSEPH BARKER, JR., HOUSE, OHIO.—

15 (1) NON-FEDERAL ENTITY.—In this subsection,
16 the term “non-Federal entity” means the Friends of
17 Joseph Barker, Jr., House, a nonprofit organization
18 in the State of Ohio.

19 (2) CONVEYANCE AUTHORIZED.—

20 (A) IN GENERAL.—Subject to paragraph
21 (6), the Secretary shall convey to the non-Fed-
22 eral entity, without consideration, all right,
23 title, and interest of the United States in and
24 to the property described in paragraph (3)(A).

1 (B) EASEMENT.—Upon conveyance of the
2 property under subparagraph (A), the Secretary
3 shall provide to the non-Federal entity, without
4 consideration, an easement over the property
5 described in paragraph (3)(B) for access to the
6 conveyed property for as long as the non-Fed-
7 eral entity is in legal possession of the conveyed
8 property.

9 (3) DESCRIPTIONS OF PROPERTY.—

10 (A) IN GENERAL.—The property referred
11 to in paragraph (2)(A) is the following (as in
12 existence on the date of enactment of this Act):

13 (i) JUDGE JOSEPH BARKER, JR.,
14 HOUSE.—The tract of land situated in the
15 State of Ohio, Washington County, on the
16 Ohio River, and being particularly bounded
17 and described as follows: Beginning at a
18 point located on the southern right-of-way
19 line of Ohio Route 7, a new corner to the
20 land now or formerly owned by the United
21 States of America; thence, leaving the
22 right-of-way of said Route 7 and severing
23 the land of said United States of America
24 parallel to and approximately 10 feet eas-
25 terly of the toe of the existing dredge dis-

1 posal berm, southeasterly approximately
2 326 feet to a point prior to the current
3 Corps of Engineers access to the dredging
4 spoil area; thence, northeasterly approxi-
5 mately 480 feet paralleling the top of the
6 slope to the riverbank side of the house
7 and approximately 25 feet northerly there-
8 from; thence, northwest approximately 302
9 feet to a point in the southern right-of-way
10 of Ohio Route 7; thence with the right-of-
11 way of said Route 7, southwesterly ap-
12 proximately 485 feet to the point of begin-
13 ning, containing approximately 3.51 acres.

14 (ii) ROAD TRACT.—The tract of land
15 situated in the State of Ohio, Washington
16 County, on the Ohio River, and being par-
17 ticularly bounded and described as follows:
18 Beginning at a point located on the south-
19 ern right-of-way line of Ohio Route 7, a
20 new corner to the land now or formerly
21 owned by the United States of America;
22 thence, leaving the right-of-way of said
23 Route 7 and severing the land of said
24 United States of America and with the
25 House Parcel southeasterly 25 feet; thence,

1 northeast, running parallel to said Route 7
2 right-of-way, approximately 994 feet to a
3 point of deflection; thence northeasterly
4 368 feet to a point beyond the existing
5 fence corner; thence, east 140 feet to the
6 edge of the existing Willow Island access
7 road; thence with said access road, north-
8 westerly approximately 62 feet to a point
9 in the southern right-of-way of Ohio Route
10 7; thence with the right-of-way of said
11 Route 7, southwesterly approximately
12 1,491 feet to the point of beginning, con-
13 taining approximately 1 acre.

14 (B) EASEMENT.—The property referred to
15 in paragraph (2)(B) is the following: The tract
16 of land situated in the State of Ohio, Wash-
17 ington County, on the Ohio River, and being
18 particularly bounded and described as follows:
19 Beginning at a point at the intersection of the
20 southern right-of-way of Ohio Route 7 and the
21 northeast side of the existing Willow Island ac-
22 cess road, a new corner to the land now or for-
23 merly owned by the United States of America;
24 thence, southwest, running with said Route 7
25 right-of-way, approximately 30 feet to a point

1 on the southwest side of the existing access
2 road, and corner to the road tract; thence with
3 said access road and the line of the road parcel,
4 southeasterly approximately 62 feet to a point;
5 thence leaving the road parcel and crossing the
6 existing access road northeasterly approxi-
7 mately 30 feet to a point located on the north-
8 east side of the existing access road; thence,
9 northwesterly approximately 62 feet, to the
10 point of beginning, containing approximately
11 0.04 acre.

