

SEPTEMBER 22, 2016

**RULES COMMITTEE PRINT 114-65**  
**TEXT OF H.R. 5303, WATER RESOURCES**  
**DEVELOPMENT ACT OF 2016**

**[Showing the text of the bill as ordered reported by the Committee on Transportation and Infrastructure, with a modification.]**

**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 2016”.**

**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 Acts.

Sec. 102. Training and employment for veterans and members of Armed Forces  
in curation and historic preservation.

Sec. 103. Youth service and conservation corps organizations.

Sec. 104. Navigation safety.

Sec. 105. Emerging harbors.

Sec. 106. Federal breakwaters and jetties.

Sec. 107. Donor ports and energy transfer ports.

Sec. 108. Remote and subsistence harbors.

Sec. 109. Beneficial use of dredged material.

Sec. 110. Reservoir sediment.

Sec. 111. Contributed funds for reservoir operations.

Sec. 112. Water supply conservation.

Sec. 113. Interstate compacts.

Sec. 114. Nonstructural alternatives.

Sec. 115. Operation and maintenance of environmental protection and restoration  
and aquatic ecosystem restoration projects.

Sec. 116. Estuary restoration.

Sec. 117. Great Lakes fishery and ecosystem restoration.

Sec. 118. Agreements.

Sec. 119. Corps of Engineers operation of unmanned aircraft systems.

Sec. 120. Federal dredge fleet.

- Sec. 121. Corps of Engineers assets.
- Sec. 122. Funding to process permits.
- Sec. 123. Credit in lieu of reimbursement.
- Sec. 124. Clarification of contributions during emergency events.
- Sec. 125. Study of water resources development projects by non-Federal interests.
- Sec. 126. Non-Federal construction of authorized flood damage reduction projects.
- Sec. 127. Multistate activities.
- Sec. 128. Regional participation assurance for levee safety activities.
- Sec. 129. Participation of non-Federal interests.
- Sec. 130. Indian tribes.
- Sec. 131. Dissemination of information on the annual report process.
- Sec. 132. Scope of projects.
- Sec. 133. Preliminary feasibility study activities.
- Sec. 134. Post-authorization change reports.
- Sec. 135. Maintenance dredging data.
- Sec. 136. Electronic submission and tracking of permit applications.
- Sec. 137. Data transparency.
- Sec. 138. Backlog prevention.
- Sec. 139. Quality control.
- Sec. 140. Budget development and prioritization.
- Sec. 141. Use of natural and nature-based features.
- Sec. 142. Annual report on purchase of foreign manufactured articles.
- Sec. 143. Integrated water resources planning.
- Sec. 144. Evaluation of project partnership agreements.
- Sec. 145. Additional measures at donor ports and energy transfer ports.
- Sec. 146. Arctic deep draft port development partnerships.
- Sec. 147. International outreach program.
- Sec. 148. Comprehensive study.
- Sec. 149. Alternative models for managing Inland Waterways Trust Fund.
- Sec. 150. Alternative projects to maintenance dredging.
- Sec. 151. Fish hatcheries.
- Sec. 152. Environmental banks.

## TITLE II—STUDIES

- Sec. 201. Authorization of proposed feasibility studies.
- Sec. 202. Expedited completion of reports for certain projects.

## TITLE III—DEAUTHORIZATIONS AND RELATED PROVISIONS

- Sec. 301. Deauthorization of inactive projects.
- Sec. 302. Valdez, Alaska.
- Sec. 303. Los Angeles County Drainage Area, Los Angeles County, California.
- Sec. 304. Sutter Basin, California.
- Sec. 305. Essex River, Massachusetts.
- Sec. 306. Port of Cascade Locks, Oregon.
- Sec. 307. Central Delaware River, Philadelphia, Pennsylvania.
- Sec. 308. Huntingdon County, Pennsylvania.
- Sec. 309. Rivercenter, Philadelphia, Pennsylvania.
- Sec. 310. Joe Pool Lake, Texas.
- Sec. 311. Salt Creek, Graham, Texas.
- Sec. 312. Texas City Ship Channel, Texas City, Texas.

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 ACTS.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) The Corps of Engineers constructs projects  
9 for the purposes of navigation, flood control, beach  
10 erosion control and shoreline protection, hydro-  
11 electric power, recreation, water supply, environ-  
12 mental protection, restoration, and enhancement,  
13 and fish and wildlife mitigation.

14 (2) The Corps of Engineers is the primary Fed-  
15 eral provider of outdoor recreation in the United  
16 States.

17 (3) The Corps of Engineers owns and operates  
18 more than 600 dams.

19 (4) The Corps of Engineers operates and main-  
20 tains 12,000 miles of commercial inland navigation  
21 channels.

22 (5) The Corps of Engineers manages the dredg-  
23 ing of more than 200,000,000 cubic yards of con-  
24 struction and maintenance dredge material annually.

1           (6) The Corps of Engineers maintains 926  
2           coastal, Great Lakes, and inland harbors.

3           (7) The Corps of Engineers restores, creates,  
4           enhances, or preserves tens of thousands of acres of  
5           wetlands annually under the Corps' Regulatory Pro-  
6           gram.

7           (8) The Corps of Engineers provides a total  
8           water supply storage capacity of 329,200,000 acre-  
9           feet in major Corps lakes.

10          (9) The Corps of Engineers owns and operates  
11          24 percent of United States hydropower capacity or  
12          3 percent of the total electric capacity of the United  
13          States.

14          (10) The Corps of Engineers supports Army  
15          and Air Force installations.

16          (11) The Corps of Engineers provides technical  
17          and construction support to more than 100 coun-  
18          tries.

19          (12) The Corps of Engineers manages an Army  
20          military construction program that carried out ap-  
21          proximately \$44,600,000,000 in construction  
22          projects (the largest construction effort since World  
23          War II) between 2006 and 2013.

1           (13) The Corps of Engineers researches and de-  
2           velops technologies to protect the environment and  
3           enhance quality of life in the United States.

4           (14) The legislation for authorizing Corps of  
5           Engineers projects is the Water Resources Develop-  
6           ment Act and, between 1986 and 2000, Congress  
7           typically enacted an authorization bill every 2 years.

8           (15) Since 2000, only 3 Water Resources De-  
9           velopment Acts have been enacted.

10          (16) In 2014, the Water Resources Reform and  
11          Development Act of 2014 was enacted, which accel-  
12          erated the infrastructure project delivery process,  
13          fostered fiscal responsibility, and strengthened water  
14          transportation networks to promote the competitive-  
15          ness, prosperity, and economic growth of the United  
16          States.

17          (17) Section 1001 of the Water Resources Re-  
18          form and Development Act of 2014 (33 U.S.C.  
19          2282c) requires typical Corps of Engineers project  
20          feasibility studies to be completed in 3 years.

21          (18) Section 7001 of the Water Resources Re-  
22          form and Development Act of 2014 (33 U.S.C.  
23          2282d) requires the Corps of Engineers to submit  
24          annually a Report to Congress on Future Water Re-  
25          sources Development, which ensures projects and ac-

1 activities proposed at the local, regional, and State lev-  
2 els are considered for authorization.

3 (19) Passing Water Resources Development  
4 Acts on a routine basis enables Congress to exercise  
5 oversight, ensures the Corps of Engineers maintains  
6 an appropriately sized portfolio, prevents project  
7 backlog, and keeps United States infrastructure  
8 competitive.

9 (b) SENSE OF CONGRESS.—It is the sense of Con-  
10 gress that—

11 (1) the missions and authorities of the Corps of  
12 Engineers are a unique function that benefits all  
13 Americans;

14 (2) water resources development projects are  
15 critical to maintaining economic prosperity, national  
16 security, and environmental protection;

17 (3) Congress has required timely delivery of  
18 project and study authorization proposals from non-  
19 Federal project sponsors and the Corps of Engi-  
20 neers; and

21 (4) Congress should consider a Water Re-  
22 sources Development Act at least once every Con-  
23 gress.

