

115TH CONGRESS
2D SESSION

H. R. 8

AN ACT

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,*

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

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Water Resources Development Act of 2018”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Secretary defined.

TITLE I—GENERAL PROVISIONS

Sec. 101. Sense of Congress regarding water resources development bills.

Sec. 102. Assessment of harbors and inland harbors.

Sec. 103. Levee safety initiative reauthorization.

Sec. 104. Dam safety.

Sec. 105. Rehabilitation of Corps of Engineers constructed dams.

Sec. 106. Forecast-informed reservoir operations.

Sec. 107. Identification of nonpowered dams for hydropower development.

Sec. 108. Emergency response to natural disasters.

Sec. 109. Integrated water resources planning.

Sec. 110. Mitigation banks.

Sec. 111. Indian Tribes.

Sec. 112. Columbia River.

Sec. 113. Dissemination of information.

Sec. 114. Non-Federal engagement and review.

Sec. 115. Comprehensive backlog report.

Sec. 116. Structures and facilities constructed by Secretary.

Sec. 117. Transparency in administrative expenses.

Sec. 118. Study of the future of the United States Army Corps of Engineers.

Sec. 119. Acknowledgment of credit.

Sec. 120. Non-Federal implementation pilot program.

Sec. 121. Study of water resources development projects by non-Federal inter-
ests.

Sec. 122. Construction of water resources development projects by non-Federal
interests.

Sec. 123. Technical assistance for regional coalitions.

Sec. 124. Advanced funds for water resources development studies and projects.

Sec. 125. Funding to process permits.

Sec. 126. Study on economic and budgetary analyses.

Sec. 127. Study of corrosion management at Corps of Engineers projects.

Sec. 128. Costs in excess of Federal participation limit.

Sec. 129. Report on innovative materials.

Sec. 130. Study on Corps of Engineers.

Sec. 131. GAO study.

Sec. 132. GAO report on Alaska Native village relocation efforts due to flooding
and erosion threats.

Sec. 133. Study and report on expediting certain waiver processes.

Sec. 134. Corps of Engineers continuing authorities program.

Sec. 135. Credit or reimbursement.

Sec. 136. Lake Okeechobee regulation schedule review.

Sec. 137. Missouri River.

- Sec. 138. Access to real estate data.
- Sec. 139. Aquatic invasive species research.
- Sec. 140. Harmful algal bloom technology demonstration.
- Sec. 141. Bubbly Creek, Chicago ecosystem restoration.
- Sec. 142. Operation and maintenance of navigation and hydroelectric facilities.
- Sec. 143. Hurricane and storm damage reduction.
- Sec. 144. Post-disaster watershed assessments in the territories of the United States.
- Sec. 145. Old River control structure, Louisiana.
- Sec. 146. Dredge pilot program.
- Sec. 147. Disposition of projects.
- Sec. 148. Sense of Congress.
- Sec. 149. Community engagement.
- Sec. 150. Operation and maintenance of existing infrastructure.
- Sec. 151. Clarification for integral determination.
- Sec. 152. Cost share payment for certain projects.
- Sec. 153. Locks on Allegheny River.
- Sec. 154. Assistance relating to water supply.
- Sec. 155. Noise pollution abatement and mitigation.
- Sec. 156. Property acquisition.
- Sec. 157. Sense of Congress on navigation safety.
- Sec. 158. Cost and benefit feasibility assessment.
- Sec. 159. Study on Stormwater Runoff Requirements.
- Sec. 160. Sense of Congress relating to Puerto Rico.
- Sec. 161. Dredged material management plans.
- Sec. 162. Feasibility of Chicago Sanitary and Ship Canal Dispersal Barriers Project, Illinois.
- Sec. 163. Sense of Congress encouraging non-Federal dredged material placement sponsors.
- Sec. 164. Project completion for disaster areas.
- Sec. 165. Inclusion of project or facility in Corps of Engineers workplan.
- Sec. 166. Mississippi River and Tributaries Project.
- Sec. 167. Maintenance of high risk flood control projects.
- Sec. 168. Contributed funds for non-Federal reservoir operations.
- Sec. 169. Corps of Engineers continuing authorities program.

TITLE II—STUDIES

- Sec. 201. Authorization of proposed feasibility studies.
- Sec. 202. Additional studies.
- Sec. 203. Expedited completion of reports for certain projects.
- Sec. 204. Plymouth Harbor, Massachusetts.
- Sec. 205. Brandon Road study.
- Sec. 206. Houston and Coastal Texas.

TITLE III—DEAUTHORIZATIONS, MODIFICATIONS, AND RELATED PROVISIONS

- Sec. 301. Deauthorization of inactive projects.
- Sec. 302. Backlog prevention.
- Sec. 303. Project modifications.
- Sec. 304. Milwaukee Harbor, Milwaukee, Wisconsin.
- Sec. 305. Bridgeport Harbor, Connecticut.
- Sec. 306. Conveyances.
- Sec. 307. Clatsop County, Oregon.
- Sec. 308. Kissimmee River restoration, Central and Southern Florida.

- Sec. 309. Lytle and Cajon Creeks, California.
 Sec. 310. Yuba River Basin, California.
 Sec. 311. Boston harbor reserved channel deauthorizations.
 Sec. 312. Continued authorization of certain projects.
 Sec. 313. Puget sound nearshore ecosystem restoration.
 Sec. 314. Land conveyance.
 Sec. 315. Cedar River, Cedar Rapids, Iowa.
 Sec. 316. Corps of Engineers bridge repair and divestiture program for New England evacuation routes.
 Sec. 317. Port of Whitman County.
 Sec. 318. Hampton Harbor, New Hampshire, navigation improvement project.
 Sec. 319. Portsmouth Harbor and Piscataqua River.

TITLE IV—WATER RESOURCES INFRASTRUCTURE

- Sec. 401. Project authorizations.

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. SENSE OF CONGRESS REGARDING WATER RE-** 6 **SOURCES DEVELOPMENT BILLS.**

- 7 It is the sense of Congress that, because the missions
 8 of the Corps of Engineers for navigation, flood control,
 9 beach erosion control and shoreline protection, hydro-
 10 electric power, recreation, water supply, environmental
 11 protection, restoration, and enhancement, and fish and
 12 wildlife mitigation benefit all Americans, and because
 13 water resources development projects are critical to main-
 14 taining the country’s economic prosperity, national secu-
 15 rity, and environmental protection, Congress should con-
 16 sider a water resources development bill not less often
 17 than once every Congress.

1 **SEC. 102. ASSESSMENT OF HARBORS AND INLAND HAR-**
2 **BORS.**

3 Section 210(e) of the Water Resources Development
4 Act of 1986 (33 U.S.C. 2238) is amended—

5 (1) in paragraph (1), by striking “shall assess
6 the” and inserting “shall assess, and issue a report
7 to Congress on, the”; and

8 (2) in paragraph (2), by adding at the end the
9 following:

10 “(C) OPPORTUNITIES FOR BENEFICIAL
11 USE OF DREDGED MATERIALS.—In carrying out
12 paragraph (1), the Secretary shall identify po-
13 tential opportunities for the beneficial use of
14 dredged materials obtained from harbors and
15 inland harbors referred to in subsection (a)(2),
16 including projects eligible under section 1122 of
17 the Water Resources Development Act of 2016
18 (130 Stat. 1645; 33 U.S.C. 2326 note).”.

19 **SEC. 103. LEVEE SAFETY INITIATIVE REAUTHORIZATION.**

20 Title IX of the Water Resources Development Act of
21 2007 (33 U.S.C. 3301 et seq.) is amended—

22 (1) in section 9005(g)(2)(E)(i), by striking
23 “2015 through 2019” and inserting “2019 through
24 2023”; and

1 (2) in section 9008, by striking “2015 through
2 2019” each place it appears and inserting “2019
3 through 2023”.

4 **SEC. 104. DAM SAFETY.**

5 Section 14 of the National Dam Safety Program Act
6 (33 U.S.C. 467j) is amended by striking “2015 through
7 2019” each place it appears and inserting “2019 through
8 2023”.

9 **SEC. 105. REHABILITATION OF CORPS OF ENGINEERS CON-**
10 **STRUCTED DAMS.**

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

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

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

17 **SEC. 106. FORECAST-INFORMED RESERVOIR OPERATIONS.**

18 (a) REPORT ON FORECAST-INFORMED RESERVOIR
19 OPERATIONS.—Not later than one year after the date of
20 completion of the forecast-informed reservoir operations
21 research study pilot program at Coyote Valley Dam, Rus-
22 sian River Basin, California (authorized by the River and
23 Harbor Act of 1950 (64 Stat. 177)), the Secretary shall
24 issue a report to the Committee on Transportation and
25 Infrastructure of the House of Representatives and the

1 Committee on Environment and Public Works of the Sen-
2 ate on the results of the study pilot program.

3 (b) CONTENTS OF REPORT.—The Secretary shall in-
4 clude in the report issued under subsection (a)—

5 (1) an analysis of the use of forecast-informed
6 reservoir operations at Coyote Valley Dam, Cali-
7 fornia;

8 (2) an assessment of the viability of using fore-
9 cast-informed reservoir operations at other dams
10 owned or operated by the Secretary;

11 (3) an identification of other dams owned or op-
12 erated by the Secretary where forecast-informed res-
13 ervoir operations may assist the Secretary in the op-
14 timization of future reservoir operations; and

15 (4) any additional areas for future study of
16 forecast-informed reservoir operations.

17 **SEC. 107. IDENTIFICATION OF NONPOWERED DAMS FOR**
18 **HYDROPOWER DEVELOPMENT.**

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

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

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

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

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

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

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

16 **SEC. 108. EMERGENCY RESPONSE TO NATURAL DISASTERS.**

17 (a) IN GENERAL.—Section 5(a)(1) of the Act of Au-
18 gust 18, 1941 (33 U.S.C. 701n(a)(1)) is amended in the
19 first sentence—

20 (1) by striking “strengthening, raising, extend-
21 ing, or other modification thereof” and inserting
22 “strengthening, raising, extending, realigning, or
23 other modification thereof”; and

24 (2) by striking “structure or project damaged
25 or destroyed by wind, wave, or water action of other

1 than an ordinary nature to the design level of pro-
2 tection when, in the discretion of the Chief of Engi-
3 neers,” and inserting “structure or project damaged
4 or destroyed by wind, wave, or water action of other
5 than an ordinary nature to either the pre-storm level
6 or the design level of protection, whichever provides
7 greater protection, when, in the discretion of the
8 Chief of Engineers,”.

9 (b) DURATION.—Section 156(e) of the Water Re-
10 sources Development Act of 1976 (42 U.S.C. 1962d-
11 5f(e)) is amended by striking “6 years” and inserting “9
12 years”.

13 **SEC. 109. INTEGRATED WATER RESOURCES PLANNING.**

14 In carrying out a water resources development feasi-
15 bility study, the Secretary shall consult with local govern-
16 ments in the watershed covered by such study to deter-
17 mine if local water management plans exist, or are under
18 development, for the purposes of stormwater management,
19 water quality improvement, aquifer recharge, water stor-
20 age, or water reuse.

21 **SEC. 110. MITIGATION BANKS.**

22 (a) DEFINITION OF MITIGATION BANK.—In this sec-
23 tion, the term “mitigation bank” has the meaning given
24 that term in section 332.2 of title 33, Code of Federal
25 Regulations.

1 (b) GUIDANCE.—The Secretary shall issue guidance
2 on the use of mitigation banks to meet requirements for
3 water resources development projects in order to update
4 mitigation bank credit release schedules to—

5 (1) support the goal of achieving efficient per-
6 mitting and maintaining appropriate environmental
7 protections; and

8 (2) promote increased transparency in the use
9 of mitigation banks.

10 (c) REQUIREMENTS.—The guidance issued under
11 subsection (b) shall—

12 (1) be consistent with—

13 (A) part 230 of title 40, Code of Federal
14 Regulations;

15 (B) section 906 of the Water Resources
16 Development Act of 1986 (33 U.S.C. 2283);

17 (C) part 332 of title 33, Code of Federal
18 Regulations; and

19 (D) section 314(b) of the National Defense
20 Authorization Act for Fiscal Year 2004 (Public
21 Law 108–136; 33 U.S.C. 1344 note); and

22 (2) provide for—

23 (A) the mitigation bank sponsor to provide
24 sufficient financial assurances to ensure a high
25 level of confidence that the compensatory miti-

1 gation project will be successfully completed, in
2 accordance with applicable performance stand-
3 ards, under section 332.3(n) of title 33, Code of
4 Federal Regulations;

5 (B) the mitigation bank sponsor to reserve
6 the share of mitigation bank credits required to
7 ensure ecological performance of the mitigation
8 bank, in accordance with section 332.8(o) of
9 title 33, Code of Federal Regulations; and

10 (C) all credits except for the share reserved
11 under subparagraph (B) to be available upon
12 completion of the construction of the mitigation
13 bank.

14 **SEC. 111. INDIAN TRIBES.**

15 (a) COST SHARING PROVISIONS FOR THE TERRI-
16 TORIES AND INDIAN TRIBES.—Section 1156(a)(2) of the
17 Water Resources Development Act of 1986 (33 U.S.C.
18 2310(a)(2)) is amended by striking “section 102 of the
19 Federally Recognized Indian Tribe List Act of 1994 (25
20 U.S.C. 5130)” and inserting “section 4(e) of the Indian
21 Self-Determination and Education Assistance Act (25
22 U.S.C. 5304(e))”.

23 (b) WRITTEN AGREEMENT REQUIREMENT FOR
24 WATER RESOURCES PROJECTS.—Section 221(b)(1) of the
25 Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)(1))

1 is amended by striking “a federally recognized Indian tribe
2 and, as defined in section 3 of the Alaska Native Claims
3 Settlement Act (43 U.S.C. 1602), a Native village, Re-
4 gional Corporation, and Village Corporation” and insert-
5 ing “an Indian tribe, as defined in section 4(e) of the In-
6 dian Self-Determination and Education Assistance Act
7 (25 U.S.C. 5304(e))”.

8 **SEC. 112. COLUMBIA RIVER.**

9 (a) BONNEVILLE DAM, OREGON.—Section
10 1178(c)(1)(A) of the Water Resources Development Act
11 of 2016 (130 Stat. 1675) is amended by striking “may
12 provide assistance” and inserting “may provide assistance,
13 which may include housing and related improvements,”.

14 (b) JOHN DAY DAM, WASHINGTON AND OREGON.—

15 (1) IN GENERAL.—The Secretary shall, not
16 later than 180 days after the date of enactment of
17 this Act, and in consultation with the Secretary of
18 the Interior, conduct a study to determine the extent
19 to which Indian Tribes have been displaced as a re-
20 sult of the construction of the John Day Dam, Co-
21 lumbia River, Washington and Oregon, as author-
22 ized by section 204 of the Flood Control Act of 1950
23 (64 Stat. 179), including an assessment of effects
24 related to housing and related improvements.

1 (2) **ADDITIONAL ACTIONS.**—If the Secretary de-
2 termines, based on the study under paragraph (1),
3 that assistance is required, the Secretary may use all
4 existing authorities of the Secretary to provide as-
5 sistance, which may include housing and related im-
6 provements, to Indian Tribes displaced as a result of
7 the construction of the John Day Dam, Columbia
8 River, Washington and Oregon.

9 (3) **REPEAL.**—Section 1178(c)(2) of the Water
10 Resources Development Act of 2016 (130 Stat.
11 1675) is repealed.

12 (c) **THE DALLES DAM, WASHINGTON AND OR-**
13 **EGON.**—The Secretary, in consultation with the Secretary
14 of the Interior, shall complete a village development plan
15 for any Indian Tribe displaced as a result of the construc-
16 tion of the Dalles Dam, Columbia River, Washington and
17 Oregon, as authorized by section 204 of the Flood Control
18 Act of 1950 (64 Stat. 179).

19 **SEC. 113. DISSEMINATION OF INFORMATION.**

20 (a) **FINDINGS.**—Congress finds the following:

21 (1) Congress plays a central role in identifying,
22 prioritizing, and authorizing vital water resources in-
23 frastructure activities throughout the United States.

24 (2) The Water Resources Reform and Develop-
25 ment Act of 2014 (Public Law 113–121) established

1 a new and transparent process to review and
2 prioritize the water resources development activities
3 of the Corps of Engineers with strong congressional
4 oversight.