12 (4) DEED.—The Secretary shall convey the
13 property under this subsection by quitclaim deed
14 under such terms and conditions as the Secretary
15 determines appropriate to protect the interests of
16 the United States.

17 (5) REVERSION.—If the Secretary determines
18 that the property conveyed under this subsection is
19 not being used by the non-Federal entity for a public
20 purpose, all right, title, and interest in and to the
21 property shall revert, at the discretion of the Sec-
22 retary, to the United States.

23 (6) REQUIREMENTS.—

24 (A) IMPROVEMENTS.—The Secretary shall
25 make such improvements and alterations to the

1 property described in paragraph (3)(A)(i) as
2 the Secretary, in consultation with the non-Fed-
3 eral entity and relevant stakeholders, deter-
4 mines to be appropriate to facilitate conveyance
5 of the property and provision of the easement
6 under this subsection, subject to the condition
7 that the total cost of those improvements and
8 alterations undertaken by the Secretary shall be
9 not more than \$120,000.

10 (B) ENVIRONMENTAL ASSESSMENT.—Be-
11 fore making a conveyance under paragraph (2),
12 the Secretary shall—

13 (i) conduct, with respect to the prop-
14 erty to be conveyed, an assessment of the
15 environmental condition of the property,
16 including an investigation of any potential
17 hazardous, toxic, or radioactive waste
18 present on such property; and

19 (ii) submit to the non-Federal entity a
20 report describing the results of such as-
21 sessment.

22 (C) REFUSAL BY NON-FEDERAL ENTITY.—

23 (i) IN GENERAL.—Upon review by the
24 non-Federal entity of the report under sub-
25 paragraph (B), the non-Federal entity may

1 elect to refuse the conveyance under this
2 subsection.

3 (ii) ELECTION.—An election under
4 clause (i)—

5 (I) shall be at the sole discretion
6 of the non-Federal entity; and

7 (II) shall be made by the non-
8 Federal entity by not later than the
9 date that is 30 days after the date of
10 submission of the report under sub-
11 paragraph (B)(ii).

12 (D) DREDGED MATERIAL PLACEMENT AC-
13 TIVITIES.—The Secretary shall—

14 (i) notify and coordinate with the non-
15 Federal entity and relevant stakeholders
16 before carrying out any dredged material
17 placement activities associated with the
18 property described in paragraph (3)(A)
19 after the date on which such property is
20 conveyed under this subsection; and

21 (ii) in carrying out a dredged material
22 placement activity under clause (i), act in
23 accordance with Engineer Manual EM
24 1110-2-5025 (or a subsequent version of
25 that manual).

1 (7) RESERVATION OF RIGHTS.—The Secretary
2 may reserve and retain from any conveyance under
3 this subsection a right-of-way or any other right that
4 the Secretary determines to be necessary for the op-
5 eration and maintenance of the authorized Federal
6 channel along the Ohio River.

7 (8) TREATMENT.—Conveyance to the non-Fed-
8 eral entity under this subsection of property de-
9 scribed in paragraph (3)(A)(i) shall satisfy all obli-
10 gations of the Secretary with respect to such prop-
11 erty under—

12 (A) section 306101 of title 54, United
13 States Code; and

14 (B) section 306108 of title 54, United
15 States Code, with respect to the effects on the
16 property of dredged material placement activi-
17 ties carried out by the Secretary after the date
18 of the conveyances.

19 (9) INAPPLICABILITY.—Subtitle I of title 40,
20 and chapter 4 of title 41, United States Code shall
21 not apply to any conveyance or easement provided
22 under this subsection.

23 (i) LEABURG FISH HATCHERY, LANE COUNTY, OR-
24 EGON.—

1 (1) CONVEYANCE AUTHORIZED.—Subject to the
2 provisions of this subsection, the Secretary shall con-
3 vey, without consideration, to the State of Oregon,
4 acting through the Oregon Department of Fish and
5 Wildlife, all right, title, and interest of the United
6 States in and to the real property comprising the
7 Leaburg Fish Hatchery, consisting of approximately
8 21.55 acres, identified as tracts Q-1500, Q-1501E,
9 and 300E-1 and described in Department of the
10 Army Lease No. DACW57-1-18-0009, together
11 with any improvements on the property.

12 (2) WATER RIGHTS.—The Secretary may trans-
13 fer to the State of Oregon, acting through the Or-
14 egon Department of Fish and Wildlife, any water
15 rights held by the United States that are appur-
16 tenant to the property conveyed under this sub-
17 section.