1 **SEC. 102. TRAINING AND EMPLOYMENT FOR VETERANS**  
2 **AND MEMBERS OF ARMED FORCES IN**  
3 **CURATION AND HISTORIC PRESERVATION.**

4 Using available funds, the Secretary, acting through  
5 the Chief of Engineers, shall carry out a Veterans'  
6 Curation Program to train and hire veterans and members  
7 of the Armed Forces to assist the Secretary in carrying  
8 out curation and historic preservation activities.

9 **SEC. 103. YOUTH SERVICE AND CONSERVATION CORPS OR-**  
10 **GANIZATIONS.**

11 Section 213 of the Water Resources Development Act  
12 of 2000 (33 U.S.C. 2339) is amended—

13 (1) by redesignating subsection (c) as sub-  
14 section (d); and

15 (2) by inserting after subsection (b) the fol-  
16 lowing:

17 “(c) YOUTH SERVICE AND CONSERVATION CORPS  
18 ORGANIZATIONS.—The Secretary shall, to the maximum  
19 extent practicable, enter into cooperative agreements with  
20 qualified youth service and conservation corps organiza-  
21 tions for services relating to projects under the jurisdiction  
22 of the Secretary and shall do so in a manner that ensures  
23 the maximum participation and opportunities for such or-  
24 ganizations.”.

1 **SEC. 104. NAVIGATION SAFETY.**

2 The Secretary shall use section 5 of the Act of March  
3 4, 1915 (38 Stat. 1053, chapter 142; 33 U.S.C. 562), to  
4 carry out navigation safety activities at those projects eli-  
5 gible for operation and maintenance under section 204(f)  
6 of the Water Resources Development Act of 1986 (33  
7 U.S.C. 2232(f)).

8 **SEC. 105. EMERGING HARBORS.**

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

11 (1) in subsection (c)(3) by striking “for each of  
12 fiscal years 2015 through 2022” and inserting “for  
13 each fiscal year”; and

14 (2) in subsection (d)(1)(A)—

15 (A) in the matter preceding clause (i) by  
16 striking “For each of fiscal years 2015 through  
17 2024” and inserting “For each fiscal year”;

18 (B) in clause (i) by striking “90” and in-  
19 serting “Not more than 90”; and

20 (C) in clause (ii) by striking “10” and in-  
21 serting “At least 10”.

22 **SEC. 106. FEDERAL BREAKWATERS AND JETTIES.**

23 (a) IN GENERAL.—The Secretary shall, at Federal  
24 expense, establish an inventory and conduct an assessment  
25 of the general structural condition of all Federal break-



1 waters and jetties protecting harbors and inland harbors  
2 within the United States.

3 (b) CONTENTS.—The inventory and assessment car-  
4 ried out under subsection (a) shall include—

5 (1) compiling location information for all Fed-  
6 eral breakwaters and jetties protecting harbors and  
7 inland harbors within the United States;

8 (2) determining the general structural condition  
9 of each breakwater and jetty;

10 (3) analyzing the potential risks to navigational  
11 safety, and the impact on the periodic maintenance  
12 dredging needs of protected harbors and inland har-  
13 bors, resulting from the general structural condition  
14 of each breakwater and jetty; and

15 (4) estimating the costs, for each breakwater  
16 and jetty, to restore or maintain the breakwater or  
17 jetty to authorized levels and the total of all such  
18 costs.

19 (c) REPORT TO CONGRESS.—Not later than 1 year  
20 after the date of enactment of this Act, the Secretary shall  
21 submit to Congress a report on the results of the inventory  
22 and assessment carried out under subsection (a).

23 **SEC. 107. DONOR PORTS AND ENERGY TRANSFER PORTS.**

24 Section 2106(a)(2)(B) of the Water Resources Re-  
25 form and Development Act of 2014 (33 U.S.C.

1 2238c(a)(2)(B)) is amended by striking “\$15,000,000”  
2 and inserting “\$5,000,000”.

3 **SEC. 108. REMOTE AND SUBSISTENCE HARBORS.**

4 Section 2006 of the Water Resources Development  
5 Act of 2007 (33 U.S.C. 2242) is amended—

6 (1) in subsection (a)(3) by inserting “in which  
7 the project is located, or the long-term viability of a  
8 community that is located in the region that is  
9 served by the project and that will rely on the  
10 project,” after “community”; and

11 (2) in subsection (b)—

12 (A) in paragraph (1) by inserting “and  
13 communities that are located in the region to be  
14 served by the project and that will rely on the  
15 project” after “community”;

16 (B) in paragraph (4) by striking “local  
17 population” and inserting “regional population  
18 to be served by the project”; and

19 (C) in paragraph (5) by striking “commu-  
20 nity” and inserting “local community and com-  
21 munities that are located in the region to be  
22 served by the project and that will rely on the  
23 project”.

1 **SEC. 109. BENEFICIAL USE OF DREDGED MATERIAL.**

2 (a) IN GENERAL.—Not later than 90 days after the  
3 date of enactment of this Act, the Secretary shall establish  
4 a pilot program to carry out projects for the beneficial  
5 use of dredged material, including projects for the pur-  
6 poses of—

7 (1) reducing storm damage to property and in-  
8 frastructure;

9 (2) promoting public safety;

10 (3) protecting, restoring, and creating aquatic  
11 ecosystem habitats;

12 (4) stabilizing stream systems and enhancing  
13 shorelines;

14 (5) promoting recreation; and

15 (6) supporting risk management adaptation  
16 strategies.

17 (b) PROJECT SELECTION.—In carrying out the pilot  
18 program, the Secretary shall—

19 (1) identify for inclusion in the pilot program  
20 and carry out 10 projects for the beneficial use of  
21 dredged material;

22 (2) consult with relevant State agencies in se-  
23 lecting projects; and

24 (3) select projects solely on the basis of—

1 (A) the environmental, economic, and so-  
2 cial benefits of the projects, including monetary  
3 and nonmonetary benefits; and

4 (B) the need for a diversity of project  
5 types and geographical project locations.

6 (c) REGIONAL BENEFICIAL USE TEAMS.—

7 (1) IN GENERAL.—In carrying out the pilot  
8 program, the Secretary shall establish regional bene-  
9 ficial use teams to identify and assist in the imple-  
10 mentation of projects under the pilot program.

11 (2) COMPOSITION.—

12 (A) LEADERSHIP.—For each regional ben-  
13 efiticial use team established under paragraph  
14 (1), the Secretary shall appoint the Commander  
15 of the relevant division of the Corps of Engi-  
16 neers to serve as the head of the team.

17 (B) MEMBERSHIP.—The membership of  
18 each regional beneficial use team shall in-  
19 clude—

20 (i) representatives of relevant Corps  
21 of Engineers districts and divisions;

22 (ii) representatives of relevant State  
23 and local agencies; and

24 (iii) representatives of Federal agen-  
25 cies and such other entities as the Sec-

1                   retary determines appropriate, consistent  
2                   with the purposes of this section.

3           (d) CONSIDERATIONS.—The Secretary shall carry out  
4 the pilot program in a manner that—

5           (1) maximizes the beneficial placement of  
6 dredged material from Federal and non-Federal  
7 navigation channels;

8           (2) incorporates, to the maximum extent prac-  
9 ticable, 2 or more Federal navigation, flood control,  
10 storm damage reduction, or environmental restora-  
11 tion projects;

12           (3) coordinates the mobilization of dredges and  
13 related equipment, including through the use of such  
14 efficiencies in contracting and environmental permit-  
15 ting as can be implemented under existing laws and  
16 regulations;

17           (4) fosters Federal, State, and local collabora-  
18 tion;

19           (5) implements best practices to maximize the  
20 beneficial use of dredged sand and other sediments;  
21 and

22           (6) ensures that the use of dredged material is  
23 consistent with all applicable environmental laws.