5 (3) Section 7001 of the Water Resources Re-
6 form and Development Act of 2014 (33 U.S.C.
7 2282d) requires the Secretary to develop and submit
8 to Congress each year a Report to Congress on Fu-
9 ture Water Resources Development and, as part of
10 the annual report process, to—

11 (A) publish a notice in the Federal Reg-
12 ister that requests from non-Federal interests
13 proposed feasibility studies and proposed modi-
14 fications to authorized water resources develop-
15 ment projects and feasibility studies for inclu-
16 sion in the report; and

17 (B) review the proposals submitted and in-
18 clude in the report those proposed feasibility
19 studies and proposed modifications that meet
20 the criteria for inclusion established under such
21 section 7001.

22 (4) Congress will use the information provided
23 in the annual Report to Congress on Future Water
24 Resources Development to determine authorization

1 needs and priorities for purposes of water resources
2 development legislation.

3 (5) To ensure that Congress can gain a thor-
4 ough understanding of the water resources develop-
5 ment needs and priorities of the United States, it is
6 important that the Secretary take sufficient steps to
7 ensure that non-Federal interests are made aware of
8 the new annual report process, including the need
9 for non-Federal interests to submit proposals during
10 the Secretary's annual request for proposals in order
11 for such proposals to be eligible for consideration by
12 Congress.

13 (b) DISSEMINATION OF PROCESS INFORMATION.—
14 The Secretary shall develop, support, and implement edu-
15 cation and awareness efforts for non-Federal interests
16 with respect to the annual Report to Congress on Future
17 Water Resources Development required under section
18 7001 of the Water Resources Reform and Development
19 Act of 2014 (33 U.S.C. 2282d), including efforts to—

20 (1) develop and disseminate technical assistance
21 materials, seminars, and guidance on the annual
22 process as it relates to non-Federal interests;

23 (2) provide written notice to local elected offi-
24 cials and previous and potential non-Federal inter-
25 ests on the annual process and on opportunities to

1 address local water resources challenges through the
2 missions and authorities of the Corps of Engineers;

3 (3) issue guidance for non-Federal interests to
4 assist such interests in developing proposals for
5 water resources development projects that satisfy the
6 requirements of such section 7001; and

7 (4) provide, at the request of a non-Federal in-
8 terest, assistance with researching and identifying
9 existing project authorizations and Corps of Engi-
10 neers decision documents.

11 **SEC. 114. NON-FEDERAL ENGAGEMENT AND REVIEW.**

12 (a) PUBLIC NOTICE.—

13 (1) IN GENERAL.—Prior to developing and
14 issuing any new or revised implementation guidance
15 for a covered water resources development law, the
16 Secretary shall issue a public notice that—

17 (A) informs potentially interested non-Fed-
18 eral stakeholders of the Secretary's intent to
19 develop and issue such guidance; and

20 (B) provides an opportunity for interested
21 non-Federal stakeholders to engage with, and
22 provide input and recommendations to, the Sec-
23 retary on the development and issuance of such
24 guidance.

1 (2) ISSUANCE OF NOTICE.—The Secretary shall
2 issue the notice under paragraph (1) through a post-
3 ing on a publicly accessible website dedicated to pro-
4 viding notice on the development and issuance of im-
5 plementation guidance for a covered water resources
6 development law.

7 (b) STAKEHOLDER ENGAGEMENT.—

8 (1) INPUT.—The Secretary shall allow a min-
9 imum of 60 days after issuance of the public notice
10 under subsection (a) for non-Federal stakeholders to
11 provide input and recommendations to the Secretary,
12 prior to finalizing implementation guidance for a
13 covered water resources development law.

14 (2) OUTREACH.—The Secretary may, as appro-
15 priate (as determined by the Secretary), reach out to
16 non-Federal stakeholders and circulate drafts of im-
17 plementation guidance for a covered water resources
18 development law for informal feedback and rec-
19 ommendations.

20 (c) DEVELOPMENT OF GUIDANCE.—When developing
21 implementation guidance for a covered water resources de-
22 velopment law, the Secretary shall take into consideration
23 the input and recommendations received from non-Federal
24 stakeholders, and make the final guidance available to the
25 public on-line on a publicly accessible website.

1 (d) COVERED WATER RESOURCES DEVELOPMENT
2 LAW.—In this section, the term “covered water resources
3 development law” means—

4 (1) the Water Resources Reform and Develop-
5 ment Act of 2014;

6 (2) the Water Resources Development Act of
7 2016;

8 (3) this Act; and

9 (4) any Federal water resources development
10 law enacted after the date of enactment of this Act.

11 **SEC. 115. COMPREHENSIVE BACKLOG REPORT.**

12 Section 1001(b)(4) of the Water Resources Develop-
13 ment Act of 1986 (33 U.S.C. 579a(b)(4)) is amended—

14 (1) in the header, by inserting “AND OPER-
15 ATION AND MAINTENANCE” after “BACKLOG”;

16 (2) by amending subparagraph (A) to read as
17 follows:

18 “(A) IN GENERAL.—The Secretary shall
19 compile and publish—

20 “(i) a complete list of all projects and
21 separable elements of projects of the Corps
22 of Engineers that are authorized for con-
23 struction but have not been completed; and

24 “(ii) a list of major Federal operation
25 and maintenance needs of projects and

1 properties under the control of the Corps
2 of Engineers.”;

3 (3) in subparagraph (B)—

4 (A) in the heading, by inserting “BACK-
5 LOG” before “INFORMATION”; and

6 (B) in the matter preceding clause (i), by
7 striking “subparagraph (A)” and inserting
8 “subparagraph (A)(i)”;

9 (4) by redesignating subparagraph (C) as sub-
10 paragraph (D) and inserting after subparagraph (B)
11 the following:

12 “(C) REQUIRED OPERATION AND MAINTEN-
13 NANCE INFORMATION.—The Secretary shall in-
14 clude on the list developed under subparagraph
15 (A)(ii), for each project and property under the
16 control of the Corps of Engineers on that list—

17 “(i) the authority under which the
18 project was authorized or the property was
19 acquired by the Corps of Engineers;

20 “(ii) a brief description of the project
21 or property;

22 “(iii) an estimate of the Federal costs
23 to meet the major operation and mainte-
24 nance needs at the project or property; and

1 “(iv) an estimate of unmet or deferred
2 operation and maintenance needs at the
3 project or property.”; and

4 (5) in subparagraph (D), as so redesignated—

5 (A) in clause (i), in the matter preceding
6 subclause (I), by striking “Not later than 1
7 year after the date of enactment of this para-
8 graph, the Secretary shall submit a copy of the
9 list” and inserting “For fiscal year 2019, and
10 biennially thereafter, in conjunction with the
11 President’s annual budget submission to Con-
12 gress under section 1105(a) of title 31, United
13 States Code, the Secretary shall submit a copy
14 of the lists”; and

15 (B) in clause (ii), by striking “list” and in-
16 serting “lists”.

17 **SEC. 116. STRUCTURES AND FACILITIES CONSTRUCTED BY**
18 **SECRETARY.**

19 Section 14 of the Act of March 3, 1899 (33 U.S.C.
20 408) is amended by adding at the end the following:

21 “(d) WORK DEFINED.—For the purposes of this sec-
22 tion, the term ‘work’ shall not include unimproved real es-
23 tate owned or operated by the Secretary as part of a water
24 resources development project if the Secretary determines

1 that modification of such real estate would not affect the
2 function and usefulness of the project.”.

3 **SEC. 117. TRANSPARENCY IN ADMINISTRATIVE EXPENSES.**

4 Section 1012(b)(1) of the Water Resources Reform
5 and Development Act of 2014 (33 U.S.C. 2315a(b)(1))
6 is amended by striking “The Secretary” and inserting
7 “Not later than 1 year after the date of enactment of the
8 Water Resources Development Act of 2018, the Sec-
9 retary”.

10 **SEC. 118. STUDY OF THE FUTURE OF THE UNITED STATES**

11 **ARMY CORPS OF ENGINEERS.**

12 (a) IN GENERAL.—The Secretary shall enter into an
13 agreement with the National Academy of Sciences to con-
14 vene a committee of experts to carry out a comprehensive
15 study on—

16 (1) the ability of the Corps of Engineers to
17 carry out its statutory missions and responsibilities,
18 and the potential effects of transferring the func-
19 tions (including regulatory obligations), personnel,
20 assets, and civilian staff responsibilities of the Sec-
21 retary relating to civil works from the Department
22 of Defense to a new or existing agency or subagency
23 of the Federal Government, including how such a
24 transfer might affect the Federal Government’s abil-

1 ity to meet the current statutory missions and re-
2 sponsibilities of the Corps of Engineers; and

3 (2) improving the Corps of Engineers' project
4 delivery processes, including recommendations for
5 such improvements, taking into account factors in-
6 cluding—

7 (A) the effect of the annual appropriations
8 process on the ability of the Corps of Engineers
9 to efficiently secure and carry out contracts for
10 water resources projects and perform regulatory
11 obligations;

12 (B) the effect that the current Corps of
13 Engineers leadership and geographic structure
14 at the division and district levels has on its abil-
15 ity to carry out its missions in a cost-effective
16 manner; and

17 (C) the effect of the frequency of rotations
18 of senior leaders of the Corps of Engineers and
19 how such frequency affects the function of the
20 district.

21 (b) CONSIDERATIONS.—The study carried out under
22 subsection (a) shall include consideration of—

23 (1) effects on the national security of the
24 United States;

1 (2) the ability of the Corps of Engineers to
2 maintain sufficient engineering capability and capac-
3 ity to assist ongoing and future operations of the
4 United States armed services; and

5 (3) emergency and natural disaster response
6 obligations of the Federal Government that are car-
7 ried out by the Corps of Engineers.

8 (c) CONSULTATION.—The agreement entered into
9 under subsection (a) shall require the National Academy
10 to, in carrying out the study, consult with—

11 (1) the Department of Defense, including the
12 Secretary of the Army and the Assistant Secretary
13 of the Army for Civil Works;

14 (2) the Department of Transportation;

15 (3) the Environmental Protection Agency;

16 (4) the Department of Homeland Security;

17 (5) the Office of Management and Budget;

18 (6) other appropriate Federal agencies;

19 (7) professional and nongovernmental organiza-
20 tions; and

21 (8) 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.

1 (d) SUBMISSION TO CONGRESS.—The Secretary shall
2 submit the final report of the National Academy con-
3 taining the findings of the study carried out under sub-
4 section (a) to the Committee on Transportation and Infra-
5 structure of the House of Representatives and the Com-
6 mittee on Environment and Public Works of the Senate
7 not later than 2 years after the date of enactment of this
8 Act.

9 **SEC. 119. ACKNOWLEDGMENT OF CREDIT.**

10 Section 7007(a) of the Water Resources Development
11 Act of 2007 (121 Stat. 1277; 128 Stat. 1226) is amended
12 by adding at the end the following: “Notwithstanding sec-
13 tion 221(a)(4)(C)(i) of the Flood Control Act of 1970 (42
14 U.S.C. 1962d–5b(a)(4)(C)(i)), the Secretary may provide
15 credit for work carried out during the period beginning
16 on November 8, 2007, and ending on the date of enact-
17 ment of the Water Resources Development Act of 2018
18 by the non-Federal interest for a project under this title
19 if the Secretary determines that the work is integral to
20 the project and was carried out in accordance with the
21 laws specified in section 5014(i)(2)(A) of the Water Re-
22 sources Reform and Development Act of 2014 (128 Stat.
23 1331) and all other applicable Federal laws.”.

1 **SEC. 120. NON-FEDERAL IMPLEMENTATION PILOT PRO-**
2 **GRAM.**

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

6 (1) in paragraph (3)(A)(i)—

7 (A) in the matter preceding subclause
8 (I)—

9 (i) by striking “15” and inserting
10 “20”; and

11 (ii) by striking “prior to the date of
12 enactment of this Act”;

13 (B) in subclause (I)—

14 (i) in the matter preceding item (aa),
15 by inserting “that have been authorized for
16 construction prior to the date of enactment
17 of this Act and” after “not more than 12
18 projects”; and

19 (ii) in item (bb), by striking “; and”
20 and inserting a semicolon;

21 (C) in subclause (II)—

22 (i) by inserting “that have been au-
23 thorized for construction prior to the date
24 of enactment of this Act and” after “not
25 more than 3 projects”; and

1 (ii) by striking the semicolon and in-
2 serting “; and”; and

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

4 “(III) not more than 5 projects
5 that have been authorized for con-
6 struction, but did not receive the au-
7 thorization prior to the date of enact-
8 ment of this Act;” and

9 (2) in subsection (b)(8) by striking “2015
10 through 2019” and inserting “2019 through 2023”.

11 **SEC. 121. STUDY OF WATER RESOURCES DEVELOPMENT**
12 **PROJECTS BY NON-FEDERAL INTERESTS.**

13 Section 203 of the Water Resources Development Act
14 of 1986 (33 U.S.C. 2231) is amended—

15 (1) in subsection (a)(1), by inserting “federally
16 authorized” before “feasibility study”;

17 (2) by amending subsection (c) to read as fol-
18 lows:

19 “(c) SUBMISSION TO CONGRESS.—

20 “(1) REVIEW AND SUBMISSION OF STUDIES TO
21 CONGRESS.—Not later than 180 days after the date
22 of receipt of a feasibility study of a project under
23 subsection (a)(1), the Secretary shall submit to the
24 Committee on Environment and Public Works of the
25 Senate and the Committee on Transportation and

1 Infrastructure of the House of Representatives a re-
2 port that describes—

3 “(A) the results of the Secretary’s review
4 of the study under subsection (b), including a
5 determination of whether the project is feasible;

6 “(B) any recommendations the Secretary
7 may have concerning the plan or design of the
8 project; and

9 “(C) any conditions the Secretary may re-
10 quire for construction of the project.

11 “(2) LIMITATION.—The completion of the re-
12 view by the Secretary of a feasibility study that has
13 been submitted under subsection (a)(1) may not be
14 delayed as a result of consideration being given to
15 changes in policy or priority with respect to project
16 consideration.”; and

17 (3) by amending subsection (e) to read as fol-
18 lows:

19 “(e) REVIEW AND TECHNICAL ASSISTANCE.—

20 “(1) REVIEW.—The Secretary may accept and
21 expend funds provided by non-Federal interests to
22 undertake reviews, inspections, certifications, and
23 other activities that are the responsibility of the Sec-
24 retary in carrying out this section.

1 “(2) TECHNICAL ASSISTANCE.—At the request
2 of a non-Federal interest, the Secretary shall provide
3 to the non-Federal interest technical assistance re-
4 lating to any aspect of a feasibility study if the non-
5 Federal interest contracts with the Secretary to pay
6 all costs of providing such technical assistance.

7 “(3) LIMITATION.—Funds provided by non-
8 Federal interests under this subsection shall not be
9 eligible for credit under subsection (d) or reimburse-
10 ment.

11 “(4) IMPARTIAL DECISIONMAKING.—In carrying
12 out this section, the Secretary shall ensure that the
13 use of funds accepted from a non-Federal interest
14 will not affect the impartial decisionmaking of the
15 Secretary, either substantively or procedurally.”.

16 **SEC. 122. CONSTRUCTION OF WATER RESOURCES DEVEL-**
17 **OPMENT PROJECTS BY NON-FEDERAL INTER-**
18 **ESTS.**

19 Section 204 of the Water Resources Development Act
20 of 1986 (33 U.S.C. 2232) is amended—

21 (1) in subsection (b)—

22 (A) in paragraph (1), in the matter pre-
23 ceding subparagraph (A), by inserting “feder-
24 ally authorized” before “water resources devel-
25 opment project”;

1 (B) in paragraph (2)(A), by inserting “,
2 except as provided in paragraph (3)” before the
3 semicolon; and

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

5 “(3) PERMIT EXCEPTION.—

6 “(A) IN GENERAL.—For a project de-
7 scribed in subsection (a)(1) or subsection
8 (a)(3), or a separable element thereof, with re-
9 spect to which a written agreement described in
10 subparagraph (B) has been entered into, a non-
11 Federal interest that carries out a project under
12 this section shall not be required to obtain any
13 Federal permits or approvals that would not be
14 required if the Secretary carried out the project
15 or separable element unless significant new cir-
16 cumstances or information relevant to environ-
17 mental concerns or compliance have arisen since
18 development of the project recommendation.

19 “(B) WRITTEN AGREEMENT.—For pur-
20 poses of this paragraph, a written agreement
21 shall provide that the non-Federal interest shall
22 comply with the same legal and technical re-
23 quirements that would apply if the project or
24 separable element were carried out by the Sec-
25 retary, including all mitigation required to off-

1 set environmental impacts of the project or sep-
2 arable element as determined by the Secretary.