18 (3) DEED.—The Secretary shall convey the
19 property under this subsection by quitclaim deed
20 under such terms and conditions as the Secretary
21 determines appropriate to protect the interests of
22 the United States, including a condition that all of
23 the property conveyed under this subsection be used
24 and maintained by the State of Oregon for the pur-
25 pose of operating a fish hatchery in perpetuity.

1 (4) REVERSION.—If the Secretary determines
2 that the property conveyed under this subsection is
3 not being used or maintained by the State of Oregon
4 for the purpose of operating a fish hatchery in per-
5 petuity, all or any portion of the property, including
6 any water rights transferred under this subsection,
7 shall, at the option of the Secretary, revert to the
8 United States.

9 (5) SAVINGS CLAUSE.—If the State of Oregon
10 does not accept the conveyance under this sub-
11 section, the Secretary may dispose of the property,
12 including appurtenant water rights, under sub-
13 chapter III of chapter 5 of title 40, United States
14 Code.

15 (j) WILLAMETTE FALLS LOCKS, WILLAMETTE
16 RIVER, OREGON.—

17 (1) DEFINITIONS.—In this section:

18 (A) REAL ESTATE APPENDIX.—The term
19 “real estate appendix” means Appendix A of
20 the document published by the District Com-
21 mander of the Portland District of the Corps of
22 Engineers, titled “Willamette Falls Locks Wil-
23 lamette River Oregon Section 216 Disposition
24 Study with Integrated Environmental Assess-
25 ment”.

1 (B) RECEIVING ENTITY.—The term “re-
2 ceiving entity” means an entity identified by the
3 State of Oregon, in consultation with the Wil-
4 lamette Falls Locks Commission, to receive the
5 conveyance under paragraph (2).

6 (C) WILLAMETTE FALLS LOCKS
7 PROJECT.—The term “Willamette Falls Locks
8 project” means the project for navigation, Wil-
9 lamette Falls Locks, Willamette River, Oregon,
10 authorized by the Act of June 25, 1910 (36
11 Stat. 664, chapter 382).

12 (D) WILLAMETTE FALLS LOCKS RE-
13 PORT.—The term “Willamette Falls Locks re-
14 port” means the memorandum of the Director
15 of Civil Works with the subject “Willamette
16 Falls Locks (WFL), Willamette River Oregon
17 Section 216 Disposition Study with Integrated
18 Environmental Assessment (Study)”, dated
19 July 11, 2019.

20 (2) CONVEYANCE AUTHORIZED.—The Secretary
21 is authorized to convey to the receiving entity, with-
22 out consideration, all right, title, and interest of the
23 United States in and to any land in which the Fed-
24 eral Government has a property interest for the Wil-
25 lamette Falls Locks project, together with any im-

1 improvements on the land, subject to the requirements
2 of this subsection and in accordance with the Wil-
3 lamette Falls Locks report.

4 (3) DEED.—The Secretary shall convey the
5 property under this subsection by quitclaim deed
6 under such terms and conditions as the Secretary
7 determines appropriate to protect the interests of
8 the United States.

9 (4) SUBJECT TO EXISTING EASEMENTS AND
10 OTHER INTERESTS.—The conveyance of property
11 under paragraph (2) shall be subject to all existing
12 deed reservations, easements, rights-of-way, and
13 leases that are in effect as of the date of the convey-
14 ance.

15 (5) REVERSION.—If the Secretary determines
16 that the property conveyed under this subsection
17 cease to be held in public ownership, all right, title,
18 and interest in and to the property shall revert, at
19 the discretion of the Secretary, to the United States.

20 (6) REQUIREMENTS BEFORE CONVEYANCE.—

21 (A) PERPETUAL ROAD EASEMENT.—Be-
22 fore a making the conveyance under paragraph
23 (2), the Secretary shall acquire a perpetual
24 road easement from an adjacent property owner
25 for use of an access road, which easement shall

1 convey with the property conveyed under such
2 paragraph.

3 (B) ENVIRONMENTAL COMPLIANCE.—Be-
4 fore making the conveyance under paragraph
5 (2), in accordance with the real estate appendix,
6 the Secretary shall complete a Phase 1 Envi-
7 ronmental Site Assessment pursuant to the
8 Comprehensive Environmental Response, Com-
9 pensation, and Liability Act of 1980 (42 U.S.C.
10 9601 et seq.).