24           (e) COST SHARING.—Projects carried out under this  
25 section shall be subject to the cost-sharing requirements

1 applicable to projects carried out under section 204 of the  
2 Water Resources Development Act of 1992 (33 U.S.C.  
3 2326).

4 (f) REPORT.—Not later than 2 years after the date  
5 of enactment of this Act, and annually thereafter, the Sec-  
6 retary shall submit to the Committee on Environment and  
7 Public Works of the Senate and the Committee on Trans-  
8 portation and Infrastructure of the House of Representa-  
9 tives a report that includes—

10 (1) a description of the projects selected to be  
11 carried out under the pilot program;

12 (2) documentation supporting each of the  
13 projects selected;

14 (3) the findings of regional beneficial use teams  
15 regarding project selection; and

16 (4) any recommendations of the Secretary or  
17 regional beneficial use teams with respect to the  
18 pilot program.

19 (g) TERMINATION.—The pilot program shall termi-  
20 nate after completion of the 10 projects carried out pursu-  
21 ant to subsection (b)(1).

22 (h) EXEMPTION FROM OTHER STANDARDS.—The  
23 projects carried out under this section shall be carried out  
24 notwithstanding the definition of the term “Federal stand-

1 ard” in section 335.7 of title 33, Code of Federal Regula-  
2 tions.

3 (i) CLARIFICATION.—Section 156(e) of the Water  
4 Resources Development Act of 1976 (42 U.S.C. 1962d–  
5 5f(e)) is amended by striking “3” and inserting “6”.

6 **SEC. 110. RESERVOIR SEDIMENT.**

7 (a) IN GENERAL.—Section 215 of the Water Re-  
8 sources Development Act of 2000 (33 U.S.C. 2326c) is  
9 amended to read as follows:

10 **“SEC. 215. RESERVOIR SEDIMENT.**

11 “(a) IN GENERAL.—Not later than 180 days after  
12 the date of enactment of the Water Resources Develop-  
13 ment Act of 2016 and after providing public notice, the  
14 Secretary shall establish, using available funds, a pilot  
15 program to accept services provided by a non-Federal in-  
16 terest or commercial entity for removal of sediment cap-  
17 tured behind a dam owned or operated by the United  
18 States and under the jurisdiction of the Secretary for the  
19 purpose of restoring the authorized storage capacity of the  
20 project concerned.

21 “(b) REQUIREMENTS.—In carrying out this section,  
22 the Secretary shall—

23 “(1) review the services of the non-Federal in-  
24 terest or commercial entity to ensure that the serv-

1       ices are consistent with the authorized purposes of  
2       the project concerned;

3           “(2) ensure that the non-Federal interest or  
4       commercial entity will indemnify the United States  
5       for, or has entered into an agreement approved by  
6       the Secretary to address, any adverse impact to the  
7       dam as a result of such services;

8           “(3) require the non-Federal interest or com-  
9       mercial entity, prior to initiating the services and  
10      upon completion of the services, to conduct sediment  
11      surveys to determine the pre- and post-services sedi-  
12      ment profile and sediment quality; and

13          “(4) limit the number of dams for which serv-  
14      ices are accepted to 10.

15      “(c) LIMITATION.—

16          “(1) IN GENERAL.—The Secretary may not ac-  
17      cept services under subsection (a) if the Secretary,  
18      after consultation with the Chief of Engineers, de-  
19      termines that accepting the services is not advan-  
20      tageous to the United States.

21          “(2) REPORT TO CONGRESS.—If the Secretary  
22      makes a determination under paragraph (1), the  
23      Secretary shall provide to the Committee on Trans-  
24      portation and Infrastructure of the House of Rep-  
25      resentatives and the Committee on Environment and



1 Public Works of the Senate written notice describing  
2 the reasoning for the determination.

3 “(d) DISPOSITION OF REMOVED SEDIMENT.—In ex-  
4 change for providing services under subsection (a), a non-  
5 Federal interest or commercial entity is authorized to re-  
6 tain, use, recycle, sell, or otherwise dispose of any sedi-  
7 ment removed in connection with the services and the  
8 Corps of Engineers may not seek any compensation for  
9 the value of the sediment.

10 “(e) CONGRESSIONAL NOTIFICATION.—Prior to ac-  
11 cepting services provided by a non-Federal interest or  
12 commercial entity under this section, the Secretary shall  
13 provide to the Committee on Transportation and Infra-  
14 structure of the House of Representatives and the Com-  
15 mittee on Environment and Public Works of the Senate  
16 written notice of the acceptance of the services.

17 “(f) REPORT TO CONGRESS.—Upon completion of  
18 services at the 10 dams allowed under subsection (b)(4),  
19 the Secretary shall make publicly available and submit to  
20 the Committee on Transportation and Infrastructure of  
21 the House of Representatives and the Committee on Envi-  
22 ronment and Public Works of the Senate a report docu-  
23 menting the results of the services.”.

24 (b) CLERICAL AMENDMENT.—The table of contents  
25 in section 1(b) of the Water Resources Development Act

1 of 2000 is amended by striking the item relating to section  
2 215 and inserting the following:

“Sec. 215. Reservoir sediment.”.

3 **SEC. 111. CONTRIBUTED FUNDS FOR RESERVOIR OPER-**  
4 **ATIONS.**

5 Section 5 of the Act of June 22, 1936 (49 Stat. 1572,  
6 chapter 688; 33 U.S.C. 701h), is amended by inserting  
7 after “authorized purposes of the project:” the following:  
8 “*Provided further*, That the Secretary is authorized to re-  
9 ceive and expend funds from a State or a political subdivi-  
10 sion thereof, and other non-Federal interests, to formu-  
11 late, review, or revise operational documents for any res-  
12 ervoir for which the Secretary is authorized to prescribe  
13 regulations for the use of storage allocated for flood risk  
14 management or navigation pursuant to section 7 of the  
15 Act of December 22, 1944 (58 Stat. 890, chapter 665;  
16 33 U.S.C. 709):”.

17 **SEC. 112. WATER SUPPLY CONSERVATION.**

18 (a) IN GENERAL.—In a State in which a drought  
19 emergency has been declared or was in effect during the  
20 1-year period ending on the date of enactment of this Act,  
21 the Secretary is authorized—

22 (1) to conduct an evaluation for purposes of ap-  
23 proving water supply conservation measures that are  
24 consistent with the authorized purposes of water re-

1 sources development projects under the jurisdiction  
2 of the Secretary; and

3 (2) to enter into written agreements pursuant  
4 to section 221 of the Flood Control Act of 1970 (42  
5 U.S.C. 1962d–5b) with non-Federal interests to  
6 carry out the conservation measures approved by  
7 such evaluations.

8 (b) ELIGIBILITY.—Water supply conservation meas-  
9 ures evaluated under subsection (a) may include the fol-  
10 lowing:

11 (1) Storm water capture.

12 (2) Releases for ground water replenishment or  
13 aquifer storage and recovery.

14 (3) Releases to augment water supply at an-  
15 other Federal or non-Federal storage facility.

16 (4) Other conservation measures that enhance  
17 usage of a Corps of Engineers project for water sup-  
18 ply.

19 (c) COSTS.—A non-Federal interest shall pay only the  
20 separable costs associated with the evaluation, implemen-  
21 tation, operation, and maintenance of an approved water  
22 supply conservation measure, which payments may be ac-  
23 cepted and expended by the Corps of Engineers to cover  
24 such costs.