3 “(C) CERTIFICATIONS.—Notwithstanding
4 subparagraph (A), if a non-Federal interest car-
5 rying out a project under this section would, in
6 the absence of a written agreement entered into
7 under this paragraph, be required to obtain a
8 certification from a State under Federal law to
9 carry out the project, such certification shall
10 still be required if a written agreement is en-
11 tered into with respect to the project under this
12 paragraph.”;

13 (2) by amending subsection (c) to read as fol-
14 lows:

15 “(c) STUDIES AND ENGINEERING.—

16 “(1) IN GENERAL.—When requested by an ap-
17 propriate non-Federal interest, the Secretary shall
18 undertake all necessary studies, engineering, and
19 technical assistance on construction for any project
20 to be undertaken under subsection (b), and provide
21 technical assistance in obtaining all necessary per-
22 mits for the construction, if the non-Federal interest
23 contracts with the Secretary to furnish the United
24 States funds for the studies, engineering, or tech-
25 nical assistance on construction in the period during

1 which the studies, engineering, or technical assist-
2 ance on construction are being conducted.

3 “(2) NO WAIVER.—Nothing in this section may
4 be construed to waive any requirement of section
5 3142 of title 40, United States Code.

6 “(3) LIMITATION.—Funds provided by non-
7 Federal interests under this subsection shall not be
8 eligible for credit or reimbursement under subsection
9 (d).

10 “(4) IMPARTIAL DECISIONMAKING.—In carrying
11 out this section, the Secretary shall ensure that the
12 use of funds accepted from a non-Federal interest
13 will not affect the impartial decisionmaking of the
14 Secretary, either substantively or procedurally.”; and

15 (3) in subsection (d)—

16 (A) in paragraph (3)—

17 (i) in subparagraph (A), by striking “;
18 and” and inserting a semicolon;

19 (ii) in subparagraph (B)(ii), by strik-
20 ing the period at the end and inserting “;
21 and”; and

22 (iii) by adding at the end the fol-
23 lowing:

1 “(C) in the case of reimbursement, appro-
2 priations are provided by Congress for such
3 purpose.”; and

4 (B) in paragraph (5)—

5 (i) by striking “flood damage reduc-
6 tion” each place it appears and inserting
7 “water resources development”;

8 (ii) in subparagraph (A), by striking
9 “for a discrete segment of a” and inserting
10 “for carrying out a discrete segment of a
11 federally authorized”; and

12 (iii) in subparagraph (D), in the mat-
13 ter preceding clause (i), by inserting “to be
14 carried out” after “project”.

15 **SEC. 123. TECHNICAL ASSISTANCE FOR REGIONAL COALI-**
16 **TIONS.**

17 Section 22(a)(1) of the Water Resources Develop-
18 ment Act of 1974 (42 U.S.C. 1962d-16(a)(1)) is amended
19 to read as follows:

20 “(1) COMPREHENSIVE PLANS.—The Secretary
21 of the Army, acting through the Chief of Engineers,
22 is authorized to cooperate with any State, group of
23 States, non-Federal interest working with a State or
24 group of States, or regional coalition of govern-
25 mental entities in the preparation of comprehensive

1 plans for the development, utilization, and conserva-
2 tion of the water and related resources of drainage
3 basins, watersheds, or ecosystems located within the
4 boundaries of such State, interest, or entity, includ-
5 ing plans to comprehensively address water re-
6 sources challenges, and to submit to Congress re-
7 ports and recommendations with respect to appro-
8 priate Federal participation in carrying out such
9 plans.”.

10 **SEC. 124. ADVANCED FUNDS FOR WATER RESOURCES DE-**
11 **VELOPMENT STUDIES AND PROJECTS.**

12 (a) CONTRIBUTIONS BY STATES AND POLITICAL
13 SUBDIVISIONS FOR IMMEDIATE USE ON AUTHORIZED
14 FLOOD-CONTROL WORK; REPAYMENT.—The Act of Octo-
15 ber 15, 1940 (54 Stat. 1176; 33 U.S.C. 701h–1) is
16 amended—

17 (1) by striking “a flood-control project duly
18 adopted and authorized by law” and inserting “a
19 federally authorized water resources development
20 project,”;

21 (2) by striking “such work” and inserting
22 “such project”;

23 (3) by striking “from appropriations which may
24 be provided by Congress for flood-control work” and

1 inserting “if appropriations are provided by Con-
2 gress for such purpose”; and

3 (4) by adding at the end the following: “For
4 purposes of this Act, the term ‘State’ means the sev-
5 eral States, the District of Columbia, the common-
6 wealths, territories, and possessions of the United
7 States, and Indian tribes (as defined in section 4(e)
8 of the Indian Self-Determination and Education As-
9 sistance Act (25 U.S.C. 5304(e))).”.

10 (b) NO ADVERSE EFFECT ON PROCESSES.—In im-
11 plementing any provision of law that authorizes a non-
12 Federal interest to provide, advance, or contribute funds
13 to the Secretary for the development or implementation
14 of a water resources development project (including sec-
15 tions 203 and 204 of the Water Resources Development
16 Act of 1986 (33 U.S.C. 2231, 2232), section 5 of the Act
17 of June 22, 1936 (33 U.S.C. 701h), and the Act of Octo-
18 ber 15, 1940 (33 U.S.C. 701h–1)), the Secretary shall en-
19 sure, to the maximum extent practicable, that the use by
20 a non-Federal interest of such authorities does not ad-
21 versely affect—

22 (1) the process or timeline for development and
23 implementation of other water resources develop-
24 ment projects by other non-Federal entities that do
25 not use such authorities; or

1 (2) the process for including such projects in
 2 the President’s annual budget submission to Con-
 3 gress under section 1105(a) of title 31, United
 4 States Code.

5 (c) ADVANCES BY PRIVATE PARTIES; REPAYMENT.—
 6 Section 11 of the Act of March 3, 1925 (Chapter 467;
 7 33 U.S.C. 561) is repealed.

8 **SEC. 125. FUNDING TO PROCESS PERMITS.**

9 Section 214(a) of the Water Resources Development
 10 Act of 2000 (33 U.S.C. 2352(a)) is amended—

11 (1) by striking paragraph (3) and redesignating
 12 paragraphs (4) and (5) as paragraphs (3) and (4),
 13 respectively; and

14 (2) in paragraph (4), as so redesignated—

15 (A) by striking “4 years after the date of
 16 enactment of this paragraph” and inserting
 17 “December 31, 2022”; and

18 (B) by striking “carry out a study” and in-
 19 serting “carry out a followup study”.

20 **SEC. 126. STUDY ON ECONOMIC AND BUDGETARY ANAL-**
 21 **YSES.**

22 (a) IN GENERAL.—Not later than 180 days after the
 23 date of enactment of this Act, the Secretary shall enter
 24 into an agreement with the National Academy of Sciences
 25 to—

1 (1) carry out a study on the economic principles
2 and analytical methodologies currently used by or
3 applied to the Corps of Engineers to formulate,
4 evaluate, and budget for water resources develop-
5 ment projects; and

6 (2) make recommendations to Congress on po-
7 tential changes to such principles and methodologies
8 to improve transparency, return on Federal invest-
9 ment, cost savings, and prioritization, in the formu-
10 lation, evaluation, and budgeting of such projects.

11 (b) CONSIDERATIONS.—The study under subsection
12 (a) shall include—

13 (1) an analysis of the current economic prin-
14 ciples and analytical methodologies used by or ap-
15 plied to the Corps of Engineers in determining the
16 total benefits and total costs during the formulation
17 of, and plan selection for, a water resources develop-
18 ment project;

19 (2) an analysis of improvements or alternatives
20 to how the Corps of Engineers utilizes the National
21 Economic Development, Regional Economic Develop-
22 ment, Environmental Quality, and Other Social Ef-
23 fects accounts developed by the Institute for Water
24 Resources of the Corps of Engineers in the formula-
25 tion of, and plan selection for, such projects;

1 (3) an analysis of whether such principles and
2 methodologies fully account for all of the potential
3 benefits of project alternatives, including any reason-
4 ably associated benefits of such alternatives that are
5 not contrary to law, Federal policy, or sound water
6 resources management;

7 (4) an analysis of whether such principles and
8 methodologies fully account for all of the costs of
9 project alternatives, including potential societal
10 costs, such as lost ecosystem services, and full
11 lifecycle costs for such alternatives;

12 (5) an analysis of the methodologies utilized by
13 the Federal Government in setting and applying dis-
14 count rates for benefit-cost analyses used in the for-
15 mulation, evaluation, and budgeting of Corps of En-
16 gineers water resources development projects; and

17 (6) an analysis of whether or not the Army
18 Corps of Engineers—

19 (A) considers cumulative benefits of locally
20 developed projects, including Master Plans ap-
21 proved by the Corps; and

22 (B) uses the benefits referred to in sub-
23 paragraph (A) for purposes of benefit-cost anal-
24 ysis for project justification for potential
25 projects within such Master Plans.

1 (c) PUBLICATION.—The agreement entered into
2 under subsection (a) shall require the National Academy
3 of Sciences to, not later than 30 days after the completion
4 of the study—

5 (1) submit a report containing the results of
6 the study and the recommendations to the Com-
7 mittee on Environment and Public Works of the
8 Senate and the Committee on Transportation and
9 Infrastructure of the House of Representatives; and

10 (2) make a copy of such report available on a
11 publicly accessible website.

12 (d) SENSE OF CONGRESS ON BUDGETARY EVALUA-
13 TION METRICS AND TRANSPARENCY.—It is the sense of
14 Congress that the President, in the formulation of the an-
15 nual budget request for the U.S. Army Corps of Engineers
16 (Civil Works), should submit to Congress a budget that—

17 (1) aligns the assessment of the potential ben-
18 efit-cost ratio for budgeting water resources develop-
19 ment projects with that used by the Corps of Engi-
20 neers during project plan formulation and evaluation
21 pursuant to section 80 of the Water Resources De-
22 velopment Act of 1974 (42 U.S.C. 1962d–17); and

23 (2) demonstrates the transparent criteria and
24 metrics utilized by the President in the evaluation

1 and selection of water resources development
2 projects included in the budget request.

3 **SEC. 127. STUDY OF CORROSION MANAGEMENT AT CORPS**
4 **OF ENGINEERS PROJECTS.**

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

13 (b) REQUIREMENTS.—The study under subsection
14 (a) shall include—

15 (1) an analysis of—

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

24 (B) available corrosion prevention tech-
25 nologies that may be used at projects and prop-

1 erties under the control of the Corps of Engi-
2 neers;

3 (C) corrosion-related asset failures and the
4 management protocols of the Corps of Engi-
5 neers to incorporate lessons learned from such
6 failures into work and management practices;

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

12 (E) the estimated costs and anticipated
13 benefits, including safety benefits, associated
14 with the integration of corrosion management
15 efforts within the asset lifecycle; and

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

21 **SEC. 128. COSTS IN EXCESS OF FEDERAL PARTICIPATION**

22 **LIMIT.**

23 Section 14 of the Flood Control Act of 1946 (33
24 U.S.C. 701r) is amended by inserting “, and if such
25 amount is not sufficient to cover the costs included in the

1 Federal cost share for a project, as determined by the Sec-
2 retary, the non-Federal interest shall be responsible for
3 any such costs that exceed such amount” before the period
4 at the end.

5 **SEC. 129. REPORT ON INNOVATIVE MATERIALS.**

6 Not later than 1 year after the date of enactment
7 of this Act, the Secretary shall submit to Congress a re-
8 port that describes activities conducted by the Corps of
9 Engineers at centers of expertise, technology centers, tech-
10 nical centers, research and development centers, univer-
11 sities, and similar facilities and organizations relating to
12 the testing, research, development, identification, and rec-
13 ommended uses for innovative materials in water re-
14 sources development projects.

15 **SEC. 130. STUDY ON CORPS OF ENGINEERS.**

16 Not later than 180 days after the date of enactment
17 of this Act, the Comptroller General of the United States
18 shall submit to Congress a report that—

19 (1) describes the capacity and preparedness of
20 the Corps of Engineers workforce, including chal-
21 lenges related to diversity, recruitment, retention, re-
22 tirements, credentialing, professional development,
23 on-the-job training, and other readiness-related gaps
24 in ensuring a fully prepared 21st century Corps of
25 Engineers workforce;

1 (2) provides recommendations to improve the
2 capacity and preparedness of the Corps of Engineers
3 workforce;

4 (3) contains an assessment of the existing tech-
5 nology used by the Corps of Engineers, the effects
6 of inefficiencies in the Corps' current technology
7 usage, and recommendations for improved tech-
8 nology or tools to accomplish its missions and re-
9 sponsibilities; and

10 (4) describes how changes to the navigation in-
11 dustry workforce with which the Corps of Engineers
12 collaborates may affect safety and operations within
13 the navigation industry.

14 **SEC. 131. GAO STUDY.**

15 (a) IN GENERAL.—Not later than 2 years after the
16 date of enactment of this Act, the Comptroller General
17 of the United States shall submit to the Committee on
18 Environment and Public Works of the Senate and the
19 Committee on Transportation and Infrastructure of the
20 House of Representatives a study of the consideration by
21 the Corps of Engineers of natural features and nature-
22 based features in the study of the feasibility of projects
23 for flood risk management, hurricane and storm damage
24 reduction, and ecosystem restoration.

1 (b) CONSIDERATIONS.—The study under subsection

2 (a) shall include—

3 (1) a description of guidance or instructions
4 issued, and other measures taken, by the Secretary
5 and the Chief of Engineers to consider natural fea-
6 tures and nature-based features in project feasibility
7 studies;

8 (2) an assessment of the costs, benefits, im-
9 pacts, and trade-offs associated with natural fea-
10 tures and nature-based features recommended by the
11 Secretary for flood risk reduction, hurricane and
12 storm damage reduction (including trough bars,
13 coastal wetlands, and barrier coral reefs), and eco-
14 system restoration projects, and the effectiveness of
15 those natural features and nature-based features;

16 (3) a description of any statutory, fiscal, regu-
17 latory, or other policy barriers to the appropriate
18 consideration and use of a full array of natural fea-
19 tures and nature-based features; and

20 (4) any recommendations for changes to statu-
21 tory, fiscal, regulatory, or other policies to improve
22 the use of natural features and nature-based fea-
23 tures by the Corps of Engineers.

24 (c) DEFINITIONS.—In this section, the terms “nat-
25 ural feature” and “nature-based feature” have the mean-

1 ings given such terms in section 1184 of the Water Re-
2 sources Development Act of 2016 (33 U.S.C. 2289a).

3 **SEC. 132. GAO REPORT ON ALASKA NATIVE VILLAGE RELO-**
4 **CATION EFFORTS DUE TO FLOODING AND**
5 **EROSION THREATS.**

6 (a) DEFINITION OF ALASKA NATIVE VILLAGE.—In
7 this section, the term “Alaska Native village” means a Na-
8 tive village that has a Village Corporation (as those terms
9 are defined in section 3 of the Alaska Native Claims Set-
10 tlement Act (43 U.S.C. 1602)).

11 (b) REPORT.—The Comptroller General of the
12 United States shall submit to Congress a report on efforts
13 to relocate Alaska Native villages due to flooding and ero-
14 sion threats that updates the report of the Comptroller
15 General entitled “Alaska Native Villages: Limited
16 Progress Has Been Made on Relocating Villages Threat-
17 ened by Flooding and Erosion”, dated June 2009.

18 (c) INCLUSIONS.—The report under subsection (b)
19 shall include—

20 (1) a summary of flooding and erosion threats
21 to Alaska Native villages throughout the State of
22 Alaska, based on information from—

23 (A) the Corps of Engineers;

24 (B) the Denali Commission; and

1 (C) any other relevant sources of informa-
2 tion as the Comptroller General determines to
3 be appropriate;

4 (2) the status of efforts to relocate Alaska Na-
5 tive villages due to flooding and erosion threats; and

6 (3) any other issues relating to flooding and
7 erosion threats to, or relocation of, Alaska Native
8 villages, as the Comptroller General determines to be
9 appropriate.

10 **SEC. 133. STUDY AND REPORT ON EXPEDITING CERTAIN**
11 **WAIVER PROCESSES.**

12 Not later than 1 year after the date of enactment
13 of this Act, the Secretary shall complete and submit to
14 the Committee on Environment and Public Works of the
15 Senate and the Committee on Transportation and Infra-
16 structure of the House of Representatives a report based
17 on the results of a study on the best options available to
18 the Secretary to implement the waiver process for the non-
19 Federal cost share under section 116 of the Energy and
20 Water Development and Related Agencies Appropriations
21 Act, 2010 (Public Law 111–85; 123 Stat. 2851).