11 (C) HISTORIC PRESERVATION.—The Sec-
12 retary may enter into a memorandum of agree-
13 ment with the Oregon State Historic Preserva-
14 tion Office and the Advisory Council on His-
15 toric Preservation that identifies actions the
16 Secretary shall take before making the convey-
17 ance under paragraph (2).

18 (D) REPAIRS.—Before making the convey-
19 ance under paragraph (2), the Secretary shall
20 carry out repairs to address primary seismic
21 and safety risks in accordance with the rec-
22 ommendations approved in the Willamette Falls
23 Locks report.

24 (7) DEAUTHORIZATION.—Beginning on the
25 date on which the Secretary makes the conveyance

1 under paragraph (2), the Willamette Falls Locks
2 project is no longer authorized.

3 **SEC. 331. REPEALS.**

4 (a) Section 1001 of the Water Resources Develop-
5 ment Act of 1986 (33 U.S.C. 579a) is amended—

6 (1) in subsection (b), by striking paragraph (2)
7 and redesignating paragraph (3) as paragraph (2);
8 and

9 (2) by striking subsection (c).

10 (b) Section 6003 of the Water Resources Reform and
11 Development Act of 2014 (33 U.S.C. 579c) is repealed.

12 (c) Section 1301 of the Water Resources Develop-
13 ment Act of 2016 (33 U.S.C. 579d) is repealed.

14 (d) Section 1302 of the Water Resources Develop-
15 ment Act of 2016 (33 U.S.C. 579c-1) is repealed.

16 (e) Section 1301 of the Water Resources Develop-
17 ment Act of 2018 (33 U.S.C. 579d-1) is repealed.

18 (f) Section 1302 of the Water Resources Develop-
19 ment Act of 2018 (33 U.S.C. 579c-2) is repealed.

20 **TITLE IV—WATER RESOURCES**
21 **INFRASTRUCTURE**

22 **SEC. 401. PROJECT AUTHORIZATIONS.**

23 The following projects for water resources develop-
24 ment and conservation and other purposes, as identified
25 in the reports titled “Report to Congress on Future Water

1 Resources Development” submitted to Congress pursuant
 2 to section 7001 of the Water Resources Reform and Devel-
 3 opment Act of 2014 (33 U.S.C. 2282d) or otherwise re-
 4 viewed by Congress, are authorized to be carried out by
 5 the Secretary substantially in accordance with the plans,
 6 and subject to the conditions, described in the respective
 7 reports or decision documents designated in this section:

8 (1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. AK	Port of Nome Modifications	May 29, 2020	Federal: \$368,173,000 Non-Federal: \$122,746,000 Total: \$490,919,000
2. AK	Unalaska (Dutch Harbor) Chan- nels	February 7, 2020	Federal: \$26,202,750 Non-Federal: \$8,734,250 Total: \$34,937,000
3. CT	New Haven Har- bor Navigation Improvement Project	May 7, 2020	Federal: \$53,489,000 Non-Federal: \$18,822,000 Total: \$72,311,000
4. NY, NJ	New York and New Jersey Harbor Anchor- ages	April 23, 2020	Federal: \$18,940,000 Non-Federal: \$6,310,000 Total: \$25,250,000
5. TX	Gulf Intracoastal Waterway, Brazos River Floodgates and Colorado River Locks	October 23, 2019	Total: \$409,777,000, to be derived ½ from the gen- eral fund of the Treasury and ½ from the Inland Waterways Trust Fund.

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
6. TX	Houston Ship Channel Expansion Channel Improvement Project, Harris, Chambers, and Galveston Counties	April 23, 2020	Federal: \$462,803,000 Non-Federal: \$414,045,000 Total: \$876,848,000
7. TX	Matagorda Ship Channel Improvement Project, Port Lavaca	November 15, 2019	Federal: \$138,660,000 Non-Federal: \$79,664,000 Total: \$218,324,000