1 (d) STATUTORY CONSTRUCTION.—Nothing in this  
2 section may be construed to modify or alter the obligations  
3 of a non-Federal interest under existing or future agree-  
4 ments for—

5 (1) water supply storage pursuant to section  
6 301 of the Water Supply Act of 1958 (43 U.S.C.  
7 390b); or

8 (2) surplus water use pursuant to section 6 of  
9 the Act of December 22, 1944 (58 Stat. 890, chap-  
10 ter 665; 33 U.S.C. 708).

11 (e) LIMITATIONS.—Nothing in this section—

12 (1) affects, modifies, or changes the authorized  
13 purposes of a Corps of Engineers project;

14 (2) affects existing Corps of Engineers authori-  
15 ties, including its authorities with respect to naviga-  
16 tion, flood damage reduction, and environmental  
17 protection and restoration;

18 (3) affects the Corps of Engineers ability to  
19 provide for temporary deviations;

20 (4) affects the application of a cost-share re-  
21 quirement under section 101, 102, or 103 of the  
22 Water Resources Development Act of 1986 (33  
23 U.S.C. 2211, 2212, and 2213);

24 (5) supersedes or modifies any written agree-  
25 ment between the Federal Government and a non-

1 Federal interest that is in effect on the date of en-  
2 actment of this Act;

3 (6) supersedes or modifies any amendment to  
4 an existing multistate water control plan, including  
5 those water control plans along the Missouri River  
6 and those water control plans in the Apalachicola-  
7 Chattahoochee-Flint and Alabama-Coosa-Tallapoosa  
8 basins;

9 (7) affects any water right in existence on the  
10 date of enactment of this Act; or

11 (8) preempts or affects any State water law or  
12 interstate compact governing water.

13 **SEC. 113. INTERSTATE COMPACTS.**

14 Section 301 of the Water Supply Act of 1958 (43  
15 U.S.C. 390b) is amended by striking subsection (f).

16 **SEC. 114. NONSTRUCTURAL ALTERNATIVES.**

17 Section 5(a)(1) of the Act of August 18, 1941 (55  
18 Stat. 650, chapter 377; 33 U.S.C. 701n(a)(1)), is amend-  
19 ed by striking “if requested” each place it appears and  
20 inserting “after consultation with the non-Federal sponsor  
21 and if requested and agreed to”.

1 **SEC. 115. OPERATION AND MAINTENANCE OF ENVIRON-**  
2 **MENTAL PROTECTION AND RESTORATION**  
3 **AND AQUATIC ECOSYSTEM RESTORATION**  
4 **PROJECTS.**

5 (a) **NON-FEDERAL OBLIGATIONS.**—Notwithstanding  
6 section 103(j) of the Water Resources Development Act  
7 of 1986 (33 U.S.C. 2213(j)), a non-Federal interest is re-  
8 leased from any obligation to operate and maintain the  
9 nonstructural and nonmechanical components of a water  
10 resources development project carried out for the purposes  
11 of environmental protection and restoration or aquatic  
12 ecosystem restoration, including a project carried out  
13 under section 206 of the Water Resources Development  
14 Act of 1996 (33 U.S.C. 2330) or section 1135 of the  
15 Water Resources Development Act of 1986 (33 U.S.C.  
16 2309a), if the Secretary determines that—

17 (1) the 50-year period that began on the date  
18 on which project construction was completed has  
19 concluded; or

20 (2) the criteria identified in the guidance issued  
21 under subsection (c) have been met with respect to  
22 the project.

23 (b) **FEDERAL OBLIGATIONS.**—The Secretary is not  
24 responsible for the operation or maintenance of any com-  
25 ponents of a project with respect to which a non-Federal  
26 interest is released from obligations under subsection (a).

1           (c) GUIDANCE.—In consultation with non-Federal in-  
2 terests, and not later than 1 year after the date of enact-  
3 ment of this Act, the Secretary shall issue guidance that  
4 identifies criteria for determining, using the best available  
5 science, when the purpose of a project for environmental  
6 protection and restoration or aquatic ecosystem restora-  
7 tion has been achieved, including criteria for determining  
8 when a project has resulted in the return of the project  
9 location to a condition where natural hydrologic and eco-  
10 logical functions are the predominant factors in the condi-  
11 tion, functionality, and durability of the location.

12 **SEC. 116. ESTUARY RESTORATION.**

13           (a) PARTICIPATION OF NON-FEDERAL INTERESTS.—  
14 Section 104(f) of the Estuary Restoration Act of 2000 (33  
15 U.S.C. 2903(f)) is amended by adding at the end the fol-  
16 lowing:

17                   “(3) PROJECT AGREEMENTS.—For a project  
18 carried out under this title, the requirements of sec-  
19 tion 103(j)(1) of the Water Resources Development  
20 Act of 1986 (33 U.S.C. 2213(j)(1)) may be fulfilled  
21 by a nongovernmental organization serving as the  
22 non-Federal interest for the project pursuant to  
23 paragraph (2).”.

24           (b) EXTENSION.—Section 109(a) of the Estuary Res-  
25 toration Act of 2000 (33 U.S.C. 2908(a)) is amended by

1 striking “2012” each place it appears and inserting  
2 “2021”.

3 **SEC. 117. GREAT LAKES FISHERY AND ECOSYSTEM RES-**  
4 **TORATION.**

5 Section 506(g) of the Water Resources Development  
6 Act of 2000 (42 U.S.C. 1962d–22(g)) is repealed.

7 **SEC. 118. AGREEMENTS.**

8 Section 2036(c) of the Water Resources Development  
9 Act of 2007 (33 U.S.C. 2317b) is repealed.

10 **SEC. 119. CORPS OF ENGINEERS OPERATION OF UN-**  
11 **MANNED AIRCRAFT SYSTEMS.**

12 (a) IN GENERAL.—The Secretary shall designate an  
13 individual, within the headquarters office of the Corps of  
14 Engineers, who shall serve as the coordinator and prin-  
15 cipal approving official for developing the process and pro-  
16 cedures by which the Corps of Engineers—

17 (1) operates and maintains small unmanned  
18 aircraft (as defined in section 331 of the FAA Mod-  
19 ernization and Reform Act of 2012 (49 U.S.C.  
20 40101 note)) systems in support of civil works and  
21 emergency response missions of the Corps of Engi-  
22 neers; and

23 (2) acquires, applies for, and receives any nec-  
24 essary Federal Aviation Administration authoriza-  
25 tions for such operations and systems.



1 (b) REQUIREMENTS.—A small unmanned aircraft  
2 system acquired, operated, or maintained for carrying out  
3 the missions specified in subsection (a) shall be operated  
4 in accordance with regulations of the Federal Aviation Ad-  
5 ministration as a civil aircraft or public aircraft, at the  
6 discretion of the Secretary, and shall be exempt from regu-  
7 lations of the Department of Defense, including the De-  
8 partment of the Army, governing such system.

9 (c) LIMITATION.—A small unmanned aircraft system  
10 acquired, operated, or maintained by the Corps of Engi-  
11 neers is excluded from use by the Department of Defense,  
12 including the Department of the Army, for any mission  
13 of the Department of Defense other than a mission speci-  
14 fied in subsection (a).

15 **SEC. 120. FEDERAL DREDGE FLEET.**

16 (a) STUDY.—The Comptroller General of the United  
17 States shall conduct a study on the costs and benefits of  
18 expanding, reducing, or maintaining the current configu-  
19 ration with respect to the size and makeup of the federally  
20 owned hopper dredge fleet.