22 **SEC. 134. CORPS OF ENGINEERS CONTINUING AUTHORI-**
23 **TIES PROGRAM.**

24 Section 107 of the River and Harbor Act of 1960
25 (33 U.S.C. 577) is amended—

1 (1) in subsection (a), by striking
2 “\$50,000,000” and inserting “\$62,500,000”; and

3 (2) in subsection (b), by striking
4 “\$10,000,000” and inserting “\$12,500,000”.

5 **SEC. 135. CREDIT OR REIMBURSEMENT.**

6 Section 1022 of the Water Resources Reform and De-
7 velopment Act of 2014 (33 U.S.C. 2225) is amended to
8 read as follows:

9 **“SEC. 1022. CREDIT OR REIMBURSEMENT.**

10 “(a) REQUESTS FOR CREDITS.—With respect to an
11 authorized flood damage reduction project, or separable
12 element thereof, that has been constructed by a non-Fed-
13 eral interest under section 211 of the Water Resources
14 Development Act of 1996 (33 U.S.C. 701b–13), or an au-
15 thorized coastal navigation project that has been con-
16 structed by the Corps of Engineers pursuant to section
17 11 of the Act of March 3, 1925, before the date of enact-
18 ment of the Water Resources Development Act of 2018,
19 the Secretary may provide to the non-Federal interest, at
20 the request of the non-Federal interest, a credit in an
21 amount equal to the estimated Federal share of the cost
22 of the project or separable element, in lieu of providing
23 to the non-Federal interest a reimbursement in that
24 amount or reimbursement of funds of an equivalent
25 amount, subject to the availability of appropriations.

1 “(b) APPLICATION OF CREDITS.—At the request of
2 the non-Federal interest, the Secretary may apply such
3 credit to the share of the cost of the non-Federal interest
4 of carrying out other flood damage reduction and coastal
5 navigation projects or studies.

6 “(c) APPLICATION OF REIMBURSEMENT.—At the re-
7 quest of the non-Federal interest, the Secretary may apply
8 such funds, subject to the availability of appropriations,
9 equal to the share of the cost of the non-Federal interest
10 of carrying out other flood damage reduction and coastal
11 navigation projects or studies.”.

12 **SEC. 136. LAKE OKEECHOBEE REGULATION SCHEDULE RE-**
13 **VIEW.**

14 The Secretary, acting through the Chief of Engi-
15 neers, shall expedite completion of the Lake Okeechobee
16 regulation schedule to coincide with the completion of the
17 Herbert Hoover Dike project, and may consider all rel-
18 evant aspects of the Comprehensive Everglades Restora-
19 tion Plan described in section 601 of the Water Resources
20 Development Act of 2000 (114 Stat. 2680).

21 **SEC. 137. MISSOURI RIVER.**

22 (a) IRC REPORT.—Not later than 18 months after
23 the date of enactment of this Act, the Secretary shall sub-
24 mit to the Committee on Transportation and Infrastruc-
25 ture of the House of Representatives and the Committee

1 on Environment and Public Works of the Senate a report
2 regarding the impacts of interception-rearing complex con-
3 struction on the navigation, flood control, and other au-
4 thorized purposes set forth in the Missouri River Master
5 Manual, and on the population recovery of the pallid stur-
6 geon.

7 (b) NO ADDITIONAL IRC CONSTRUCTION.—Until the
8 report under subsection (a) is submitted, no additional
9 interception-rearing complex construction is authorized.

10 **SEC. 138. ACCESS TO REAL ESTATE DATA.**

11 (a) IN GENERAL.—As soon as is practicable, using
12 available funds, the Secretary shall make publicly avail-
13 able, including on a publicly accessible website, informa-
14 tion relating to all real property with respect to which the
15 Corps of Engineers holds an interest. In making such in-
16 formation publicly available, the Secretary shall, to the
17 maximum extent practicable, endeavor to provide such in-
18 formation to all adjoining residential stakeholders of real
19 property to which the Army Corps of Engineers holds an
20 interest therein. The information shall include standard-
21 ized real estate plat descriptions and geospatial informa-
22 tion.

23 (b) LIMITATION.—Nothing in this section may be
24 construed to compel or authorize the disclosure of data
25 or other information determined by the Secretary to be

1 confidential, privileged, national security, or personal in-
2 formation, or information the disclosure of which is other-
3 wise prohibited by law.

4 **SEC. 139. AQUATIC INVASIVE SPECIES RESEARCH.**

5 (a) IN GENERAL.—As part of the ongoing activities
6 of the Engineer Research and Development Center to ad-
7 dress the spread and impacts of aquatic invasive species,
8 the Secretary shall undertake research on the manage-
9 ment and eradication of aquatic invasive species, including
10 Asian carp and zebra mussels.

11 (b) LOCATIONS.—In carrying out subsection (a), the
12 Secretary shall work with Corps of Engineers district of-
13 fices representing diverse geographical regions of the con-
14 tinental United States that are impacted by aquatic
15 invasive species, such as the Atlantic, Pacific, and Gulf
16 coasts and the Great Lakes.

17 (c) REPORT.—Not later than 180 days after the date
18 of enactment of this section, the Secretary shall submit
19 to the Committee on Transportation and Infrastructure
20 of the House of Representatives and the Committee on
21 Environment and Public Works of the Senate a report rec-
22 ommending a plan to address the spread and impacts of
23 aquatic invasive species.

1 **SEC. 140. HARMFUL ALGAL BLOOM TECHNOLOGY DEM-**
2 **ONSTRATION.**

3 (a) IN GENERAL.—The Secretary, acting through the
4 Engineer Research and Development Center of the Chief
5 of Engineers, shall implement a 5-year harmful algal
6 bloom technology development demonstration under the
7 Aquatic Nuisance Research Program. To the extent prac-
8 ticable, the Corps of Engineers shall support research that
9 will identify and develop improved strategies for early de-
10 tection, prevention, and management techniques and pro-
11 cedures to reduce the occurrence and effects of harmful
12 algal blooms in the Nation’s water resources.

13 (b) SCALABILITY REQUIREMENT.—The Secretary
14 shall ensure that technologies identified, tested, and de-
15 ployed under the harmful algal bloom program technology
16 development demonstration have the ability to scale up to
17 meet the needs of harmful-algal-bloom-related events.

18 **SEC. 141. BUBBLY CREEK, CHICAGO ECOSYSTEM RESTORA-**
19 **TION.**

20 The Secretary shall enter into a memorandum of un-
21 derstanding with the Administrator of the Environmental
22 Protection Agency to facilitate ecosystem restoration ac-
23 tivities at the South Fork of the South Branch of the Chi-
24 cago River (commonly known as Bubbly Creek).

1 **SEC. 142. OPERATION AND MAINTENANCE OF NAVIGATION**
2 **AND HYDROELECTRIC FACILITIES.**

3 (a) IN GENERAL.—Section 314 of the Water Re-
4 sources Development Act of 1990 (33 U.S.C. 2321) is
5 amended—

6 (1) in the heading by inserting “**NAVIGATION**
7 **AND**” before “**HYDROELECTRIC FACILITIES**”;

8 (2) in the first sentence, by striking “Activities
9 currently performed” and inserting the following:
10 “(a) IN GENERAL.—Activities currently performed”;

11 (3) in subsection (a) (as designated by para-
12 graph (2)), by inserting “navigation or” before “hy-
13 droelectric”;

14 (4) in the second sentence, by striking “This
15 section” and inserting the following:

16 “(b) MAJOR MAINTENANCE CONTRACTS AL-
17 LOWED.—This section”; and

18 (5) by adding at the end the following:

19 “(c) EXCLUSION.—This section does not—

20 “(1) apply to a navigation facility that was
21 under contract on or before the date of enactment
22 of this subsection with a non-Federal interest to per-
23 form operations or maintenance; and

24 “(2) prohibit the Secretary from contracting
25 out commercial activities after the date of enactment
26 of this subsection at a navigation facility.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 contained in section 1(b) of the Water Resources Develop-
3 ment Act of 1990 (104 Stat. 4604) is amended by striking
4 the item relating to section 314 and inserting the fol-
5 lowing:

“Sec. 314. Operation and maintenance of navigation and hydroelectric facili-
ties.”.

6 **SEC. 143. HURRICANE AND STORM DAMAGE REDUCTION.**

7 Section 156 of the Water Resources Development Act
8 of 1976 (42 U.S.C. 1962d–5f) is amended in subsection
9 (b)—

10 (1) by striking “Notwithstanding” and insert-
11 ing the following:

12 “(1) IN GENERAL.—Notwithstanding”; and

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

14 “(2) TIMING.—The 15 additional years under
15 paragraph (1) shall begin on the date of initiation
16 of construction of congressionally authorized nour-
17 ishment.”.

18 **SEC. 144. POST-DISASTER WATERSHED ASSESSMENTS IN**
19 **THE TERRITORIES OF THE UNITED STATES.**

20 Section 3025 of the Water Resources Reform and De-
21 velopment Act of 2014 (33 U.S.C. 2267b) is amended by
22 adding at the end the following:

23 “(e) ASSESSMENTS IN THE TERRITORIES OF THE
24 UNITED STATES.—

1 “(1) IN GENERAL.—For any major disaster de-
2 clared in the territories of the United States before
3 the date of enactment of this subsection, all activi-
4 ties in the territory carried out or undertaken pursu-
5 ant to the authorities described under this section
6 shall be conducted at full Federal expense unless the
7 President determines that the territory has the abil-
8 ity to pay the cost share for an assessment under
9 this section without the use of non-Federal funds or
10 loans.

11 “(2) TERRITORIES DEFINED.—In this sub-
12 section, the term ‘territories of the United States’
13 means those insular areas specified in section
14 1156(a)(1) of the Water Resources Development Act
15 of 1986 (33 U.S.C. 2310(a)(1)).”.

16 **SEC. 145. OLD RIVER CONTROL STRUCTURE, LOUISIANA.**

17 (a) IN GENERAL.—Not later than 180 days after the
18 date of enactment of this Act, the Secretary shall submit
19 to the Committee on Transportation and Infrastructure
20 of the House of Representatives and the Committee on
21 Environment and Public Works of the Senate a report on
22 the structure and operations plan for the Old River control
23 structure authorized by the Flood Control Act of 1954 (68
24 Stat. 1258) based on the best available science, improved

1 monitoring capabilities, and other factors as determined
2 by the Secretary, including consideration of—

- 3 (1) flood control;
- 4 (2) navigational conditions;
- 5 (3) water supply; and
- 6 (4) ecosystem restoration and ecological produc-
7 tivity.

8 (b) PUBLIC PARTICIPATION.—In developing the re-
9 port required by subsection (a), the Secretary shall provide
10 opportunity for public input and stakeholder engagement,
11 including public meetings.

12 **SEC. 146. DREDGE PILOT PROGRAM.**

13 (a) IN GENERAL.—The Secretary is authorized to
14 carry out a pilot program to award contracts with a dura-
15 tion of up to five years for the operation and maintenance
16 of harbors and inland harbors referred to in section
17 210(a)(2) of the Water Resources Development Act of
18 1986 (33 U.S.C. 2238(a)(2)).

19 (b) SCOPE.—In carrying out the pilot program under
20 subsection (a), the Secretary may award a contract de-
21 scribed in such subsection, which may address one or more
22 harbors or inland harbors in a geographical region, if the
23 Secretary determines that the contract provides cost sav-
24 ings compared to the awarding of such work on an annual
25 basis.

1 (c) REPORT TO CONGRESS.—Not later than one year
2 after the date on which the first contract is awarded pur-
3 suant to the pilot program carried out under subsection
4 (a), the Secretary shall submit to Congress a report evalu-
5 ating, with respect to the pilot program and any contracts
6 awarded under the pilot program—

7 (1) cost effectiveness;

8 (2) reliability and performance;

9 (3) cost savings attributable to mobilization and
10 demobilization of dredge equipment; and

11 (4) response times to address navigational im-
12 pediments.

13 (d) SUNSET.—The authority of the Secretary to enter
14 into contracts pursuant to the pilot program carried out
15 under subsection (a) shall expire on the date that is 10
16 years after the date of enactment of this Act.

17 **SEC. 147. DISPOSITION OF PROJECTS.**

18 (a) IN GENERAL.—In carrying out a disposition
19 study for a project of the Corps of Engineers, or a sepa-
20 rable element of such a project, including a disposition
21 study under section 216 of the Flood Control Act of 1970
22 (33 U.S.C. 549a), the Secretary shall consider modifica-
23 tions that would improve the overall quality of the environ-
24 ment in the public interest, including removal of the
25 project or separable element of a project.

1 (b) DISPOSITION STUDY TRANSPARENCY.—The Sec-
2 retary shall carry out disposition studies described in sub-
3 section (a) in a transparent manner, including by—

- 4 (1) providing opportunities for public input; and
- 5 (2) publishing the final disposition studies.

6 (c) REMOVAL OF INFRASTRUCTURE.—For disposition
7 studies described in subsection (a) in which the Secretary
8 determines that a Federal interest no longer exists, and
9 makes a recommendation of removal of the project or sep-
10 arable element of a project, the Secretary is authorized
11 to pursue removal of the project or separable element of
12 a project using—

- 13 (1) existing authorities, as considered appro-
14 priate by the Secretary; or
- 15 (2) partnerships with other Federal agencies
16 and non-Federal entities with appropriate capabili-
17 ties to undertake infrastructure removal.

18 **SEC. 148. SENSE OF CONGRESS.**

19 It is the sense of Congress that the construction of
20 a new lock at the Soo Locks at Sault Ste. Marie, Michi-
21 gan, is vital to our national economy, national security,
22 and national need for new critical infrastructure.

23 **SEC. 149. COMMUNITY ENGAGEMENT.**

24 (a) IN GENERAL.—The Corps of Engineers shall
25 make efforts—

1 (1) as part of the mission of the Corps, to identify and address with respect to covered communities
2 any disproportionate and adverse health or environmental effects of the Corps' programs, policies, practices, and activities;

3 (2) to promote the meaningful involvement of communities of color in the Corps' project development and implementation, enforcement efforts, and other activities;

4 (3) to provide guidance and technical assistance to covered communities to increase understanding of the Corps' project planning and management activities, regulations, and policies; and

5 (4) to cooperate with State, Tribal, and local governments with respect to activities carried out pursuant to this subsection.

6 (b) DEFINITIONS.—In this section, the following definitions apply:

7 (1) COMMUNITY OF COLOR.—The term “community of color” means a community of individuals who are—

8 (A) American Indian or Alaska Native;

9 (B) Asian or Pacific Islander;

10 (C) Black, not of Hispanic origin; or

11 (D) Hispanic.

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

3 (A) A community of color.

4 (B) A low-income community.

5 (C) A rural community.

6 (D) A Tribal and indigenous community.

7 **SEC. 150. OPERATION AND MAINTENANCE OF EXISTING IN-**
8 **FRASTRUCTURE.**

9 The Secretary of the Army shall prioritize the oper-
10 ation and maintenance of existing infrastructure, improve
11 its reliability, and, as necessary, improve its resilience to
12 cyber-related threats.

13 **SEC. 151. CLARIFICATION FOR INTEGRAL DETERMINATION.**

14 (a) WRDA 2000.—Section 601(e)(5)(B) of the
15 Water Resources Development Act of 2000 (Public Law
16 106–541) is amended to read as follows:

17 “(B) WORK.—The Secretary may provide
18 credit, including in-kind credit, toward the non-
19 Federal share for the reasonable cost of any
20 work performed in connection with a study,
21 preconstruction engineering and design, or con-
22 struction that is necessary for the implementa-
23 tion of the Plan if—

24 “(i)(I) the credit is provided for work
25 completed during the period of design, as

1 defined in a design agreement between the
2 Secretary and the non-Federal sponsor;

3 “(II) the credit is provided for work
4 completed during the period of construc-
5 tion, as defined in a project cooperation
6 agreement for an authorized project be-
7 tween the Secretary and the non-Federal
8 sponsor;

9 “(III) the credit is provided for work
10 carried out before the date of the partner-
11 ship agreement between the Secretary and
12 the non-Federal sponsor, as defined in an
13 agreement between the Secretary and the
14 non-Federal sponsor providing for such
15 credit; or

16 “(IV) the credit is provided for work
17 carried out by the non-Federal sponsor in
18 the implementation of an authorized
19 project implementation report, and such
20 work was defined in an agreement between
21 the Secretary and the non-Federal sponsor
22 prior to the execution of such work;

23 “(ii) the agreement prescribes the
24 terms and conditions of the credit, includ-
25 ing in the case of credit provided under

1 clause (i)(iii) conditions relating to design
2 and construction; and

3 “(iii) the Secretary determines that
4 the work performed by the non-Federal
5 sponsor is integral to the project.”.