1 (2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. AZ	Little Colorado River at Winslow, Navajo County	December 14, 2018	Federal: \$52,462,000 Non-Federal: \$28,249,000 Total: \$80,711,000
2. CA	Westminster, East Garden Grove, California Flood Risk Management	July 9, 2020	Federal: \$314,506,000 Non-Federal: \$910,092,000 Total: \$1,224,598,000
3. CT, NY	Westchester County Streams, Byram River Basin, Fairfield County, Connecticut, and Westchester County, New York	May 7, 2020	Federal: \$14,702,500 Non-Federal: \$14,702,500 Total: \$29,405,000
4. ND	Souris River Basin Flood Risk Management	April 16, 2019	Federal: \$58,041,750 Non-Federal: \$31,253,250 Total: \$89,295,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
5. NJ	Peckman River Basin	April 29, 2020	Federal: \$95,022,000 Non-Federal: \$51,166,000 Total: \$146,188,000
6. NM	Middle Rio Grande Flood Protection, Bernalillo to Belen	March 13, 2020	Federal: \$190,538,000 Non-Federal: \$102,598,000 Total: \$293,136,000
7. OK	Tulsa and West-Tulsa Levee System, Tulsa County	April 23, 2020	Federal: \$86,780,000 Non-Federal: \$46,728,000 Total: \$133,508,000

1 (3) HURRICANE AND STORM DAMAGE RISK RE-
2 DUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. DE	Delaware Beneficial Use of Dredged Material for the Delaware River	March 6, 2020	Initial Federal: \$53,220,000 Initial Non-Federal: \$28,660,000 Total: \$81,880,000 Renourishment Federal: \$116,380,000 Renourishment Non-Federal: \$116,380,000 Renourishment Total: \$232,760,000
2. NJ	New Jersey Beneficial Use of Dredged Material for the Delaware River	April 8, 2020	Initial Federal: \$80,780,000 Initial Non-Federal: \$43,500,000 Total: \$124,280,000 Renourishment Federal: \$82,140,000 Renourishment Non-Federal: \$82,140,000 Renourishment Total: \$164,280,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
3. NJ	Rahway River Basin, New Jersey Coastal Storm Risk Management	June 9, 2020	Federal: \$46,754,000 Non-Federal: \$25,175,000 Total: \$71,929,000
4. NY	East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, Atlantic Coast of New York	August 22, 2019	Initial Federal: \$604,203,000 Initial Non-Federal: \$0 Total: \$604,203,000 Renourishment Federal: \$189,763,000 Renourishment Non-Federal: \$189,763,000 Renourishment Total: \$379,526,000
5. NY	Hashamomuck Cove Coastal Storm Risk Management	December 9, 2019	Initial Federal: \$11,549,000 Initial Non-Federal: \$6,218,000 Total: \$17,767,000 Renourishment Federal: \$23,481,500 Renourishment Non-Federal: \$23,481,500 Renourishment Total: \$46,963,000
6. RI	Pawcatuck River Coastal Storm Risk Management Project	December 19, 2018	Federal: \$37,848,000 Non-Federal: \$20,379,000 Total: \$58,227,000
7. VA	Norfolk Coastal Storm Risk Management	February 5, 2019	Federal: \$909,040,000 Non-Federal: \$489,480,000 Total: \$1,398,520,000

1 (4) FLOOD RISK MANAGEMENT AND ECO-
2 SYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. CO	South Platte River and Tributaries, Adams and Denver Counties	July 29, 2019	Federal: \$334,412,000 Non-Federal: \$200,406,000 Total: \$534,818,000
2. NY	Fire Island Inlet to Montauk Point, New York Reformulation	July 9, 2020	Initial Federal: \$1,541,981,000 Initial Non-Federal: \$0 Total: \$1,541,981,000 Renourishment Federal: \$742,926,500 Renourishment Non-Federal: \$742,926,500 Renourishment Total: \$1,485,853,000

1

(5) ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. CA	Delta Islands and Levees	December 18, 2018	Federal: \$16,746,395 Non-Federal: \$9,016,736 Total: \$25,763,131
2. CA	Yuba River Ecosystem Restoration	June 20, 2019	Federal: \$65,014,326 Non-Federal: \$35,008,268 Total: \$100,022,594
3. FL	Comprehensive Everglades Restoration Plan, Loxahatchee River Watershed Restoration Project, Martin and Palm Beach Counties	April 8, 2020	Federal: \$372,232,000 Non-Federal: \$368,528,000 Total: \$740,760,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
4. IL	The Great Lakes and Mississippi River Interbasin Study - Brandon Road, Will County	May 23, 2019	Federal: \$690,643,200 Non-Federal: \$172,660,800 Total: \$863,304,000
5. 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
6. MD	Anacostia Watershed Restoration, Prince George's County	December 19, 2018	Federal: \$23,171,000 Non-Federal: \$12,476,000 Total: \$35,647,000
7. MO	St. Louis Riverfront-Meramec River Basin Ecosystem Restoration	November 1, 2019	Federal: \$60,124,000 Non-Federal: \$32,375,000 Total: \$92,499,000
8. NM	Rio Grande, Environmental Management Program, Sandia Pueblo to Isleta Pueblo, New Mexico Ecosystem Restoration	August 5, 2019	Federal: \$16,163,000 Non-Federal: \$8,703,000 Total: \$24,866,000
9. NY, NJ	Hudson-Raritan Estuary Ecosystem Restoration	May 26, 2020	Federal: \$265,320,000 Non-Federal: \$142,864,000 Total: \$408,184,000
10. TX	Jefferson County Ecosystem Restoration	September 12, 2019	Federal: \$37,615,000 Non-Federal: \$20,254,000 Total: \$57,869,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. OR	Willamette River Basin Review Reallocation,	December 18, 2019	Federal: \$0 Non-Federal: \$0 Total: \$0