21 (b) FACTORS.—In carrying out the study, the Comp-  
22 troller General shall evaluate—

23 (1) the current and anticipated configuration  
24 and capacity of the Federal and private hopper  
25 dredge fleet;

1           (2) the current and anticipated trends for the  
2 volume and type of dredge work required over the  
3 next 10 years, and the alignment of the size of the  
4 existing Federal and private hopper dredge fleet  
5 with future dredging needs;

6           (3) available historic data on the costs, effi-  
7 ciency, and time required to initiate and complete  
8 dredging work carried out by Federal and private  
9 hopper dredge fleets, respectively;

10           (4) whether the requirements of section 3 of the  
11 Act of August 11, 1888 (25 Stat. 423, chapter 860;  
12 33 U.S.C. 622), have any demonstrable impacts on  
13 the factors identified in paragraphs (1) through (3),  
14 and whether such requirements are most economical  
15 and advantageous to the United States; and

16           (5) other factors that the Comptroller General  
17 determines are necessary to evaluate whether it is  
18 economical and advantageous to the United States  
19 to expand, reduce, or maintain the current configu-  
20 ration of the federally owned hopper dredge fleet.

21           (c) REPORT.—Not later than 1 year after the date  
22 of enactment of this Act, the Comptroller General shall  
23 submit to Congress a report on the results of the study.

1 **SEC. 121. CORPS OF ENGINEERS ASSETS.**

2 Section 6002 of the Water Resources Reform and De-  
3 velopment Act of 2014 (Public Law 113–121; 128 Stat.  
4 1349) is amended—

5 (1) in subsection (a) by striking “the date of  
6 enactment of this Act” and inserting “the date of  
7 enactment of the Water Resources Development Act  
8 of 2016”; and

9 (2) in subsection (b) by adding at the end the  
10 following:

11 “(6) The extent to which the property has eco-  
12 nomic, cultural, historic, or recreational significance,  
13 or impacts at the national, State, or local level.”.

14 **SEC. 122. FUNDING TO PROCESS PERMITS.**

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

17 (1) in paragraph (1) by adding at the end the  
18 following:

19 “(C) RAILROAD CARRIER.—The term ‘rail-  
20 road carrier’ has the meaning given the term in  
21 section 20102 of title 49, United States Code.”;

22 (2) in paragraph (2)—

23 (A) by striking “or natural gas company”  
24 and inserting “, natural gas company, or rail-  
25 road carrier”; and

1 (B) by striking “or company” and insert-  
2 ing “, company, or carrier”;

3 (3) by striking paragraph (3);

4 (4) by redesignating paragraphs (4) and (5) as  
5 paragraphs (3) and (4), respectively; and

6 (5) in paragraph (4) (as so redesignated) by  
7 striking “and natural gas companies” and inserting  
8 “, natural gas companies, and railroad carriers”.

9 **SEC. 123. CREDIT IN LIEU OF REIMBURSEMENT.**

10 Section 1022 of the Water Resources Reform and De-  
11 velopment Act of 2014 (33 U.S.C. 2225) is amended—

12 (1) in subsection (a) by striking “that has been  
13 constructed by a non-Federal interest under section  
14 211 of the Water Resources Development Act of  
15 1996 (33 U.S.C. 701b-13) before the date of enact-  
16 ment of this Act” and inserting “for which a written  
17 agreement with the Corps of Engineers for construc-  
18 tion was finalized on or before December 31, 2014,  
19 under section 211 of the Water Resources Develop-  
20 ment Act of 1996 (33 U.S.C. 701b–13)”; and

21 (2) in subsection (b) by striking “share of the  
22 cost of the non-Federal interest of carrying out  
23 other flood damage reduction projects or studies”  
24 and inserting “non-Federal share of the cost of car-

1       rying out other water resources development projects  
2       or studies of the non-Federal interest”.

3       **SEC. 124. CLARIFICATION OF CONTRIBUTIONS DURING**  
4                                   **EMERGENCY EVENTS.**

5       Section 1024(a) of the Water Resources Reform and  
6       Development Act of 2014 (33 U.S.C. 2325a(a)) is amend-  
7       ed by inserting after “emergency” the following: “, or that  
8       has had or may have an equipment failure (including a  
9       failure caused by a lack of or deferred maintenance),”.

10       **SEC. 125. STUDY OF WATER RESOURCES DEVELOPMENT**  
11                                   **PROJECTS BY NON-FEDERAL INTERESTS.**

12       Section 203 of the Water Resources Development Act  
13       of 1986 (33 U.S.C. 2231) is amended by adding at the  
14       end the following:

15       “(e) **TECHNICAL ASSISTANCE.**—At the request of a  
16       non-Federal interest, the Secretary may provide to the  
17       non-Federal interest technical assistance relating to any  
18       aspect of a feasibility study if the non-Federal interest  
19       contracts with the Secretary to pay all costs of providing  
20       such technical assistance.”.

21       **SEC. 126. NON-FEDERAL CONSTRUCTION OF AUTHORIZED**  
22                                   **FLOOD DAMAGE REDUCTION PROJECTS.**

23       Section 204(d) of the Water Resources Development  
24       Act of 1986 (33 U.S.C. 2232(d)) is amended by adding  
25       at the end the following:

1           “(5) DISCRETE SEGMENTS.—

2           “(A) IN GENERAL.—The Secretary may  
3 authorize credit or reimbursement under this  
4 subsection for a discrete segment of a flood  
5 damage reduction project, or separable element  
6 thereof, before final completion of the project or  
7 separable element if—

8           “(i) except as provided in clause (ii),  
9 the Secretary determines that the discrete  
10 segment satisfies the requirements of para-  
11 graphs (1) through (4) in the same man-  
12 ner as the project or separable element;  
13 and

14           “(ii) notwithstanding paragraph  
15 (1)(A)(ii), the Secretary determines, before  
16 the approval of the plans under paragraph  
17 (1)(A)(i), that the discrete segment is tech-  
18 nically feasible and environmentally accept-  
19 able.

20           “(B) DETERMINATION.—Credit or reim-  
21 bursement may not be made available to a non-  
22 Federal interest pursuant to this paragraph  
23 until the Secretary determines that—

1           “(i) the construction of the discrete  
2           segment for which credit or reimbursement  
3           is requested is complete; and

4           “(ii) the construction is consistent  
5           with the authorization of the applicable  
6           flood damage reduction project, or sepa-  
7           rable element thereof, and the plans ap-  
8           proved under paragraph (1)(A)(i).

9           “(C) WRITTEN AGREEMENT.—

10           “(i) IN GENERAL.—As part of the  
11           written agreement required under para-  
12           graph (1)(A)(iii), a non-Federal interest to  
13           be eligible for credit or reimbursement  
14           under this paragraph shall—

15           “(I) identify any discrete seg-  
16           ment that the non-Federal interest  
17           may carry out; and

18           “(II) agree to the completion of  
19           the flood damage reduction project, or  
20           separable element thereof, with re-  
21           spect to which the discrete segment is  
22           a part and establish a timeframe for  
23           such completion.

24           “(ii) REMITTANCE.—If a non-Federal  
25           interest fails to complete a flood damage

1 reduction project, or separable element  
2 thereof, that it agreed to complete under  
3 clause (i)(II), the non-Federal interest  
4 shall remit any reimbursements received  
5 under this paragraph for a discrete seg-  
6 ment of such project or separable element.

7 “(D) DISCRETE SEGMENT DEFINED.—In  
8 this paragraph, the term ‘discrete segment’  
9 means a physical portion of a flood damage re-  
10 duction project, or separable element thereof—

11 “(i) described by a non-Federal inter-  
12 est in a written agreement required under  
13 paragraph (1)(A)(iii); and

14 “(ii) that the non-Federal interest can  
15 operate and maintain, independently and  
16 without creating a hazard, in advance of  
17 final completion of the flood damage reduc-  
18 tion project, or separable element there-  
19 of.”.