6 (b) **TIMING.**—Section 601(e)(5) of the Act referred
7 to in subsection (a) is further amended by inserting after
8 subparagraph (B) the following (and redesignating any
9 subparagraphs accordingly):

10 “(C) **TIMING.**—In any case in which the
11 Secretary approves credit under subparagraph
12 (B), in writing or by electronic agreement with
13 the non-Federal sponsor, the Secretary shall
14 provide such credit for work completed during
15 the period of construction under an agreement
16 that prescribes the terms and conditions for the
17 in-kind contributions not expressly defined.”.

18 **SEC. 152. COST SHARE PAYMENT FOR CERTAIN PROJECTS.**

19 Not later than September 30 of the first fiscal year
20 following the date of enactment of this Act, the Secretary
21 shall pay the outstanding balance of the Federal cost
22 share for any project carried out under section 593 of the
23 Water Resources Development Act of 1999 (113 Stat.
24 380).

1 **SEC. 153. LOCKS ON ALLEGHENY RIVER.**

2 The Corps of Engineers may consider, in making
3 funding determinations with respect to the operation and
4 maintenance of locks on the Allegheny River—

5 (1) recreational boat traffic levels; and

6 (2) related economic benefits.

7 **SEC. 154. ASSISTANCE RELATING TO WATER SUPPLY.**

8 The Secretary may provide assistance to municipali-
9 ties the water supply of which is adversely affected by con-
10 struction carried out by the Corps of Engineers.

11 **SEC. 155. NOISE POLLUTION ABATEMENT AND MITIGATION.**

12 Not later than 180 days after the date of enactment
13 of this section, the Secretary shall submit to Congress a
14 report on the potential opportunity for integrating noise
15 abatement and noise mitigation technologies and practices
16 into improvements and operations in harbors and inland
17 harbors.

18 **SEC. 156. PROPERTY ACQUISITION.**

19 (a) IN GENERAL.—In requiring or acquiring an inter-
20 est in land, the Secretary shall, in accordance with the
21 Uniform Relocation Assistance and Real Property Acquisi-
22 tion Policies Act of 1970, prefer the minimum interest in
23 real property necessary to support a project or action.

24 (b) DETERMINATION.—In determining the proper in-
25 terest in land under subsection (a), the Secretary shall
26 first consider a temporary easement estate or other inter-

1 est designed to reduce the overall cost, reduce the time,
2 and minimize conflict with property owners related to such
3 action or project.

4 (c) PROCEDURES USED IN STATE.—The Secretary
5 shall consider and attempt to replicate, to the maximum
6 extent practicable and consistent with Federal laws, the
7 procedures that a State has used to acquire interests in
8 land, provided that such procedures are generally con-
9 sistent with the goals of a project or action.

10 **SEC. 157. SENSE OF CONGRESS ON NAVIGATION SAFETY.**

11 It is the sense of Congress that—

12 (1) high use Federal navigation projects, in-
13 cluding those with numerous deep draft vessel calls
14 per year, should ensure safe 2-way traffic by design
15 vessels recommended by authorized navigation stud-
16 ies; and

17 (2) the Secretary should consider the benefits of
18 the safety modification or improvement to commer-
19 cial navigation in evaluating such modifications or
20 improvements.

21 **SEC. 158. COST AND BENEFIT FEASIBILITY ASSESSMENT.**

22 (a) COST BENEFIT AND SPECIAL CONDITIONS.—Sec-
23 tion 5(a) of the Act of August 18, 1941 (55 Stat. 650,
24 chapter 377; 33 U.S.C. 701n(a)), as amended by this Act,

1 is further amended by striking paragraph (2) and insert-
2 ing the following:

3 “(2) COST AND BENEFIT FEASIBILITY ASSESS-
4 MENT.—

5 “(A) CONSIDERATION OF BENEFITS.—In
6 preparing a cost and benefit feasibility assess-
7 ment for any emergency project described in
8 paragraph (1), the Chief of Engineers shall con-
9 sider the benefits to be gained by such project
10 for the protection of—

11 “(i) residential establishments;

12 “(ii) commercial establishments, in-
13 cluding the protection of inventory; and

14 “(iii) agricultural establishments, in-
15 cluding the protection of crops.

16 “(B) SPECIAL CONDITIONS.—

17 “(i) The Chief of Engineers may carry
18 out repair or restoration work described in
19 paragraph (1) that does not produce bene-
20 fits greater than cost, if the non-Federal
21 sponsor agrees to pay, or contribute to, an
22 amount sufficient to make the remaining
23 costs of the project equal to the estimated
24 value of the benefits of the repair or res-
25 toration work and the Secretary deter-

1 mines the damage to the structure was not
2 as a result of negligent operation and
3 maintenance, and that repair of the project
4 could benefit other Corps project missions.

5 “(ii) Non-Federal payments pursuant
6 to clause (i) shall be in addition to any
7 non-Federal payments required by the
8 Chief of Engineers which are applicable to
9 the remaining costs of the repair or res-
10 toration work.”.

11 (b) CONTINUED ELIGIBILITY.—Notwithstanding a
12 non-Federal flood control work’s status in the Rehabilita-
13 tion and Inspection Program, any unconstructed emer-
14 gency project for the non-Federal flood control work that
15 was formulated during the three fiscal years preceding the
16 fiscal year in which this Act was enacted but that was
17 determined to not produce benefits greater than costs shall
18 remain eligible for assistance under Section 5 of the Act
19 of August 18, 1941 (55 Stat. 650, chapter 377; 33 U.S.C.
20 701n) until the last day of the third fiscal year following
21 the fiscal year in which this Act was enacted if the non-
22 Federal sponsor agrees, in accordance with section 5 as
23 amended by subsection (a) of this section, to pay, or pro-
24 vide contributions equal to, an amount sufficient to make
25 the remaining costs of the project equal to the estimated

1 value of the benefits of the repair or restoration work and
2 the Secretary determines the damage to the structure was
3 not as a result of negligent operation and maintenance,
4 and that repair of the project could benefit other Corps
5 project missions.

6 **SEC. 159. STUDY ON STORMWATER RUNOFF REQUIRE-**
7 **MENTS.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of enactment of this Act, the Comptroller General
10 of the United States shall submit to the Committee on
11 Environment and Public Works of the Senate and the
12 Committee on Transportation and Infrastructure of the
13 House of Representatives a study on the compliance of
14 projects and properties constructed or renovated by the
15 Corps of Engineers with stormwater runoff requirements.

16 (b) REQUIREMENTS.—The study under subsection
17 (a) shall include an analysis of—

18 (1) the extent to which the Corps of Engineers
19 has complied with section 439 of the Energy Inde-
20 pendence and Security Act of 2007 (42 U.S.C.
21 17094) for projects and properties constructed or
22 renovated since February 1, 2010;

23 (2) the feasibility of the Corps of Engineers to
24 meet the requirement to restore the predevelopment
25 hydrology of properties under the “maximum extent

1 technically feasible” standard created under the En-
2 ergy Independence and Security Act of 2007;

3 (3) potential changes to the Corps of Engi-
4 neers’ budgeting, planning, design, construction, and
5 maintenance strategies that could increase the agen-
6 cy’s ability to meet the requirement described in
7 paragraph (2);

8 (4) potential changes to the guidance described
9 in the Technical Guidance on Implementing the
10 Stormwater Runoff Requirements for Federal
11 Projects under section 438 of the Energy Independ-
12 ence and Security Act, issued by the Environmental
13 Protection Agency and dated December 2009, that
14 could increase the Corps of Engineers’ ability to
15 meet the requirement described in paragraph (2).

16 **SEC. 160. SENSE OF CONGRESS RELATING TO PUERTO**
17 **RICO.**

18 (a) WATER RESOURCE PROJECTS IN PUERTO
19 RICO.—It is the sense of Congress that the Corps of Engi-
20 neers should proceed with a sense of urgency, and viewing
21 requirements in the most favorable light, in evaluating and
22 programming the actions to be taken to complete current
23 phases, initiate pending phases, and prepare the reports
24 necessary to proceed with the water resources projects
25 necessary for flood control, dam repair, beach erosion con-

1 trol, and harbor navigation improvement in Puerto Rico,
2 as well as for repair and mitigation required by hurricane
3 and severe weather event damages that occurred between
4 September 2017 and March 2018.

5 (b) CAÑO MARTIN PEÑA ECOSYSTEM RESTORATION
6 PROJECT.—It is the sense of Congress that the Secretary
7 should advance the project for ecosystem restoration,
8 Caño Martín Peña, San Juan, Puerto Rico.

9 **SEC. 161. DREDGED MATERIAL MANAGEMENT PLANS.**

10 (a) IN GENERAL.—For purposes of dredged material
11 management plans initiated in or after fiscal year 2018,
12 the Secretary shall expedite the dredged material manage-
13 ment plan process in order that studies make maximum
14 use of existing information, studies, and innovative
15 dredged material management practices, and avoid any re-
16 dundant information collection and studies.

17 (b) REPORT.—Not later than 60 days after the date
18 of enactment of this Act, the Secretary shall submit to
19 Congress a report on how the Corps of Engineers intends
20 to meet the requirements of subsection (a).

1 **SEC. 162. FEASIBILITY OF CHICAGO SANITARY AND SHIP**
2 **CANAL DISPERSAL BARRIERS PROJECT, ILLI-**
3 **NOIS.**

4 Section 3061(d) of the Water Resources Development
5 Act of 2007 (Public Law 110–114; 121 Stat. 1121) is
6 amended—

7 (1) by striking “The Secretary” and inserting
8 the following:

9 “(1) IN GENERAL.—The Secretary”; and

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

11 “(2) OPERATION AND MAINTENANCE.—Oper-
12 ation and maintenance of any project authorized to
13 be carried out pursuant to the feasibility study iden-
14 tified in paragraph (1) shall be carried out at 80
15 percent Federal expense and 20 percent non-Federal
16 expense.

17 “(3) CONSULTATION.—After construction of
18 any project authorized to be carried out pursuant to
19 the feasibility study identified in paragraph (1), the
20 Secretary shall consult with the Governor of the
21 State in which the project is constructed and seek
22 Congressional authority to construct any new tech-
23 nologies not included in the Chief’s Report.”.

1 **SEC. 163. SENSE OF CONGRESS ENCOURAGING NON-FED-**
2 **ERAL DREDGED MATERIAL PLACEMENT**
3 **SPONSORS.**

4 It is the sense of Congress that—

5 (1) when a State or subdivision of a State, indi-
6 vidually or in partnership with a private partner, de-
7 velops a reasonable alternative to the Federal stand-
8 ard for dredged material disposal facilities that
9 meets relevant Federal environmental and dredged
10 material placement and disposal requirements in co-
11 ordination with a Corps of Engineers' District Of-
12 fice, it should receive preferred consideration by the
13 Secretary; and

14 (2) the Secretary is encouraged to consider en-
15 tering into agreements with non-Federal sponsors
16 for the acquisition, design, construction, manage-
17 ment, or operation and maintenance of dredged ma-
18 terial disposal facilities, including port facilities,
19 through section 217 of the Water Resources Devel-
20 opment Act of 1996.

21 **SEC. 164. PROJECT COMPLETION FOR DISASTER AREAS.**

22 The Secretary shall carry out expeditiously projects
23 already authorized by the Army Corps of Engineers to re-
24 duce the risk of future floods and hurricanes in Texas,
25 Florida, Georgia, Louisiana, South Carolina, Puerto Rico,
26 and the United States Virgin Islands.

1 **SEC. 165. INCLUSION OF PROJECT OR FACILITY IN CORPS**
2 **OF ENGINEERS WORKPLAN.**

3 Any project or facility of the Corps of Engineers
4 studied for disposition for which a final report by the Di-
5 rector of Civil Works has been completed shall, to the
6 maximum extent practicable, be included in the future
7 workplan of the Corps.

8 **SEC. 166. MISSISSIPPI RIVER AND TRIBUTARIES PROJECT.**

9 (a) IN GENERAL.—After any flood event requiring
10 operation or activation of any floodway or backwater fea-
11 ture within the Mississippi River and Tributaries Project
12 through natural overtopping of a Federal levee or artificial
13 crevassing of a Federal levee to relieve pressure on the
14 levees elsewhere in the system, the Secretary shall expedi-
15 tiously reset and restore the damaged floodway's levees.

16 (b) MISSISSIPPI RIVER AND TRIBUTARIES
17 PROJECT.—The term “Mississippi River and Tributaries
18 Project” means the Mississippi River and Tributaries
19 project authorized by the Act of May 15, 1928 (Chap.
20 569; 45 Stat. 534).

21 **SEC. 167. MAINTENANCE OF HIGH RISK FLOOD CONTROL**
22 **PROJECTS.**

23 (a) ASSESSMENT.—With respect to each project clas-
24 sified as class III under the Dam Safety Action Classifica-
25 tion of the Corps of Engineers for which the Secretary

1 has assumed responsibility for maintenance, as of the date
2 of enactment of this Act, the Secretary shall assess—

3 (1) the anticipated effects of the Secretary con-
4 tinuing to be responsible for the maintenance of the
5 project during the period that ends 15 years after
6 the date of enactment of this Act, including the ben-
7 efits to the State and local community; and

8 (2) the anticipated effects of the Secretary not
9 continuing to be responsible for the maintenance of
10 the project during such 15-year period, including the
11 costs to the State and local community.

12 (b) REPORT.—Not later than 90 days after comple-
13 tion of the assessment under subsection (a), the Secretary
14 shall submit a report summarizing the results of the as-
15 sessment to the Committee on Transportation and Infra-
16 structure of the House of Representatives and the Com-
17 mittee on Environment and Public Works of the Senate.

18 **SEC. 168. CONTRIBUTED FUNDS FOR NON-FEDERAL RES-**
19 **ERVOIR OPERATIONS.**

20 Section 5 of the Act of June 22, 1936 (49 Stat. 1572,
21 chapter 688; 33 U.S.C. 701h), is amended by inserting
22 after “authorized purposes of the project:” the following:
23 “*Provided further*, That the Secretary is authorized to re-
24 ceive and expend funds, subject to the availability of ap-
25 propriations, from an owner of a non-Federal reservoir to

1 formulate, review, or revise operational documents for any
 2 non-Federal reservoir for which the Secretary is author-
 3 ized to prescribe regulations for the use of storage allo-
 4 cated for flood risk management or navigation pursuant
 5 to section 7 of the Act of December 22, 1944 (58 Stat.
 6 890, chapter 665; 33 U.S.C. 709):”.

7 **SEC. 169. CORPS OF ENGINEERS CONTINUING AUTHORI-**
 8 **TIES PROGRAM.**

9 Section 3(c) of the Act of August 13, 1946 (60 Stat.
 10 1056, chapter 960; 33 U.S.C. 426g(c)) is amended—

11 (1) in paragraph (1), by striking
 12 “\$30,000,000” and inserting “\$45,000,000”; and

13 (2) in paragraph (2)(B), by striking
 14 “\$10,000,000” and inserting “\$15,000,000”.

15 **TITLE II—STUDIES**

16 **SEC. 201. AUTHORIZATION OF PROPOSED FEASIBILITY**
 17 **STUDIES.**

18 The Secretary is authorized to conduct a feasibility
 19 study for the following projects for water resources devel-
 20 opment and conservation and other purposes, as identified
 21 in the reports titled “Report to Congress on Future Water
 22 Resources Development” submitted to Congress on March
 23 17, 2017, and February 5, 2018, respectively, pursuant
 24 to section 7001 of the Water Resources Reform and Devel-

1 opment Act of 2014 (33 U.S.C. 2282d) or otherwise re-
2 viewed by Congress:

3 (1) CAVE BUTTES DAM, ARIZONA.—Project for
4 flood risk management, Phoenix, Arizona.

5 (2) SAN DIEGO RIVER, CALIFORNIA.—Project
6 for flood risk management, navigation, and eco-
7 system restoration, San Diego, California.

8 (3) J. BENNETT JOHNSTON WATERWAY, LOU-
9 ISIANA.—Project for navigation, J. Bennett John-
10 ston Waterway, Louisiana.

11 (4) NORTHSHORE, LOUISIANA.—Project for
12 flood risk management, St. Tammany Parish, Lou-
13 isiana.

14 (5) OUACHITA-BLACK RIVERS, LOUISIANA.—
15 Project for navigation, Little River, Louisiana.

16 (6) CHAUTAUQUA LAKE, NEW YORK.—Project
17 for ecosystem restoration and flood risk manage-
18 ment, Chautauqua, New York.

19 (7) TRINITY RIVER AND TRIBUTARIES,
20 TEXAS.—Project for navigation, Liberty, Texas.

21 (8) WEST CELL LEVEE, TEXAS.—Project for
22 flood risk management, Irving, Texas.