1 (7) MODIFICATIONS AND OTHER PROJECTS.—

A. State	B. Name	C. Date of Decision Document	D. Estimated Costs
1. KY	Kentucky Lock	June 9, 2020	Total: \$1,152,769,000 (to be derived ½ from the gen- eral fund of the Treasury and ½ from the Inland Waterways Trust Fund)
2. NC	Carolina Beach Integrated Beach Re- nourishment	June 16, 2020	Federal: \$24,205,000 Non-Federal: \$24,205,000 Total: \$48,410,000
3. NC	Wrightsville Beach	July 2, 2020	Federal: \$53,788,000 Non-Federal: \$22,329,000 Total: \$76,117,000 Renourishment Federal: \$14,553,000 Renourishment Non-Federal: \$14,553,000 Renourishment Total: \$29,106,000
4. TX	Corpus Christi Ship Channel, Deepening and Widening and Barge Shelves	May 4, 2020	Federal: \$403,000,000 Non-Federal: \$273,010,000 Total: \$676,010,000

2 **SEC. 402. SPECIAL RULES.**

3 (a) GREAT LAKES AND MISSISSIPPI RIVER
4 INTERBASIN PROJECT, BRANDON ROAD, WILL COUNTY,
5 ILLINOIS.—The Secretary shall carry out the project for
6 ecosystem restoration, Great Lakes and Mississippi River

1 Interbasin project, Brandon Road, Will County, Illinois,
2 authorized by section 401 of this Act, substantially in ac-
3 cordance with the terms and conditions described in the
4 Report of the Chief of Engineers, dated May 23, 2019,
5 with the following modifications:

6 (1) The Federal share of the cost of construc-
7 tion shall be 80 percent.

8 (2) The Secretary may include the addition or
9 substitution of technologies or measures not de-
10 scribed in the report, as the Secretary determines to
11 be advisable.

12 (b) 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 (c) 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 “\$232,430,000”.

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) CHACON CREEK, TEXAS.—The project for
6 flood risk management, ecosystem restoration, and
7 other purposes, Chacon Creek, Texas, as described
8 in the review assessment of the Secretary, titled
9 “Review Assessment of Chacon Creek, Texas Section
10 203 Integrated Feasibility Report and DRAFT En-
11 vironmental Assessment (August 2018)” and dated
12 September 2018, at a total cost of \$51,973,000.

13 (b) REQUIREMENTS.—The Secretary may only carry
14 out a project authorized under subsection (a)—

15 (1) substantially in accordance with the applica-
16 ble review assessment for the project submitted by
17 the Secretary under section 203(c) of the Water Re-
18 sources Development Act of 1986, as identified in
19 subsection (a) of this section, and subject to such
20 modifications or conditions as the Secretary con-
21 siders appropriate and identifies in a final assess-
22 ment that addresses the concerns, recommendations,
23 and conditions identified by the Secretary in the ap-
24 plicable review assessment; and

1 (2) after the Secretary transmits to the Com-
2 mittee on Transportation and Infrastructure of the
3 House of Representatives and the Committee on En-
4 vironment and Public Works of the Senate such
5 final assessment.

6 (c) TECHNICAL CORRECTION.—Section 203(c)(1) of
7 the Water Resources Development Act of 1986 (33 U.S.C.
8 2231(c)(1)) is amended, in the matter preceding subpara-
9 graph (A), by striking “a report” and inserting “an as-
10 sessment”.