20 **SEC. 127. MULTISTATE ACTIVITIES.**

21 Section 22 of the Water Resources Development Act  
22 of 1974 (42 U.S.C. 1962d–16) is amended—

23 (1) in subsection (a)(1)—



1 (A) by striking “or other non-Federal in-  
2 terest” and inserting “, group of States, or  
3 non-Federal interest”;

4 (B) by inserting “or group of States” after  
5 “working with a State”; and

6 (C) by inserting “or group of States” after  
7 “boundaries of such State”; and

8 (2) in subsection (e)(1) by adding at the end  
9 the following: “The Secretary may allow 2 or more  
10 States to combine all or a portion of the funds that  
11 the Secretary makes available to the States in car-  
12 rying out subsection (a)(1).”.

13 **SEC. 128. REGIONAL PARTICIPATION ASSURANCE FOR**  
14 **LEVEE SAFETY ACTIVITIES.**

15 (a) NATIONAL LEVEE SAFETY PROGRAM.—Section  
16 9002 of the Water Resources Development Act of 2007  
17 (33 U.S.C. 3301) is amended—

18 (1) in paragraph (11) by striking “State or In-  
19 dian tribe” and inserting “State, regional district, or  
20 Indian tribe”;

21 (2) by redesignating paragraphs (12) through  
22 (16) as paragraphs (13) through (17), respectively;  
23 and

24 (3) by inserting after paragraph (11) the fol-  
25 lowing:

1           “(12) REGIONAL DISTRICT.—The term ‘re-  
2           gional district’ means a subdivision of a State gov-  
3           ernment, or a subdivision of multiple State govern-  
4           ments, that is authorized to acquire, construct, oper-  
5           ate, and maintain projects for the purpose of flood  
6           damage reduction.”.

7           (b) INVENTORY AND INSPECTION OF LEVEES.—Sec-  
8           tion 9004 of the Water Resources Development Act of  
9           2007 (33 U.S.C. 3303) is amended—

10           (1) in subsection (a)—

11                   (A) in paragraph (1) by striking “one year  
12                   after the date of enactment of this Act” and in-  
13                   serting “1 year after the date of enactment of  
14                   the Water Resources Development Act of  
15                   2016”;

16                   (B) in paragraph (2)(A) by striking  
17                   “States, Indian tribes, Federal agencies, and  
18                   other entities” and inserting “States, regional  
19                   districts, Indian tribes, Federal agencies, and  
20                   other entities”; and

21                   (C) in paragraph (3)—

22                           (i) in the heading for subparagraph  
23                           (A) by striking “FEDERAL, STATE, AND  
24                           LOCAL” and inserting “FEDERAL, STATE,  
25                           REGIONAL, TRIBAL, AND LOCAL”; and

1 (ii) in subparagraph (A) by striking  
2 “Federal, State, and local” and inserting  
3 “Federal, State, regional, tribal, and  
4 local”; and

5 (2) in subsection (c)—

6 (A) in paragraph (4)—

7 (i) in the paragraph heading by strik-  
8 ing “STATE AND TRIBAL” and inserting  
9 “STATE, REGIONAL, AND TRIBAL”; and

10 (ii) by striking “State or Indian tribe”  
11 each place it appears and inserting “State,  
12 regional district, or Indian tribe”; and

13 (B) in paragraph (5)—

14 (i) by striking “State or Indian tribe”  
15 and inserting “State, regional district, or  
16 Indian tribe”; and

17 (ii) by striking “chief executive of the  
18 tribal government” and inserting “chief ex-  
19 ecutive of the regional district or tribal  
20 government”.

21 (c) LEVEE SAFETY INITIATIVE.—Section 9005 of the  
22 Water Resources Development Act of 2007 (33 U.S.C.  
23 3303a) is amended—

24 (1) in subsection (c)—

25 (A) in paragraph (1)—

1 (i) in the matter preceding subpara-  
2 graph (A)—

3 (I) by striking “1 year after the  
4 date of enactment of this subsection”  
5 and inserting “1 year after the date of  
6 enactment of the Water Resources  
7 Development Act of 2016”; and

8 (II) by striking “State, local, and  
9 tribal governments and organizations”  
10 and inserting “State, regional, local,  
11 and tribal governments and organiza-  
12 tions”; and

13 (ii) in subparagraph (A) by striking  
14 “Federal, State, tribal, and local agencies”  
15 and inserting “Federal, State, regional,  
16 local, and tribal agencies”;

17 (B) in paragraph (3)—

18 (i) in subparagraph (A) by striking  
19 “State, local, and tribal governments” and  
20 inserting “State, regional, local, and tribal  
21 governments”; and

22 (ii) in subparagraph (B) by inserting  
23 “, regional, or tribal” after “State” each  
24 place it appears; and

1 (C) in paragraph (5)(A) by striking  
2 “States, non-Federal interests, and other ap-  
3 propriate stakeholders” and inserting “States,  
4 regional districts, Indian tribes, non-Federal in-  
5 terests, and other appropriate stakeholders”;

6 (2) in subsection (e)(1) in the matter preceding  
7 subparagraph (A) by striking “States, communities,  
8 and levee owners” and inserting “States, regional  
9 districts, Indian tribes, communities, and levee own-  
10 ers”;

11 (3) in subsection (g)—

12 (A) in the subsection heading by striking  
13 “STATE AND TRIBAL” and inserting “STATE,  
14 REGIONAL, AND TRIBAL”;

15 (B) in paragraph (1)—

16 (i) in subparagraph (A)—

17 (I) by striking “1 year after the  
18 date of enactment of this subsection”  
19 and inserting “1 year after the date of  
20 enactment of the Water Resources  
21 Development Act of 2016”; and

22 (II) by striking “State or tribal”  
23 and inserting “State, regional, or trib-  
24 al”; and

25 (ii) in subparagraph (B)—

1 (I) by striking “State and Indian  
2 tribe” and inserting “State, regional  
3 district, and Indian tribe”; and

4 (II) by striking “State or Indian  
5 tribe” and inserting “State, regional  
6 district, or Indian tribe”; and

7 (C) in paragraph (2)—

8 (i) in the paragraph heading by strik-  
9 ing “STATES” and inserting “STATES, RE-  
10 GIONAL DISTRICTS, AND INDIAN TRIBES”;

11 (ii) in subparagraph (A) by striking  
12 “States and Indian tribes” and inserting  
13 “States, regional districts, and Indian  
14 tribes”;

15 (iii) in subparagraph (B)—

16 (I) in the matter preceding clause  
17 (i) by striking “State or Indian tribe”  
18 and inserting “State, regional district,  
19 or Indian tribe”;

20 (II) in clause (ii) by striking  
21 “levees within the State” and insert-  
22 ing “levees within the State or re-  
23 gional district”; and

24 (III) in clause (iii) by striking  
25 “State or Indian tribe” and inserting

1 “State, regional district, or Indian  
2 tribe”;

3 (iv) in subparagraph (C)(ii) in the  
4 matter preceding subclause (I) by striking  
5 “State or tribal” and inserting “State, re-  
6 gional, or tribal”; and

7 (v) in subparagraph (E)—

8 (I) by striking “States and In-  
9 dian tribes” each place it appears and  
10 inserting “States, regional districts,  
11 and Indian tribes”;

12 (II) in clause (ii)(II)—

13 (aa) in the matter preceding  
14 item (aa) by striking “State or  
15 Indian tribe” and inserting  
16 “State, regional district, or In-  
17 dian tribe”;

18 (bb) in item (aa) by striking  
19 “miles of levees in the State” and  
20 inserting “miles of levees in the  
21 State or regional district”; and

22 (cc) in item (bb) by striking  
23 “miles of levees in all States”  
24 and inserting “miles of levees in

1 all States and regional districts”;

2 and

3 (III) in clause (iii)—

4 (aa) by striking “State or  
5 Indian tribe” and inserting

6 “State, regional district, or In-  
7 dian tribe”; and

8 (bb) by striking “State or  
9 tribal” and inserting “State, re-

10 gional, or tribal”; and

11 (4) in subsection (h)—

12 (A) in paragraph (1) by striking “States,  
13 Indian tribes, and local governments” and in-

14 serting “States, regional districts, Indian tribes,  
15 and local governments”;

16 (B) in paragraph (2)—

17 (i) in the matter preceding subpara-  
18 graph (A) by striking “State, Indian tribe,

19 or local government” and inserting “State,  
20 regional district, Indian tribe, or local gov-

21 ernment”; and

22 (ii) in subparagraph (E) in the matter  
23 preceding clause (i) by striking “State or

24 tribal” and inserting “State, regional, or  
25 tribal”;



1 (C) in paragraph (3)—

2 (i) in subparagraph (A) by striking  
3 “State, Indian tribe, or local government”  
4 and inserting “State, regional district, In-  
5 dian tribe, or local government”; and

6 (ii) in subparagraph (D) by striking  
7 “180 days after the date of enactment of  
8 this subsection” and inserting “180 days  
9 after the date of enactment of the Water  
10 Resources Development Act of 2016”; and

11 (D) in paragraph (4)(A)(i) by striking  
12 “State or tribal” and inserting “State, regional,  
13 or tribal”.