23 (9) COASTAL VIRGINIA, VIRGINIA.—Project for
24 flood risk management, ecosystem restoration, and
25 navigation, Coastal Virginia.

1 (10) TANGIER ISLAND, VIRGINIA.—Project for
2 flood risk management and ecosystem restoration,
3 Tangier Island, Virginia.

4 **SEC. 202. ADDITIONAL STUDIES.**

5 (a) LOWER MISSISSIPPI RIVER; MISSOURI, KEN-
6 TUCKY, TENNESSEE, ARKANSAS, MISSISSIPPI, AND LOU-
7 ISIANA.—

8 (1) IN GENERAL.—The Secretary is authorized
9 to carry out studies to determine the feasibility of
10 habitat restoration for each of the eight reaches
11 identified as priorities in the report prepared by the
12 Secretary pursuant to section 402 of the Water Re-
13 sources Development Act of 2000, titled “Lower
14 Mississippi River Resource Assessment; Final As-
15 sessment In Response to Section 402 of WRDA
16 2000” and dated July 2015.

17 (2) CONSULTATION.—The Secretary shall con-
18 sult with the Lower Mississippi River Conservation
19 Committee during each feasibility study carried out
20 under paragraph (1).

21 (b) ST. LOUIS RIVERFRONT, MERAMEC RIVER
22 BASIN, MISSOURI AND ILLINOIS.—

23 (1) IN GENERAL.—The Secretary is authorized
24 to carry out studies to determine the feasibility of a
25 project for ecosystem restoration and flood risk man-

1 agement in Madison, St. Clair, and Monroe Coun-
2 ties, Illinois, St. Louis City, and St. Louis, Jeffer-
3 son, Franklin, Gasconade, Maries, Phelps, Crawford,
4 Dent, Washington, Iron, St. Francois, St. Genevieve,
5 Osage, Reynolds, and Texas Counties, Missouri.

6 (2) CONTINUATION OF EXISTING STUDY.—Any
7 study carried out under paragraph (1) shall be con-
8 sidered a continuation of the study being carried out
9 under Committee Resolution 2642 of the Committee
10 on Transportation and Infrastructure of the House
11 of Representatives, adopted June 21, 2000.

12 **SEC. 203. EXPEDITED COMPLETION OF REPORTS FOR CER-**
13 **TAIN PROJECTS.**

14 (a) FEASIBILITY REPORTS.—The Secretary shall ex-
15 pedite the completion of a feasibility study for each of the
16 following projects, and if the Secretary determines that
17 the project is justified in a completed report, may proceed
18 directly to preconstruction planning, engineering, and de-
19 sign of the project:

20 (1) Project for riverbank stabilization, Selma,
21 Alabama.

22 (2) Project for ecosystem restoration, Three
23 Mile Creek, Alabama.

24 (3) Project for navigation, Nome, Alaska.

25 (4) Project for flood diversion, Seward, Alaska.

1 (5) Project for navigation, Three Rivers, Arkan-
2 sas.

3 (6) Project for flood control, water conserva-
4 tion, and related purposes, Coyote Valley Dam, Cali-
5 fornia.

6 (7) Project for flood risk management, Lower
7 Cache Creek, California.

8 (8) Project for flood risk management, Lower
9 San Joaquin River, California, as described in sec-
10 tion 1322(b)(2)(F) of the Water Resources Develop-
11 ment Act of 2016 (130 Stat. 1707) (second phase
12 of feasibility study).

13 (9) Project for flood risk management, South
14 San Francisco, California.

15 (10) Project for flood risk management and
16 ecosystem restoration, Tijuana River, California.

17 (11) Project for flood risk management in East
18 Hartford, Connecticut.

19 (12) Project for flood risk management in
20 Hartford, Connecticut.

21 (13) Projects under the Comprehensive Flood
22 Mitigation Study for the Delaware River Basin.

23 (14) Project for ecosystem restoration, Lake
24 Apopka, Florida.

1 (15) Project for ecosystem restoration, Kansas
2 River Weir, Kansas.

3 (16) Project for water resource improvements,
4 Willamette River Basin, Fern Ridge, Oregon.

5 (17) Project for navigation, San Juan Harbor,
6 Puerto Rico.

7 (18) Project for ecosystem restoration, Resacas
8 at Brownsville, Texas.

9 (19) Project for navigation, Norfolk Harbor,
10 Virginia.

11 (20) Project for coastal storm risk manage-
12 ment, Norfolk, Virginia.

13 (21) Project for navigation, Tacoma Harbor,
14 Washington.

15 (22) Project for flood damage reduction, West-
16 minster-East Garden Grove, California.

17 (23) Project for hurricane and storm damage
18 risk reduction and ecosystem restoration, Southwest
19 Coastal Louisiana, Louisiana, authorized by section
20 1401(8) of the Water Resources Development Act of
21 2016 (130 Stat. 1715).

22 (24) Project for navigation and channel deep-
23 ening, Baptiste Collette Bayou, Louisiana, under
24 section 203 of the Water Resources Development
25 Act of 1986 (33 U.S.C. 2231).

1 (25) Project for navigation and channel deep-
2 ening, Houma Navigation Canal, Louisiana, under
3 section 203 of the Water Resources Development
4 Act of 1986 (33 U.S.C. 2231).

5 (26) Project for navigation and channel deep-
6 ening, Bayou Lafourche, Louisiana, under section
7 203 of the Water Resources Development Act of
8 1986 (33 U.S.C. 2231).

9 (27) Projects under the Great Lakes Mis-
10 sissippi River Interbasin Study Brandon Road
11 Study.

12 (28) Project for ecosystem restoration, Warren
13 Glen Dam Removal, Musconetcong River, New Jer-
14 sey.

15 (29) Project for flood control and water supply,
16 Abiquiu Dam, New Mexico.

17 (30) Project for reformulation, East Rockaway
18 Inlet to Rockaway Inlet and Jamaica Bay, Queens,
19 New York.

20 (b) LOWER SAN JOAQUIN RIVER, CALIFORNIA.—In
21 expediting completion of the second phase of the Lower
22 San Joaquin River feasibility study under subsection
23 (a)(8), the Secretary shall review and give priority to any
24 plans and designs requested by non-Federal interests and
25 incorporate such plans and designs into the Federal study

1 if the Secretary determines that such plans and designs
2 are consistent with Federal standards.

3 (c) POST-AUTHORIZATION CHANGE REPORTS.—The
4 Secretary shall expedite completion of a post-authorization
5 change report for the following projects:

6 (1) Project for flood risk management, San
7 Luis Rey River Flood Control Protection Project,
8 California.

9 (2) Project for flood risk management, Success
10 Reservoir Enlargement Project, California.

11 (3) Everglades Agricultural Area Reservoir,
12 Central Everglades Planning Project, Florida.

13 (4) Project for navigation, Sault Sainte Marie,
14 Michigan.

15 (d) UPPER MISSISSIPPI RIVER PROTECTION.—Sec-
16 tion 2010 of the Water Resources Reform and Develop-
17 ment Act of 2014 (128 Stat. 1270) is amended by adding
18 at the end the following:

19 “(d) CONSIDERATIONS.—In carrying out a disposi-
20 tion study with respect to the Upper St. Anthony Falls
21 Lock and Dam, including a disposition study under sec-
22 tion 216 of the Flood Control Act of 1970 (33 U.S.C.
23 549a), the Secretary shall expedite completion of such
24 study and shall produce a report on the Upper St. An-
25 thony Falls Lock and Dam that is separate from any re-

1 port on any other lock or dam included in such study that
2 includes plans for—

3 “(1) carrying out modifications to the Upper
4 St. Anthony Falls Lock and Dam to—

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

7 “(B) maintain the benefits to the natural
8 ecosystem and human environment;

9 “(2) a partial disposition of the Upper St. An-
10 thony Falls Lock and Dam facility and surrounding
11 real property that preserves any portion of the
12 Upper St. Anthony Falls Lock and Dam necessary
13 to maintain flood control; and

14 “(3) expediting the disposition described in this
15 subsection (d).”.

16 **SEC. 204. PLYMOUTH HARBOR, MASSACHUSETTS.**

17 Not later than December 31, 2019, the Secretary
18 shall expedite and complete the dredging of Plymouth
19 Harbor, Massachusetts, as authorized by the Act of March
20 4, 1913 (37 Stat. 802, chapter 144) and the Act of Sep-
21 tember 22, 1922 (42 Stat. 1038, chapter 427).

22 **SEC. 205. BRANDON ROAD STUDY.**

23 The Secretary shall complete a final feasibility report
24 for the Great Lakes Mississippi River Interbasin Study
25 Brandon Road Study, authorized under section 3061(d)

1 of the Water Resources Development Act of 2007 (121
2 Stat. 1121) and section 1538(b)(1) of MAP-21 (Public
3 Law 112-141; 126 Stat. 586) by the original deadline of
4 February 2019.

5 **SEC. 206. HOUSTON AND COASTAL TEXAS.**

6 The Secretary shall expeditiously carry out flood and
7 storm damage reduction studies to reduce the risk of dam-
8 age from future floods and hurricanes in the Houston and
9 Coastal Texas areas. In carrying out the studies, the Sec-
10 retary shall leverage existing information and resources.

11 **TITLE III—DEAUTHORIZATIONS,**
12 **MODIFICATIONS, AND RE-**
13 **LATED PROVISIONS**

14 **SEC. 301. DEAUTHORIZATION OF INACTIVE PROJECTS.**

15 (a) PURPOSES.—The purposes of this section are—

16 (1) to identify \$3,150,000,000 in water re-
17 sources development projects authorized by Congress
18 that are no longer viable for construction due to—

19 (A) a lack of local support;

20 (B) a lack of available Federal or non-Fed-
21 eral resources; or

22 (C) an authorizing purpose that is no
23 longer relevant or feasible;

24 (2) to create an expedited and definitive process
25 for Congress to deauthorize water resources develop-

1 ment projects that are no longer viable for construc-
2 tion; and

3 (3) to allow the continued authorization of
4 water resources development projects that are viable
5 for construction.

6 (b) INTERIM DEAUTHORIZATION LIST.—

7 (1) IN GENERAL.—The Secretary shall develop
8 an interim deauthorization list that identifies—

9 (A) each water resources development
10 project, or separable element of a project, au-
11 thorized for construction before November 8,
12 2007, for which—

13 (i) planning, design, or construction
14 was not initiated before the date of enact-
15 ment of this Act; or

16 (ii) planning, design, or construction
17 was initiated before the date of enactment
18 of this Act, but for which no funds, Fed-
19 eral or non-Federal, were obligated for
20 planning, design, or construction of the
21 project or separable element of the project
22 during the current fiscal year or any of the
23 6 preceding fiscal years;

24 (B) each project or separable element iden-
25 tified and included on a list to Congress for de-

1 authorization pursuant to section 1001(b)(2) of
2 the Water Resources Development Act of 1986
3 (33 U.S.C. 579a(b)(2)); and

4 (C) any project or separable element for
5 which the non-Federal sponsor of such project
6 or separable element submits a request for in-
7 clusion on the list.

8 (2) 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 interim
12 deauthorization list developed under paragraph
13 (1).

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

16 (3) SUBMISSION TO CONGRESS; PUBLICA-
17 TION.—Not later than 90 days after the date of the
18 close of the comment period under paragraph (2),
19 the Secretary shall—

20 (A) submit a revised interim deauthoriza-
21 tion list to the Committee on Environment and
22 Public Works of the Senate and the Committee
23 on Transportation and Infrastructure of the
24 House of Representatives; and

1 (B) publish the revised interim deauthor-
2 ization list in the Federal Register.

3 (c) FINAL DEAUTHORIZATION LIST.—

4 (1) IN GENERAL.—The Secretary shall develop
5 a final deauthorization list of water resources devel-
6 opment projects, or separable elements of projects,
7 from the revised interim deauthorization list de-
8 scribed in subsection (b)(3).

9 (2) DEAUTHORIZATION AMOUNT.—

10 (A) PROPOSED FINAL LIST.—The Sec-
11 retary shall prepare a proposed final deauthor-
12 ization list of projects and separable elements of
13 projects that have, in the aggregate, an esti-
14 mated Federal cost to complete that is at least
15 \$3,150,000,000.

16 (B) DETERMINATION OF FEDERAL COST
17 TO COMPLETE.—For purposes of subparagraph
18 (A), the Federal cost to complete shall take into
19 account any allowances authorized by section
20 902 of the Water Resources Development Act
21 of 1986 (33 U.S.C. 2280), as applied to the
22 most recent project schedule and cost estimate.

23 (3) IDENTIFICATION OF PROJECTS.—

24 (A) SEQUENCING OF PROJECTS.—

1 (i) IN GENERAL.—The Secretary shall
2 identify projects and separable elements of
3 projects for inclusion on the proposed final
4 deauthorization list according to the order
5 in which the projects and separable ele-
6 ments of the projects were authorized, be-
7 ginning with the earliest authorized
8 projects and separable elements of projects
9 and ending with the latest project or sepa-
10 rable element of a project necessary to
11 meet the aggregate amount under para-
12 graph (2)(A).

13 (ii) FACTORS TO CONSIDER.—The
14 Secretary may identify projects and sepa-
15 rable elements of projects in an order other
16 than that established by clause (i) if the
17 Secretary determines, on a case-by-case
18 basis, that a project or separable element
19 of a project is critical for interests of the
20 United States, based on the possible im-
21 pact of the project or separable element of
22 the project on public health and safety, the
23 national economy, or the environment.

24 (iii) CONSIDERATION OF PUBLIC COM-
25 MENTS.—In making determinations under

1 clause (ii), the Secretary shall consider any
2 comments received under subsection (b)(2).

3 (B) APPENDIX.—The Secretary shall in-
4 clude as part of the proposed final deauthoriza-
5 tion list an appendix that—

6 (i) identifies each project or separable
7 element of a project on the interim de-
8 authorization list developed under sub-
9 section (b) that is not included on the pro-
10 posed final deauthorization list; and

11 (ii) describes the reasons why the
12 project or separable element is not in-
13 cluded on the proposed final list.

14 (4) PUBLIC COMMENT AND CONSULTATION.—

15 (A) IN GENERAL.—The Secretary shall so-
16 licit comments from the public and the Gov-
17 ernor of each applicable State on the proposed
18 final deauthorization list and appendix devel-
19 oped under paragraphs (2) and (3).

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

22 (5) SUBMISSION OF FINAL LIST TO CONGRESS;
23 PUBLICATION.—Not later than 120 days after the
24 date of the close of the comment period under para-
25 graph (4), the Secretary shall—

1 (A) submit a final deauthorization list and
2 an appendix to the final deauthorization list in
3 a report to the Committee on Environment and
4 Public Works of the Senate and the Committee
5 on Transportation and Infrastructure of the
6 House of Representatives; and

7 (B) publish the final deauthorization list
8 and the appendix to the final deauthorization
9 list in the Federal Register.

10 (d) DEAUTHORIZATION; CONGRESSIONAL REVIEW.—

11 (1) IN GENERAL.—After the expiration of the
12 180-day period beginning on the date of submission
13 of the final deauthorization list and appendix under
14 subsection (c), a project or separable element of a
15 project identified in the final deauthorization list is
16 hereby deauthorized, unless Congress passes a joint
17 resolution disapproving the final deauthorization list
18 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 180-day 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 (c)(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 RULE FOR PROJECTS RECEIVING
17 FUNDS FOR POST-AUTHORIZATION STUDY.—A project or
18 separable element of a project may not be identified on
19 the interim deauthorization list developed under sub-
20 section (b), or the final deauthorization list developed
21 under subsection (c), if the project or separable element
22 received funding for a post-authorization study during the
23 current fiscal year or any of the 6 preceding fiscal years.

24 (f) GENERAL PROVISIONS.—

1 (1) DEFINITIONS.—In this section, the fol-
2 lowing definitions apply:

3 (A) POST-AUTHORIZATION STUDY.—The
4 term “post-authorization study” means—

5 (i) a feasibility report developed under
6 section 905 of the Water Resources Devel-
7 opment Act of 1986 (33 U.S.C. 2282);

8 (ii) a feasibility study, as defined in
9 section 105(d) of the Water Resources De-
10 velopment Act of 1986 (33 U.S.C.
11 2215(d)); or

12 (iii) a review conducted under section
13 216 of the Flood Control Act of 1970 (33
14 U.S.C. 549a), including an initial appraisal
15 that—

16 (I) demonstrates a Federal inter-
17 est; and

18 (II) requires additional analysis
19 for the project or separable element.

20 (B) WATER RESOURCES DEVELOPMENT
21 PROJECT.—The term “water resources develop-
22 ment project” includes an environmental infra-
23 structure assistance project or program of the
24 Corps of Engineers.

