



Amendments to H.R. 8 — Water Resources Development Act of 2018 (Rep. Shuster, R-PA)

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FLOOR SCHEDULE:

Scheduled for consideration on June 6, 2017, subject to a [rule](#), which makes 52 amendments in order.

The rule also provides for consideration of H.R. 5895, the Energy and Water Development and Related Agencies Appropriations Act, 2019 [Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019.

The Rules Committee Print modifies the bill reported by the Transportation and Infrastructure Committee to strike a provision that would have converted spending from the Harbor Maintenance Trust Fund to mandatory spending from discretionary.

AMENDMENTS:

1. [Rep. Shuster \(R-PA\)](#) – The manager’s amendment would add a section requiring the secretary to submit a report to Congress on the structure and operations plan for [the Old River control structure](#) in Louisiana.

The manager’s amendment would allow the secretary to carry out a dredge pilot program to award five-year contracts for the operation and maintenance of certain harbors. The secretary must submit a report to Congress on the pilot program within one year of the first contract being awarded. The pilot program sunsets 10 years after enactment.

The manager’s amendment would require the secretary, when carrying out a disposition study for a Corps project, to consider modifications that would improve the overall quality of the environment in the public interest, including the removal of all or part of a project. If the secretary determines a federal interest no longer exists, and recommends a removal of the project, the secretary is authorized to remove the project using existing authorities or partnerships with other federal agencies or nonfederal entities.

The manager’s amendment would include an additional five projects for expedited completion of their feasibility studies, and allows the projects proceed to preconstruction planning, engineering and design of the project if the project is deemed justified.

The underlying bill requires the secretary to credit certain work toward the non-federal share of the Kissimmee River [project](#). The manager’s amendment would strike this provision and require the secretary to submit to Congress a report on the total estimated value for the six actions.

The manager's amendment would deauthorize certain portions of the Boston Harbor Reserved Channel project for navigation.

2. [Rep. Soto](#) (D-FL) – The amendment would require the secretary to consider local water management plans for aquifer recharge when conducting water resources development feasibility studies.
3. [Rep. Gibbs](#) (R-OH) – The amendment would require the secretary to determine whether guidance is necessary, after considering all factors, before releasing guidance to update mitigation banks credit release schedules. Guidance on mitigation banks is required under section 110 of the underlying bill.
4. [Rep. Royce](#) (R-CA) – The amendment would expand the nonfederal implementation pilot program codified under [33 U.S.C. 2201 note](#) from 15 projects to 20 projects, and would allow projects that have not been authorized before enactment to participate in the project.
5. [Rep. Keating](#) (D-MA) – The amendment would authorize the Corps, when preparing comprehensive plans for the development, utilization and conservation of water and related resources of drainage basins, watersheds or ecosystems located within a state's boundaries, as authorized under [42 U.S.C. 1962d-16](#), to cooperate with states, non-federal interests working with states, or regional coalitions of government entities.
6. [Rep. Posey](#) (R-FL) – The amendment would require the secretary to provide technical assistance in obtaining permits for construction to nonfederal agencies carrying out projects. The amendment clarifies that the section does not grant a waiver to wage provision codified under Davis-Bacon, [40 U.S.C. 3142](#).
7. [Rep. Denham](#) (R-FL) – The amendment would extend indefinitely the authorization to allow the secretary to accept and expend funds contributed by a non-federal public entity or a public-utility company, natural gas company, or railroad carrier to expedite permits related to a project for a public purpose under the Department of the Army's jurisdiction. The underlying bill extends the program to June 2026; current law would end the provision in 2024.
8. [Rep. Etsy](#) (D-CT) – The amendment would require the study on economic and budgetary impact, as required by section 125 of the bill to consider whether or not the Corps considers the benefits of locally developed projects, including Corps master plans, and uses the benefits when providing cost-benefit analyses for project justification within the master plans.
9. [Rep. Soto](#) (D-FL) – The amendment would require the secretary to consider activities conducted at universities, when submitting the report on the use innovative materials in water resources development projects.
10. [Rep. Krishnamoorthi](#) (D-IL) – The amendment would require the GAO to recommend ways to improve the capacity and preparedness of the Corps when submitting the report required under section 129 of the underlying bill.