14 (d) REPORTS.—Section 9006 of the Water Resources  
15 Development Act of 2007 (33 U.S.C. 3303b) is amend-  
16 ed—

17 (1) in subsection (a)(1)—

18 (A) in the matter preceding subparagraph  
19 (A) by striking “1 year after the date of enact-  
20 ment of this subsection” and inserting “1 year  
21 after the date of enactment of the Water Re-  
22 sources Development Act of 2016”; and

23 (B) in subparagraph (B) by striking  
24 “State and tribal” and inserting “State, re-  
25 gional, and tribal”;

1 (2) in subsection (c)—

2 (A) in the matter preceding paragraph

3 (1)—

4 (i) by striking “2 years after the date  
5 of enactment of this subsection” and in-  
6 serting “2 years after the date of enact-  
7 ment of the Water Resources Development  
8 Act of 2016”; and

9 (ii) by striking “State, tribal, and  
10 local” and inserting “State, regional, trib-  
11 al, and local”;

12 (B) in paragraph (2) by striking “State  
13 and tribal” and inserting “State, regional, and  
14 tribal”; and

15 (C) in paragraph (4) by striking “State  
16 and local” and inserting “State, regional, tribal,  
17 and local”; and

18 (3) in subsection (d)—

19 (A) in the matter preceding paragraph (1)  
20 by striking “1 year after the date of enactment  
21 of this subsection” and inserting “1 year after  
22 the date of enactment of the Water Resources  
23 Development Act of 2016”; and

1 (B) in paragraph (2) by striking “State or  
2 tribal” and inserting “State, regional, or trib-  
3 al”.

4 **SEC. 129. PARTICIPATION OF NON-FEDERAL INTERESTS.**

5 Section 221(b)(1) of the Flood Control Act of 1970  
6 (42 U.S.C. 1962d–5b(b)(1)) is amended by inserting  
7 “and, as defined in section 3 of the Alaska Native Claims  
8 Settlement Act (43 U.S.C. 1602), a Native village, Re-  
9 gional Corporation, and Village Corporation” after “In-  
10 dian tribe”.

11 **SEC. 130. INDIAN TRIBES.**

12 Section 1156 of the Water Resources Development  
13 Act of 1986 (33 U.S.C. 2310) is amended—

14 (1) in the section heading by inserting “**AND**  
15 **INDIAN TRIBES**” after “**TERRITORIES**”; and

16 (2) in subsection (a)—

17 (A) by striking “projects in American” and  
18 inserting “projects—

19 “(1) in American”;

20 (B) by striking the period at the end and  
21 inserting “; and”; and

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

23 “(2) for a federally recognized Indian tribe.”.

1 **SEC. 131. DISSEMINATION OF INFORMATION ON THE AN-**  
2 **NUAL REPORT PROCESS.**

3 (a) FINDINGS.—Congress finds the following:

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

7 (2) The Water Resources Reform and Develop-  
8 ment Act of 2014 (Public Law 113–121) established  
9 a new and transparent process to review and  
10 prioritize the water resources development activities  
11 of the Corps of Engineers with strong congressional  
12 oversight.

13 (3) Section 7001 of the Water Resources Re-  
14 form and Development Act of 2014 (33 U.S.C.  
15 2282d) requires the Secretary to develop and submit  
16 to Congress each year a Report to Congress on Fu-  
17 ture Water Resources Development and, as part of  
18 the annual report process, to—

19 (A) publish a notice in the Federal Reg-  
20 ister that requests from non-Federal interests  
21 proposed feasibility studies and proposed modi-  
22 fications to authorized water resources develop-  
23 ment projects and feasibility studies for inclu-  
24 sion in the report; and

25 (B) review the proposals submitted and in-  
26 clude in the report those proposed feasibility

1 studies and proposed modifications that meet  
2 the criteria for inclusion established under sec-  
3 tion 7001.

4 (4) Congress will use the information provided  
5 in the annual Report to Congress on Future Water  
6 Resources Development to determine authorization  
7 needs and priorities for purposes of water resources  
8 development legislation.

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

19 (b) DISSEMINATION OF PROCESS INFORMATION.—  
20 The Secretary shall develop, support, and implement edu-  
21 cation and awareness efforts for non-Federal interests  
22 with respect to the annual Report to Congress on Future  
23 Water Resources Development required under section  
24 7001 of the Water Resources Reform and Development  
25 Act of 2014 (33 U.S.C. 2282d), including efforts to—

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

4           (2) provide written notice to previous and po-  
5 tential non-Federal interests and local elected offi-  
6 cials on the annual process and on opportunities to  
7 address local water resources challenges through the  
8 missions and authorities of the Corps of Engineers;

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

13           (4) provide, at the request of a non-Federal in-  
14 terest, assistance with researching and identifying  
15 existing project authorizations and Corps of Engi-  
16 neers decision documents.

17 **SEC. 132. SCOPE OF PROJECTS.**

18           Section 7001(f) of the Water Resources Reform and  
19 Development Act of 2014 (33 U.S.C. 2282d(f)) is amend-  
20 ed by adding at the end the following:

21           “(5) WATER RESOURCES DEVELOPMENT  
22 PROJECT.—The term ‘water resources development  
23 project’ includes a project under an environmental  
24 infrastructure assistance program.”.

1 **SEC. 133. PRELIMINARY FEASIBILITY STUDY ACTIVITIES.**

2 At the request of a non-Federal interest with respect  
3 to a proposed water resources development project, the  
4 Secretary shall meet with the non-Federal interest, prior  
5 to initiating a feasibility study relating to the proposed  
6 project, to review a preliminary analysis of the Federal  
7 interest in the proposed project and the costs, benefits,  
8 and environmental impacts of the proposed project, includ-  
9 ing an estimate of the costs of preparing a feasibility re-  
10 port.

11 **SEC. 134. POST-AUTHORIZATION CHANGE REPORTS.**

12 (a) IN GENERAL.—The completion of a post-author-  
13 ization change report prepared by the Corps of Engineers  
14 for a water resources development project—

15 (1) may not be delayed as a result of consider-  
16 ation being given to changes in policy or priority  
17 with respect to project consideration; and

18 (2) shall be submitted, upon completion, to—

19 (A) the Committee on Environment and  
20 Public Works of the Senate; and

21 (B) the Committee on Transportation and  
22 Infrastructure of the House of Representatives.

23 (b) COMPLETION REVIEW.—With respect to a post-  
24 authorization change report subject to review by the Sec-  
25 retary, the Secretary shall, not later than 120 days after  
26 the date of completion of such report—

1 (1) review the report; and

2 (2) provide to Congress any recommendations  
3 of the Secretary regarding modification of the appli-  
4 cable water resources development project.