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 modification.

8 **SEC. 302. BACKLOG PREVENTION.**

9 (a) PROJECT DEAUTHORIZATION.—

10 (1) IN GENERAL.—A water resources develop-
11 ment project, or separable element of such a project,
12 authorized for construction by this Act shall not be
13 authorized after the last day of the 10-year period
14 beginning on the date of enactment of this Act un-
15 less—

16 (A) funds have been obligated for construc-
17 tion of, or a post-authorization study for, such
18 project or separable element during that period;
19 or

20 (B) the authorization contained in this Act
21 has been modified by a subsequent Act of Con-
22 gress.

23 (2) IDENTIFICATION OF PROJECTS.—Not later
24 than 60 days after the expiration of the 10-year pe-
25 riod referred to in paragraph (1), the Secretary shall

1 submit to the Committee on Environment and Pub-
2 lic Works of the Senate and the Committee on
3 Transportation and Infrastructure of the House of
4 Representatives a report that identifies the projects
5 deauthorized under paragraph (1).

6 (b) REPORT TO CONGRESS.—Not later than 60 days
7 after the expiration of the 12-year period beginning on the
8 date of enactment of this Act, the Secretary shall submit
9 to the Committee on Environment and Public Works of
10 the Senate and the Committee on Transportation and In-
11 frastructure of the House of Representatives, and make
12 available to the public, a report that contains—

13 (1) a list of any water resources development
14 projects authorized by this Act for which construc-
15 tion has not been completed during that period;

16 (2) a description of the reasons the projects
17 were not completed;

18 (3) a schedule for the completion of the projects
19 based on expected levels of appropriations; and

20 (4) a 5-year and 10-year projection of construc-
21 tion backlog and any recommendations to Congress
22 regarding how to mitigate current problems and the
23 backlog.

24 (c) CLARIFICATION.—Section 6003(a) of the Water
25 Resources Reform and Development Act of 2014 (33

1 U.S.C. 579c(a)) is amended by striking “7-year” each
2 place it appears and inserting “10-year”.

3 **SEC. 303. PROJECT MODIFICATIONS.**

4 (a) CONSISTENCY WITH REPORTS.—Congress finds
5 that the project modifications described in this section are
6 in accordance with the reports submitted to Congress by
7 the Secretary under section 7001 of the Water Resources
8 Reform and Development Act of 2014 (33 U.S.C. 2282d),
9 titled “Report to Congress on Future Water Resources
10 Development”, or have otherwise been reviewed by Con-
11 gress.

12 (b) MODIFICATIONS.—

13 (1) HARBOR/SOUTH BAY, CALIFORNIA.—Sec-
14 tion 219(f)(43) of the Water Resources Development
15 Act of 1992 (113 Stat. 337; 114 Stat. 2763A–220)
16 is amended by striking “\$35,000,000” and inserting
17 “\$70,000,000”.

18 (2) LAKES MARION AND MOULTRIE, SOUTH
19 CAROLINA.—Section 219(f)(25) of the Water Re-
20 sources Development Act of 1992 (113 Stat. 336;
21 114 Stat. 2763A–220; 117 Stat. 1838; 130 Stat.
22 1677) is amended by striking “\$60,000,000” and in-
23 serting “\$89,550,000”.

1 **SEC. 304. MILWAUKEE HARBOR, MILWAUKEE, WISCONSIN.**

2 The portion of the project for navigation, Milwaukee
3 Harbor, Milwaukee, Wisconsin, authorized by the first sec-
4 tion of the Act of March 3, 1843 (5 Stat. 619; chapter
5 85), consisting of the navigation channel within the
6 Menomonee River that extends from the 16th Street
7 Bridge upstream to the upper limit of the authorized navi-
8 gation channel and described as follows is no longer au-
9 thorized beginning on the date of enactment of this Act:

10 (1) Beginning at a point in the channel just
11 downstream of the 16th Street Bridge,
12 N383219.703, E2521152.527.

13 (2) Thence running westerly along the channel
14 about 2,530.2 feet to a point, N383161.314,
15 E2518620.712.

16 (3) Thence running westerly by southwesterly
17 along the channel about 591.7 feet to a point at the
18 upstream limit of the existing project, N383080.126,
19 E2518036.371.

20 (4) Thence running northerly along the up-
21 stream limit of the existing project about 80.5 feet
22 to a point, N383159.359, E2518025.363.

23 (5) Thence running easterly by northeasterly
24 along the channel about 551.2 feet to a point,
25 N383235.185, E2518571.108.

1 (6) Thence running easterly along the channel
2 about 2,578.9 feet to a point, N383294.677,
3 E2521150.798.

4 (7) Thence running southerly across the chan-
5 nel about 74.3 feet to the point of origin.

6 **SEC. 305. BRIDGEPORT HARBOR, CONNECTICUT.**

7 That portion of the project for navigation, Bridgeport
8 Harbor, Connecticut, authorized by the Act of June 18,
9 1878 (20 Stat. 158), and modified by the Act of August
10 11, 1888 (25 Stat. 401), the Act of March 3, 1899 (30
11 Stat. 1122), the Act of June 25, 1910 (36 Stat. 633),
12 and the Act of July 3, 1930 (46 Stat. 919), and lying
13 upstream of a line commencing at point N627942.09,
14 E879709.18 thence running southwesterly about 125 feet
15 to a point N627832.03, E879649.91 is no longer author-
16 ized beginning on the date of enactment of this Act.

17 **SEC. 306. CONVEYANCES.**

18 (a) CHEATHAM COUNTY, TENNESSEE.—

19 (1) CONVEYANCE AUTHORIZED.—The Secretary
20 may convey to Cheatham County, Tennessee (in this
21 subsection referred to as the “Grantee”), all right,
22 title, and interest of the United States in and to the
23 real property in Cheatham County, Tennessee, con-
24 sisting of approximately 9.19 acres, identified as
25 portions of tracts E-514-1, E-514-2, E-518-1, E-

1 518–2, E–519–1, E–537–1, and E–538, all being
2 part of the Cheatham Lock and Dam project at
3 CRM 158.5, including any improvements thereon.

4 (2) DEED.—The conveyance of property under
5 this subsection shall be accomplished using a quit-
6 claim deed and upon such terms and conditions as
7 the Secretary determines appropriate to protect the
8 interests of the United States, to include retaining
9 the right to inundate with water any land trans-
10 ferred under this subsection.

11 (3) CONSIDERATION.—The Grantee shall pay to
12 the Secretary an amount that is not less than the
13 fair market value of the land conveyed under this
14 subsection, as determined by the Secretary.

15 (4) SUBJECT TO EXISTING EASEMENTS AND
16 OTHER INTERESTS.—The conveyance of property
17 under this section shall be subject to all existing
18 easements, rights-of-way, and leases that are in ef-
19 fect as of the date of the conveyance.

20 (b) NASHVILLE, TENNESSEE.—

21 (1) CONVEYANCE AUTHORIZED.—The Secretary
22 may convey, without consideration, to the City of
23 Nashville, Tennessee (in this subsection referred to
24 as the “City”), all right, title, and interest of the
25 United States in and to the real property covered by

1 Lease No. DACW62-1-84-149, including any im-
2 provements thereon, at the Riverfront Park Rec-
3 reational Development, consisting of approximately 5
4 acres, subject to the right of the Secretary to retain
5 any required easements in the property.

6 (2) CONVEYANCE AGREEMENT.—A quit claim
7 deed shall be used to convey real property under this
8 subsection upon the terms and conditions mutually
9 satisfactory to the Secretary and the City. The deed
10 shall provide that in the event the City, its succes-
11 sors, or assigns cease to maintain improvements for
12 recreation included in the conveyance or otherwise
13 utilize the real property conveyed for purposes other
14 than recreation and compatible flood risk manage-
15 ment, the City, its successor, or assign shall repay
16 to the United States the Federal share of the cost
17 of constructing the improvements for recreation
18 under the agreement between the United States and
19 the City dated December 8, 1981, increased as nec-
20 essary to account for inflation.

21 (c) GENERALLY APPLICABLE PROVISIONS.—

22 (1) SURVEY TO OBTAIN LEGAL DESCRIPTION.—
23 The exact acreage and the legal description of any
24 real property to be conveyed under this section shall

1 be determined by a survey that is satisfactory to the
2 Secretary.

3 (2) APPLICABILITY OF PROPERTY SCREENING
4 PROVISIONS.—Section 2696 of title 10, United
5 States Code, shall not apply to any conveyance
6 under this section.

7 (3) ADDITIONAL TERMS AND CONDITIONS.—
8 The Secretary may require that any conveyance
9 under this section be subject to such additional
10 terms and conditions as the Secretary considers nec-
11 essary and appropriate to protect the interests of the
12 United States.

13 (4) COSTS OF CONVEYANCE.—An entity to
14 which a conveyance is made under this section shall
15 be responsible for all reasonable and necessary costs,
16 including real estate transaction and environmental
17 documentation costs, associated with the conveyance.

18 (5) LIABILITY.—An entity to which a convey-
19 ance is made under this section shall hold the
20 United States harmless from any liability with re-
21 spect to activities carried out, on or after the date
22 of the conveyance, on real property conveyed. The
23 United States shall remain responsible for any liabil-
24 ity with respect to activities carried out, before such
25 date, on the real property conveyed.

1 **SEC. 307. CLATSOP COUNTY, OREGON.**

2 The portions of the project for raising and improving
3 existing levees of Clatsop County Diking District No. 13,
4 in Clatsop County, Oregon, authorized by section 5 of the
5 Act of June 22, 1936 (49 Stat. 1590), that are referred
6 to as Christensen No. 1 Dike No. 42 and Christensen No.
7 2 Levee No. 43 are no longer authorized beginning on the
8 date of enactment of this Act.

9 **SEC. 308. KISSIMMEE RIVER RESTORATION, CENTRAL AND**
10 **SOUTHERN FLORIDA.**

11 Not later than 30 days after the date of enactment
12 of this Act, the Secretary shall submit to the Committee
13 on Transportation and Infrastructure of the House of
14 Representatives and the Committee on Environment and
15 Public Works of the Senate a report on the total estimated
16 value of in-kind contributions made by the non-Federal
17 interest with respect to the following six actions, as de-
18 scribed in the final report of the Director of Civil Works
19 on the Central and Southern Florida Project, Kissimmee
20 River Restoration Project, dated April 27, 2018:

- 21 (1) Shady Oaks Fish Camp land preparation.
22 (2) Rocks Fish Camp land preparation.
23 (3) Levee breaching of Sparks Candler and
24 Bronson Levees.
25 (4) Packingham Slough construction related to
26 land acquisition.

1 (5) Engineering analysis of River Acres engi-
2 neering solution.

3 (6) Small local levee modifications.

4 **SEC. 309. LYTLE AND CAJON CREEKS, CALIFORNIA.**

5 That portion of the channel improvement project,
6 Lytle and Cajon Creeks, California, authorized to be car-
7 ried out as a part of the project for the Santa Ana River
8 Basin, California, by the Act of December 22, 1944
9 (Chapter 665; 58 Stat. 900) that consists of five earth-
10 filled groins commonly referred to as “the Riverside Ave-
11 nue groins” is no longer authorized as a Federal project
12 beginning on the date of enactment of this Act.

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

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

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

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

7 (d) NO FEDERAL COST.—

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

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

18 **SEC. 311. BOSTON HARBOR RESERVED CHANNEL**
19 **DEAUTHORIZATIONS.**

20 (a) 40-FOOT RESERVED CHANNEL.—

21 (1) IN GENERAL.—The portions of the project
22 for navigation, Boston Harbor, Massachusetts, au-
23 thorized by the first section of the Act of October
24 17, 1940 (54 Stat. 1198, chapter 895) and modified
25 by section 101 of the River and Harbor Act of 1958

1 (72 Stat. 297), section 101(a)(13) of the Water Re-
2 sources Development Act of 1990 (104 Stat. 4607),
3 and section 7002(1) of the Water Resources Reform
4 and Development Act of 2014 (128 Stat. 1365) de-
5 scribed in paragraph (2) are no longer authorized
6 beginning on the date of enactment of this Act.

7 (2) AREAS DESCRIBED.—

8 (A) FIRST AREA.—The first areas de-
9 scribed in this paragraph are—

10 (i) beginning at a point N.
11 2950154.45, E. 785995.64;

12 (ii) running southwesterly about
13 1451.63 feet to a point N. 2950113.83, E.
14 784544.58;

15 (iii) running southeasterly about
16 54.00 feet to a point N. 2950059.85, E.
17 784546.09;

18 (iv) running southwesterly about
19 1335.82 feet to a point N. 2950022.48, E.
20 783210.79;

21 (v) running northwesterly about 83.00
22 feet to a point N. 2950105.44, E.
23 783208.47;

1 (vi) running northeasterly about
2 2787.45 feet to a point N. 2950183.44, E.
3 785994.83; and

4 (vii) running southeasterly about
5 29.00 feet to the point described in clause
6 (i).

7 (B) SECOND AREA.—The second areas de-
8 scribed in this paragraph are—

9 (i) beginning at a point N.
10 2950502.86, E. 785540.84;

11 (ii) running northeasterly about 46.11
12 feet to a point N2950504.16, E785586.94;

13 (iii) running southwesterly about
14 25.67 feet to a point N. 2950480.84, E.
15 785576.18;

16 (iv) running southwesterly to a point
17 N. 2950414.32, E. 783199.83;

18 (v) running northwesterly about 8.00
19 feet to a point N. 2950422.32, E.
20 783199.60;

21 (vi) running northeasterly about
22 2342.58 feet to a point N. 2950487.87, E.
23 785541.26; and

1 (vii) running northwesterly about
2 15.00 feet to the point described in clause
3 (i).

4 (b) 35-FOOT RESERVED CHANNEL.—

5 (1) IN GENERAL.—The portions of the project
6 for navigation, Boston Harbor, Massachusetts, au-
7 thorized by the first section of the Act of October
8 17, 1940 (54 Stat. 1198, chapter 895) and modified
9 by section 101 of the River and Harbor Act of 1958
10 (72 Stat. 297) described in paragraph (2) are no
11 longer authorized beginning on the date of enact-
12 ment of this Act.

13 (2) AREAS DESCRIBED.—

14 (A) FIRST AREA.—The first areas de-
15 scribed in this paragraph are—

16 (i) beginning at a point N.
17 2950143.44, E. 787532.14;

18 (ii) running southeasterly about 22.21
19 feet to a point N. 2950128.91, E.
20 787548.93;

21 (iii) running southwesterly about
22 4,339.42 feet to a point N. 2950007.48, E.
23 783211.21;

1 (iv) running northwesterly about
2 15.00 feet to a point N. 2950022.48, E.
3 783210.79; and

4 (v) running northeasterly about
5 4,323.05 feet to the point described in
6 clause (i).

7 (B) SECOND AREA.—The second areas de-
8 scribed in this paragraph are—

9 (i) beginning at a point N.
10 2950502.86, E. 785540.84;

11 (ii) running southeasterly about 15.00
12 feet to a point N. 2950487.87, E.
13 785541.26;

14 (iii) running southwesterly about
15 2342.58 feet to a point N. 2950422.32, E.
16 783199.60;

17 (iv) running southeasterly about 8.00
18 feet to a point N. 2950414.32, E.
19 783199.83;

20 (v) running southwesterly about
21 1339.12 feet to a point N. 2950376.85, E.
22 781861.23;

23 (vi) running northwesterly about
24 23.00 feet to a point N. 2950399.84, E.
25 781860.59; and

1 (vii) running northeasterly about
2 3681.70 feet to the point described in
3 clause (i).

4 **SEC. 312. CONTINUED AUTHORIZATION OF CERTAIN**
5 **PROJECTS.**

6 Notwithstanding the third sentence of section
7 1001(b)(2) of the Water Resources Development Act of
8 1986 (33 U.S.C. 579a(b)(2)), projects and separable ele-
9 ments of projects identified in the fiscal year 2017 report
10 prepared in accordance with such section and submitted
11 to Congress on December 15, 2016, shall not be deauthor-
12 ized unless such projects and separable elements meet the
13 requirements of section 1301(b)(1)(A) of the Water Re-
14 sources Development Act of 2016 (130 Stat. 1687).

15 **SEC. 313. PUGET SOUND NEARSHORE ECOSYSTEM RES-**
16 **TORATION.**

17 Section 544(f) of the Water Resources Development
18 Act of 2000 (Public Law 106–541; 114 Stat. 2675) is
19 amended—

20 (1) by striking “\$40,000,000” and inserting
21 “\$60,000,000”; and

22 (2) by striking “\$5,000,000” and inserting
23 “\$10,000,000”.