11. [Rep. Jayapal](#) (D-WA) – The amendment would require the GAO to describe how changes to the navigation industry workforce may affect safety and operations within the navigation industry, when submitting the report required under section 129 of the underlying bill.
12. [Rep. Soto](#) (D-FL) – The amendment would require the GAO to consider trough bars, coastal wetlands and barrier coastal reefs, when assessing the costs, benefits, impacts and trade-offs associated with the natural features recommended for flood risk reduction, hurricane and storm damage reduction, and ecosystem restoration projects, as required when conducting the study under section 130 of the underlying bill.
13. [Rep. Sanford](#) (R-SC) –The amendment would allow a reimbursement, provided to a nonfederal interest when constructing an authorized flood damage reduction project, to be applied to the share of the cost of the nonfederal interest in carrying out other flood damage reduction and coastal navigation projects or studies, at the nonfederal interest’s request.
14. [Rep. Nolan](#) (D-MN) – The amendment would express the sense of Congress that a new lock at the [Soo Locks](#) at Sault Ste. Marie, Michigan, is vital to the national economy, national security, and national need for new critical infrastructure.
15. [Rep. Moore](#) (D-WI) – The amendment would require the Corps to make efforts to address disproportionate and adverse health or environmental effects of the Corps’ programs and activities, promote involvement of communities of color in the Corps’ project development and implementation, and provide guidance to communities of color, and low-income, rural and tribal communities to increase understanding of Corps’ activities.
16. [Rep. Meadows](#) (R-NC) – The amendment would require the Secretary of the Army to prioritize the operation and maintenance of existing infrastructure, improve its reliability, and improve cyber threat resilience.
17. [Rep. Mast](#) (R-FL) – The amendment would require the secretary to provide credit for work completed during construction under an agreement that prescribes terms and conditions for the in-kind contributions that are not defined. The secretary is required to determine the work done by the nonfederal entity was integral to the project.
18. [Rep. Pearce](#) (R-NM) – The amendment would require the secretary to pay the outstanding balance of the federal cost share for any project carried out under section 593 of [WRDA 1999](#) within the next fiscal year. Section 593 describes a pilot program that provides environmental assistance to nonfederal interests in central New Mexico.
19. [Rep. Kelly](#) (R-PA) – The amendment would require the Corps to consider recreational boat traffic levels and related economic benefits when making funding determinations with respect to the operation and maintenance of locks on the Allegheny River.
20. [Rep. Schrader](#) (D-OR) – The amendment would allow the secretary to provide assistance to municipalities if their water supply is adversely affected by Corps construction.
21. [Rep. Jayapal](#) (D-WA) – The amendment would require the secretary to submit a report to Congress on the potential for integrating noise mitigation technologies into improvements in harbors and inland harbors.

22. [Rep. Higgins](#) (D-LA) – The amendment would require the secretary to prefer the minimum interest in real property necessary to support a project or action. When determining the proper interest, the secretary is required to first consider a temporary easement estate designed to reduce costs and time, and minimize property owner conflict. The secretary is required to consider and replicate the procedures that a state has used to acquire land interests, if they're consistent with project goals.
23. [Rep. Babin](#) (R-TX) – The amendment would express the sense of Congress that high-use federal navigation projects, should ensure safe 2-way traffic by design vessels recommended by navigation studies and that the secretary should consider the benefits of safety modification or improvement to commercial navigation when evaluating the modifications or improvements.
24. [Rep. Bost](#) (R-IL) – The amendment would allow the Corps to conduct repair or restoration for emergency projects under [33 U.S.C. 701n](#) when the cost outweighs the benefits if the nonfederal sponsor agrees to contribute to an amount sufficient enough to make the remaining costs of the project equal to the benefits. The damage may not be a result of negligent operation or maintenance.
25. [Rep. Heck](#) (D-WA) – The amendment would require the GAO to conduct a study on the compliance of projects and properties constructed or renovated by the Corps with stormwater runoff requirements, and submit a report to Congress.
26. [Rep. González Colón](#) (PR) – The amendment would express the sense of Congress that the Corps should proceed with urgency, and viewing requirements in a favorable light, when evaluating the actions to be taken to complete reports necessary to proceed with water resources projects in Puerto Rico. The bill would also express the sense of Congress that the Corps should advance the Cano Martin Pena project for ecosystem restoration in San Juan, Puerto Rico.
27. [Rep. Gibbs](#) (R-OH) – The amendment would require the secretary to expedite the dredged material management plan process for plans initiated in or after fiscal year 2018, so that they reach completion within 2 years of initiation.
28. [Rep. Frankel](#) (D-FL) – The amendment would remove a provision that only allows the Corps to use sand from nondomestic sources for beach renourishment if nondomestic materials are not available for environmental or economic reasons.
29. [Rep. Davis](#) (R-IL) – The amendment would require operation and maintenance for projects authorized under the Chief's Report for the Brandon Road Study to be carried out at an 80 percent federal, 20 percent nonfederal cost-share. The amendment requires the secretary to consult with the governor of a state to construct new technologies not included in the Chief's Report. Finally, the amendment requires the Corps to expedite completion of the [Great Lakes Mississippi River Basin Study Brandon Road Study](#).
30. [Rep. González Colón](#) (PR) – The amendment would require the Corps to expedite the completion of the San Juan Harbor [project](#) for navigation, and may proceed to preconstruction planning, engineering and design of the project if the project is deemed justified.
31. [Rep. Lance](#) (R-NJ) – The amendment would require the Corps to expedite the completion of the Warren Glen Dam Removal project for ecosystem navigation in Musconetcong River, New Jersey, and may proceed to preconstruction planning, engineering and design of the project if the project is deemed justified.