1 **SEC. 314. LAND CONVEYANCE.**

2 (a) IN GENERAL.—On the date of enactment of this
3 Act, the Secretary of the Army shall convey to the City
4 of Bainbridge, Georgia, without monetary consideration
5 and subject to subsection (b), all right, title, and interest
6 in and to real property described in subsection (c).

7 (b) TERMS AND CONDITIONS.—

8 (1) IN GENERAL.—The conveyance by the
9 United States under this subsection shall be subject
10 to—

11 (A) the condition that the City of Bain-
12 bridge agree to operate, maintain, and manage
13 the property for fish and wildlife, recreation,
14 and environmental purposes at no cost or ex-
15 pense to the United States; and

16 (B) such other terms and conditions as the
17 Secretary determines to be in the interest of the
18 United States.

19 (2) REVERSION.—If the Secretary determines
20 that the real property conveyed under paragraph (1)
21 ceases to be held in public ownership or the city
22 ceases to operate, maintain, and manage the real
23 property in accordance with this subsection, all
24 right, title, and interest in and to the property shall
25 revert to the United States, at the option of the Sec-
26 retary.

1 (c) PROPERTY.—The property to be conveyed is com-
2 posed of the following 3 parcels of land:

3 (1) PARCEL 1.—All that tract or parcel of land
4 lying and being in Land Lots 226. and 228, Fif-
5 teenth Land District, and Land Lots 319, 320, 321,
6 322, 323 and 358, Twentieth Land District, Deca-
7 tur County, Georgia, more particularly described as
8 follows:

9 Beginning at a concrete monument
10 stamped “358” which is 950 feet, more or less,
11 North of the South line and 600 feet, more or
12 less, West of the East line of said Land Lot
13 358, at a corner of a tract of land owned by the
14 United States of America at Lake Seminole and
15 at plane coordinate position North 318,698.72
16 feet and East 360,033.38 feet based on Trans-
17 verse Mercator Projection, Georgia West Zone;

18 Thence Due West 75 feet, more or less, to
19 the contour at elevation 77.0 feet above Mean
20 Sea Level;

21 Thence Northeasterly along the meanders
22 of said 77.0 foot contour a distance of 20,600
23 feet, more or less, to the mouth of the entrance
24 channel to the arena and boat basin;

1 Thence N 75° E 150 feet, more or less, to
2 another point on said 77.0 foot contour;

3 Thence Northeasterly along the meanders
4 of said 77.0 foot contour a distance of 3,300
5 feet, more or less, to a point which is on the
6 boundary of said United States tract and on
7 the boundary of a tract of land now or formerly
8 owned by the City of Bainbridge, Georgia;

9 Thence along the boundary of said United
10 States tract the following courses:

11 S 10° 52' E along the boundary of
12 said City of Bainbridge tract 830 feet,
13 more or less, to a corner of said tract;

14 S 89° 45' E along the boundary of
15 said City of Bainbridge tract 700 feet,
16 more or less, to a concrete monument
17 stamped "J1A", coordinates of said monu-
18 ment being North 328,902.34 feet and
19 East 369,302.33 feet;

20 S 22° 25' W 62 feet, more or less, to
21 a corner of another tract of land owned by
22 the City of Bainbridge, Georgia;

23 S 88° 07' W along the boundary of
24 said City of Bainbridge tract 350 feet,
25 more or less to a corner of said tract;

1 N 84° 00' W along the boundary of
2 said City of Bainbridge tract 100.5 feet to
3 a corner said tract;

4 S 88° 07' W along the boundary of
5 said City of Bainbridge tract 300.0 feet to
6 a corner of said tract;

7 S 14° 16' W along boundary of said
8 City of Bainbridge tract 89.3 feet to a cor-
9 ner of said tract;

10 Southwesterly along the boundary of
11 said City of Bainbridge tract which is
12 along a curve to the right with a radius of
13 684.69 feet an arc distance of 361.8 feet
14 to a corner of said tract;

15 S 30° 00' W along the boundary of
16 said City of Bainbridge tract 294.0 feet to
17 a corner of said tract;

18 S 10° 27.' W along the boundary of
19 said City of Bainbridge tract 385.0 feet to
20 a corner of said tract;

21 N 73° 31' W 38 feet, more or less, to
22 a concrete monument;

23 S 16° 25' W 563.7 feet to a concrete
24 monument stamped "J7A";

- 1 S 68° 28' W 719.5 feet to a concrete
2 monument stamped "J9A";
- 3 S 68° 28' W 831.3 feet to a concrete
4 monument stamped "J12A";
- 5 S 89° 39' E 746.7 feet to a concrete
6 monument stamped "J11A";
- 7 S 01° 22' W 80.0 feet to a concrete
8 monument stamped "J11B";
- 9 N 89° 39' W 980.9 feet to a concrete
10 monument stamped "J13A";
- 11 S 01° 21' W 560.0 feet to a concrete
12 monument stamped "J15A";
- 13 S 37° 14' W 1,213.0 feet;
- 14 N 52° 46' W 600.0 feet;
- 15 S 37° 14' W 1,000.0 feet;
- 16 S 52° 46' E 600.0 feet;
- 17 S 37° 14' W 117.0 feet to a concrete
18 monument stamped "320/319";
- 19 S 37° 13' W 1,403.8 feet to a con-
20 crete monument stamped "322/319";
- 21 S 37° 13' W 2,771.4 feet to a con-
22 crete monument stamped "322/323";
- 23 S 37° 13' W 1,459.2 feet;
- 24 N 89° 04' W 578.9 feet;
- 25 S 53° 42' W 367.7 feet;

1 S 43° 42' W 315.3 feet;
2 S 26° 13' W 654.9 feet, more or less,
3 to the point of beginning.

4 Containing 550.00 acres, more or less, and
5 being a part of Tracts L-1105 and L-1106 of
6 Lake Seminole.

7 (2) PARCEL 2.—All that tract or parcel of land
8 lying and lying and being in Land Lot 226, Fif-
9 teenth Land District, Decatur County, Georgia,
10 more particularly described as follows:

11 Beginning at a point which is on the East
12 right-of-way line of the Seaboard Airline Rail-
13 road, 215 feet North of the South end of the
14 trestle over the Flint River, and at a corner of
15 a tract of land owned by the United States of
16 America at Lake Seminole;

17 Thence Southeasterly along the boundary
18 of said United States tract which is along a
19 curve to the right a distance of 485 feet, more
20 or less, to a point which is 340 feet, more or
21 less, S 67° 00' E from the South end of said
22 trestle, and at a corner of said United States
23 tract;

1 Thence N 70° 00' E along the boundary of
2 said United States tract 60.0 feet to a corner
3 of said tract;

4 Thence Northerly along the boundary of
5 said United States tract which is along a curve
6 to the right a distance of 525 feet, more or less,
7 to a corner of said tract;

8 Thence S 05° 00' W along the boundary of
9 said United States tract 500.0 feet to a corner
10 of said tract;

11 Thence Due West along the boundary of
12 said United States tract 370 feet, more or less,
13 to a point which is on the East right-of-way line
14 of said railroad and at a corner of said United
15 States tract;

16 Thence N 13° 30' W along the boundary
17 of said United States tract which is along the
18 East right-of-way line of said railroad a dis-
19 tance of 310 feet, more or less, to the point of
20 beginning.

21 Containing 3.67 acres, more or less, and
22 being all of Tract L-1124 of Lake Seminole.

23 Parcels 1 and 2 contain in the aggregate
24 553.67 acres, more or less.

1 (3) PARCEL 3.—All that tract or panel of land
2 lying and being in Land Lot 225, Fifteenth Land
3 District, Decatur County, Georgia, more particularly
4 described as follows:

5 Beginning at an iron marker designated
6 “225/226/”, which is on the South line and 500
7 feet, more or less, West of the Southeast corner
8 of said Land Lot 225 at a corner of a tract of
9 land owned by the United States of America at
10 Lake Seminole and at plane coordinate position
11 North 330,475.82 feet and East 370,429.36
12 feet, based on Transverse Mercator Projection,
13 Georgia West Zone;

14 Thence Due West along the boundary of
15 said United States tract a distance of 53.0 feet
16 to a monument stamped “225/226-A”;

17 Thence continue Due West along the
18 boundary of said United States tract a distance
19 of 56 feet, more or less, to a point on the East
20 bank of the Flint River;

21 Thence Northerly, upstream, along the me-
22 anders of the East bank of said river a distance
23 of 1,200 feet, more or less, to a point which is
24 on the Southern right-of-way line of U.S. High-

1 way No. 84 and at a corner of said United
2 States tract;

3 Thence Easterly and Southeasterly along
4 the Southern right-of-way line of said highway,
5 which is along the boundary of said United
6 States tract a distance of 285 feet, more or
7 less, to a monument stamped “L-23-1”, the co-
8 ordinates of said monument being North
9 331,410.90 and East 370,574.96;

10 Thence S 02° 25′ E along the boundary of
11 said United States tract a distance of 650.2
12 feet to a monument stamped “225-A”;

13 Thence S 42° 13′ E along the boundary of
14 said United States tract a distance of 99.8 feet
15 to a monument stamped “225”;

16 Thence S 48° 37′ W along the boundary of
17 said United States tract a distance of 319.9
18 feet, more or less, to the point of beginning.

19 Containing 4.14 acres, more or less, and
20 being all of Tract L-1123 of the Lake Seminole
21 Project.

22 **SEC. 315. CEDAR RIVER, CEDAR RAPIDS, IOWA.**

23 The Secretary shall expedite completion of the project
24 for flood risk management, Cedar River, Cedar Rapids,

1 Iowa, authorized by section 7002(2) of the Water Re-
2 sources Development Act of 2014 (128 Stat. 1366).

3 **SEC. 316. CORPS OF ENGINEERS BRIDGE REPAIR AND DI-**
4 **VESTITURE PROGRAM FOR NEW ENGLAND**
5 **EVACUATION ROUTES.**

6 Subject to the availability of appropriations, the Sec-
7 retary may repair or replace, as necessary, any bridge
8 owned and operated by the Secretary that is—

9 (1) located in any of the States of Connecticut,
10 Maine, Massachusetts, New Hampshire, Rhode Is-
11 land, and Vermont; and

12 (2) necessary for evacuation during an extreme
13 weather event.

14 **SEC. 317. PORT OF WHITMAN COUNTY.**

15 (a) DEFINITIONS.—In this section:

16 (1) FEDERAL LAND.—The term “Federal land”
17 means the approximately 288 acres of land situated
18 in Whitman County, Washington, contained within
19 Tract D of Little Goose Lock and Dam.

20 (2) NON-FEDERAL LAND.—The term “non-Fed-
21 eral land” means a tract or tracts of land owned by
22 the Port of Whitman County, Washington, that the
23 Secretary determines, with approval of the Wash-
24 ington Department of Fish and Wildlife and the
25 Secretary of the Interior acting through the Director

1 of the United States Fish and Wildlife Service,
2 equals or exceeds the value of the Federal land both
3 as habitat for fish and wildlife and for recreational
4 opportunities related to fish and wildlife.

5 (b) LAND EXCHANGE.—On conveyance by the Port
6 of Whitman County to the United States of all right, title,
7 and interest in and to the non-Federal land, the Secretary
8 of the Army shall convey to the Port of Whitman County
9 all right, title, and interest of the United States in and
10 to the Federal land.

11 (c) DEEDS.—

12 (1) DEED TO NON-FEDERAL LAND.—The Sec-
13 retary may only accept conveyance of the non-Fed-
14 eral land by warranty deed, as determined accept-
15 able by the Secretary.

16 (2) DEED TO FEDERAL LAND.—The Secretary
17 shall convey the Federal land to the Port of Whit-
18 man County by quitclaim deed and subject to any
19 reservations, terms, and conditions the Secretary de-
20 termines necessary to allow the United States to op-
21 erate and maintain the Lower Snake River Project
22 and to protect the interests of the United States.

23 (d) CASH PAYMENT.—If the appraised fair market
24 value of the Federal land, as determined by the Secretary,
25 exceeds the appraised fair market value of the non-Federal

1 land, as determined by the Secretary, the Port of Whitman
2 County shall make a cash payment to the United States
3 reflecting the difference in the appraised fair market val-
4 ues.

5 (e) ADMINISTRATIVE EXPENSES.—The Port of Whit-
6 man County shall be responsible for the administrative
7 costs of the transaction in accordance with section 2695
8 of title 10, United States Code.

9 (f) LIABILITY.—The Port of Whitman County shall
10 hold the United States harmless from any liability with
11 respect to activities carried out on the Federal land on
12 or after the date of the conveyance.

13 (g) APPLICABILITY OF REAL PROPERTY SCREENING
14 PROVISIONS.—Section 2696 of title 10, United States
15 Code, shall not apply to the conveyance of the Federal
16 land under this section.

17 (h) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The
18 exact acreage and legal description of the Federal land
19 and non-Federal land shall be determined by a survey that
20 is satisfactory to the Secretary.

21 **SEC. 318. HAMPTON HARBOR, NEW HAMPSHIRE, NAVIGA-**
22 **TION IMPROVEMENT PROJECT.**

23 In carrying out the project for navigation, Hampton
24 Harbor, New Hampshire, under section 107 of the River
25 and Harbor Act of 1960 (33 U.S.C. 577), the Secretary

1 shall use all existing authorities of the Secretary to miti-
2 gate severe shoaling.

3 **SEC. 319. PORTSMOUTH HARBOR AND PISCATAQUA RIVER.**

4 The Secretary shall expedite the project for naviga-
5 tion for Portsmouth Harbor and the Piscataqua River au-
6 thorized by section 101 of the River and Harbor Act of
7 1962 (76 Stat. 1173).

8 **TITLE IV—WATER RESOURCES**
9 **INFRASTRUCTURE**

10 **SEC. 401. PROJECT AUTHORIZATIONS.**

11 The following projects for water resources develop-
12 ment and conservation and other purposes, as identified
13 in the reports titled “Report to Congress on Future Water
14 Resources Development” submitted to Congress on March
15 17, 2017, and February 5, 2018, respectively, pursuant
16 to section 7001 of the Water Resources Reform and Devel-
17 opment Act of 2014 (33 U.S.C. 2282d) or otherwise re-
18 viewed by Congress are authorized to be carried out by
19 the Secretary substantially in accordance with the plans,
20 and subject to the conditions, described in the respective
21 reports or decision documents designated in this section:

22 (1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Galveston Harbor Channel Extension Project, Houston-Galveston Navigation Channels	Aug. 8, 2017	Federal: \$10,046,000 Non-Federal: \$3,349,000 Total: \$13,395,000

1 (2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. NY	Mamaroneck-Sheldrake Rivers	Dec. 14, 2017	Federal: \$53,500,000 Non-Federal: \$28,750,000 Total: \$82,250,000
2. HI	Ala Wai Canal	Dec. 21, 2017	Federal: \$198,962,000; Non-Federal: \$107,133,000 Total: \$306,095,000

2 (3) HURRICANE AND STORM DAMAGE RISK RE-
3 DUCATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
1. FL	St. Johns County	Aug. 8, 2017	Initial Federal: \$5,712,000 Initial Non-Federal: \$19,122,000 Initial Total: \$24,834,000 Renourishment Federal: \$9,484,000 Renourishment Non-Federal: \$44,099,000 Renourishment Total: \$53,583,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
2. TX	Sabine Pass to Galveston Bay	Dec. 7, 2017	Initial Federal: \$2,157,202,000 Initial Non-Federal: \$1,161,570,000 Initial Total: \$3,318,772,000
3. FL	St. Lucie County	Dec. 15, 2017	Initial Federal: \$7,097,000 Initial Non-Federal: \$13,179,000 Initial Total: \$20,276,000 Renourishment Federal: \$8,915,000 Renourishment Non-Federal: \$24,105,000 Renourishment Total: \$33,020,000

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. NM	Española Valley, Rio Grande	May 11, 2018	Federal: \$40,117,000 Non-Federal: \$21,601,000 Total: \$61,718,000

3 (5) MODIFICATIONS AND OTHER PROJECTS.—

A. State	B. Name	C. Date of Decision Document	D. Estimated Costs
1. GA	Savannah Harbor Expansion Project	Dec. 5, 2016	Federal: \$677,613,600 Non-Federal: \$295,829,400 Total: \$973,443,000

A. State	B. Name	C. Date of Decision Document	D. Estimated Costs
2. KY	Kentucky River Locks and Dams - 1, 2, 3, and 4	April 20, 2018	Federal: \$0 Non-Federal: \$0 Total: \$0

Passed the House of Representatives June 6, 2018.

Attest:

Clerk.

115TH CONGRESS
2^D SESSION

H. R. 8

AN ACT

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.