32. [Rep. Lujan](#) (D-NM) – The amendment would require the Corps to expedite the completion of the Abiquiu Dam [project](#) for flood control and water supply in New Mexico, and may proceed to preconstruction planning, engineering and design of the project if the project is deemed justified.
33. [Rep. Larsen](#) (D-WA) – The amendment would increase the authorization for critical restoration projects in Puget Sound, Washington, from \$40 million to \$60 million, and increase the maximum amount to be awarded to a project from \$5 million to \$10 million. The bill would offset the cost of increasing the program by requiring the Corps to find an additional \$25 million worth of project deauthorizations.
34. [Rep. Keating](#) (D-MA) – The amendment would require the Corps to complete the dredging of [Plymouth Harbor](#), Massachusetts, before the end of 2019.
35. [Rep. Joyce](#) (R-OH) – The amendment would require the Corps to expedite completion of the [Great Lakes Mississippi River Basin Study Brandon Road Study](#).
36. [Rep. Bishop](#) (D-GA) – The amendment would require the Secretary of the Army to convey three parcels of land, known as the Earle May Recreation Area, to the City of Bainbridge, Georgia. The land must be maintained for fish and wildlife, recreation, and environmental purposes.
37. [Rep. Blum](#) (R-IA) – The amendment would require the Corps to expedite completion of the Cedar River [project](#) for flood risk management.
38. [Rep. Keating](#) (D-MA) – The amendment would allow the secretary to repair or replace any bridge located in Connecticut, Massachusetts, New Hampshire, Rhode Island, or Vermont, if the bridge is necessary for evacuation during an extreme weather event.
39. [Rep. McMorris Rogers](#) (R-WA) – The amendment would authorize a conveyance of 288 acres of federal land within Tract D of Little Goose Lock and Dam in Whitman County, Washington to the Port of Whitman County. In the return, the U.S. would receive a parcel of land owned by the Port of Whitman County that equals or exceeds the value of the federal land, both as habitat for fish and wildlife, and for recreational opportunities related to fish and wildlife.
40. [Rep. Shea-Porter](#) (D-NH) – The amendment would require the secretary to use all existing authorities to mitigate severe shoaling when carrying out the Hampton Harbor [project](#) for navigation in New Hampshire.
41. [Rep. Shea-Porter](#) (N-NH) – The amendment would require the Corps to expedite completion of the Portsmouth Harbor and the Piscataqua River [project](#) for navigation.
42. [Rep. Lewis](#) (R-MN) – The amendment would express the sense of Congress that when a state develops a reasonable alternative to the federal standard for dredged material disposal facilities, it should receive preferred consideration.
43. [Rep. Olson](#) (R-TX) – The amendment would require the secretary to expedite Corps authorized projects to reduce the risk of future floods and hurricanes in Texas, Florida, Georgia, Louisiana, South Carolina, Puerto Rico, and the Virgin Islands.
44. [Rep. McCaul](#) (R-TX) – The amendment would require the secretary to expedite Corps authorized projects to reduce the risk of future floods and hurricanes in the Houston and Coastal Texas areas, leveraging existing information and resources.

45. [Rep. Weber](#) (R-TX) – The amendment would require the secretary to include, when completing a Levee Safety Action Certification, explanations of the way relevant factors were integrated in arriving at the rating, all corrective actions that can be taken to improve the classification, and the costs associated with the corrective actions.
46. [Rep. Meeks](#) (D-NY) – The amendment would require the Corps to expedite the completion of the feasibility study for the East Rockaway Inlet to Rockaway Inlet and Jamaica Bay [project](#) for reformulation, in Queens, New York, and may proceed to preconstruction planning, engineering and design of the project if the project is deemed justified.
47. [Rep. Schrader](#) (D-OR) – The amendment would require the Corps to include all projects or facilities studied for disposition, if a final Corps report has been completed, in the future work plan of the Corps.
48. [Rep. Smith](#) (R-MO) – The amendment would require the secretary to expedite the reset and restoration of the levees damaged by a flood event that requires operation of any floodway or backwater feature within the Mississippi River and Tributaries [project](#) to relieve pressure on other system levees.
49. [Rep. Young](#) (R-AK) – The amendment would require the secretary to assess the effects of the secretary continuing to be responsible for the maintenance of the project for longer than 15 years, and not being responsible for maintenance, for every class II project under the Corps’ Dam Safety Action Classification. The secretary must then submit a report to Congress on the assessment.
50. [Rep. Costa](#) (D-CA) – The amendment would authorize the secretary to receive and expend funds from the owner of a nonfederal reservoir to formulate or review operational documents for any nonfederal reservoir that the secretary is authorized to prescribe regulations for the use of storage allocated for flood risk management or navigation, under [33 U.S.C. 709](#).
51. [Rep. Soto](#) (D-FL) – The amendment would require the secretary to aim to provide information to all adjoining residential stakeholders or real property to which the Corps holds an interest in when making real estate data publically available under section 137.
52. [Rep. Paulsen](#) (R-MN) – The amendment would require the secretary to expedite completion of the disposition study related to the [Upper St. Anthony Falls Lock and Dam](#) and require the secretary to produce a report that includes plans for carrying out modifications to preserve recreational opportunities and the health of the ecosystem, and maintain the benefits to the natural ecosystem and human environment. The report must also include a partial disposition of the facility and surrounding property that preserves any portion necessary to maintain flood control and expedite the disposition required above.

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