5 (c) PRIOR REPORTS.—Not later than 120 days after  
6 the date of enactment of this Act, with respect to any post-  
7 authorization change report that was completed prior to  
8 the date of enactment of this Act and is subject to a review  
9 by the Secretary that has yet to be completed, the Sec-  
10 retary shall complete review of, and provide recommenda-  
11 tions to Congress with respect to, the report.

12 (d) POST-AUTHORIZATION CHANGE REPORT INCLU-  
13 SIONS.—In this section, the term “post-authorization  
14 change report” includes—

15 (1) a general reevaluation report;

16 (2) a limited reevaluation report; and

17 (3) any other report that recommends the modi-  
18 fication of an authorized water resources develop-  
19 ment project.

20 **SEC. 135. MAINTENANCE DREDGING DATA.**

21 (a) IN GENERAL.—The Secretary shall establish,  
22 maintain, and make publicly available a database on main-  
23 tenance dredging carried out by the Secretary, which shall  
24 include information on maintenance dredging carried out  
25 by Federal and non-Federal vessels.



1 (b) SCOPE.—The Secretary shall include in the data-  
2 base maintained under subsection (a), for each mainte-  
3 nance dredging project and contract, data on—

4 (1) the volume of dredged material removed;

5 (2) the initial cost estimate of the Corps of En-  
6 gineers;

7 (3) the total cost;

8 (4) the party and vessel carrying out the work;

9 and

10 (5) the number of private contractor bids re-  
11 ceived and the bid amounts, including bids that did  
12 not win the final contract award.

13 **SEC. 136. ELECTRONIC SUBMISSION AND TRACKING OF**  
14 **PERMIT APPLICATIONS.**

15 (a) IN GENERAL.—Section 2040 of the Water Re-  
16 sources Development Act of 2007 (33 U.S.C. 2345) is  
17 amended to read as follows:

18 **“SEC. 2040. ELECTRONIC SUBMISSION AND TRACKING OF**  
19 **PERMIT APPLICATIONS.**

20 **“(a) DEVELOPMENT OF ELECTRONIC SYSTEM.—**

21 **“(1) IN GENERAL.—**The Secretary shall re-  
22 search, develop, and implement an electronic system  
23 to allow the electronic preparation and submission of  
24 applications for permits and requests for jurisdic-

1 tional determinations under the jurisdiction of the  
2 Secretary.

3 “(2) INCLUSION.—The electronic system re-  
4 quired under paragraph (1) shall address—

5 “(A) applications for standard individual  
6 permits;

7 “(B) applications for letters of permission;

8 “(C) joint applications with States for  
9 State and Federal permits;

10 “(D) applications for emergency permits;

11 “(E) applications or requests for jurisdic-  
12 tional determinations; and

13 “(F) preconstruction notification submis-  
14 sions, when required for a nationwide or other  
15 general permit.

16 “(3) IMPROVING EXISTING DATA SYSTEMS.—  
17 The Secretary shall seek to incorporate the elec-  
18 tronic system required under paragraph (1) into ex-  
19 isting systems and databases of the Corps of Engi-  
20 neers to the maximum extent practicable.

21 “(4) PROTECTION OF INFORMATION.—The elec-  
22 tronic system required under paragraph (1) shall  
23 provide for the protection of personal, private, privi-  
24 leged, confidential, and proprietary information, and

1 information the disclosure of which is otherwise pro-  
2 hibited by law.

3 “(b) SYSTEM REQUIREMENTS.—The electronic sys-  
4 tem required under subsection (a) shall—

5 “(1) enable an applicant or requester to prepare  
6 electronically an application for a permit or request;

7 “(2) enable an applicant or requester to submit  
8 to the Secretary, by email or other means through  
9 the Internet, the completed application form or re-  
10 quest;

11 “(3) enable an applicant or requester to submit  
12 to the Secretary, by email or other means through  
13 the Internet, data and other information in support  
14 of the permit application or request;

15 “(4) provide an online interactive guide to pro-  
16 vide assistance to an applicant or requester at any  
17 time while filling out the permit application or re-  
18 quest; and

19 “(5) enable an applicant or requester (or a des-  
20 ignated agent) to track the status of a permit appli-  
21 cation or request in a manner that will—

22 “(A) allow the applicant or requester to  
23 determine whether the application is pending or  
24 final and the disposition of the request;

1           “(B) allow the applicant or requester to re-  
2           search previously submitted permit applications  
3           and requests within a given geographic area  
4           and the results of such applications or requests;  
5           and

6           “(C) allow identification and display of the  
7           location of the activities subject to a permit or  
8           request through a map-based interface.

9           “(c) DOCUMENTATION.—All permit decisions and ju-  
10          risdictional determinations made by the Secretary shall be  
11          in writing and include documentation supporting the basis  
12          for the decision or determination. The Secretary shall pre-  
13          scribe means for documenting all decisions or determina-  
14          tions to be made by the Secretary.

15          “(d) RECORD OF DETERMINATIONS.—

16                 “(1) IN GENERAL.—The Secretary shall main-  
17                 tain, for a minimum of 5 years, a record of all per-  
18                 mit decisions and jurisdictional determinations made  
19                 by the Secretary, including documentation sup-  
20                 porting the basis of the decisions and determina-  
21                 tions.

22                 “(2) ARCHIVING OF INFORMATION.—The Sec-  
23                 retary shall explore and implement an appropriate  
24                 mechanism for archiving records of permit decisions  
25                 and jurisdictional determinations, including docu-

1       mentation supporting the basis of the decisions and  
2       determinations, after the 5-year maintenance period  
3       described in paragraph (1).

4       “(e) AVAILABILITY OF DETERMINATIONS.—

5             “(1) IN GENERAL.—The Secretary shall make  
6       the records of all permit decisions and jurisdictional  
7       determinations made by the Secretary available to  
8       the public for review and reproduction.

9             “(2) PROTECTION OF INFORMATION.—The Sec-  
10       retary shall provide for the protection of personal,  
11       private, privileged, confidential, and proprietary in-  
12       formation, and information the disclosure of which is  
13       prohibited by law, which may be excluded from dis-  
14       closure.

15       “(f) DEADLINE FOR ELECTRONIC SYSTEM IMPLE-  
16       MENTATION.—

17             “(1) IN GENERAL.—The Secretary shall develop  
18       and implement, to the maximum extent practicable,  
19       the electronic system required under subsection (a)  
20       not later than 2 years after the date of enactment  
21       of the Water Resources Development Act of 2016.

22             “(2) REPORT ON ELECTRONIC SYSTEM IMPLE-  
23       MENTATION.—Not later than 180 days after the ex-  
24       piration of the deadline under paragraph (1), the  
25       Secretary shall submit to the Committee on Trans-

1 portation and Infrastructure of the House of Rep-  
2 resentatives and the Committee on Environment and  
3 Public Works of the Senate a report describing the  
4 measures implemented and barriers faced in car-  
5 rying out this section.

6 “(g) **APPLICABILITY.**—The requirements described in  
7 subsections (c), (d), and (e) shall apply to permit applica-  
8 tions and requests for jurisdictional determinations sub-  
9 mitted to the Secretary after the date of enactment of the  
10 Water Resources Development Act of 2016.

11 “(h) **LIMITATION.**—This section shall not preclude  
12 the submission to the Secretary, acting through the Chief  
13 of Engineers, of a physical copy of a permit application  
14 or a request for a jurisdictional determination.”.

15 (b) **CLERICAL AMENDMENT.**—The table of contents  
16 in section 1(b) of the Water Resources Development Act  
17 of 2007 is amended by striking the item relating to section  
18 2040 and inserting the following:

“Sec. 2040. Electronic submission and tracking of permit applications.”.

19 **SEC. 137. DATA TRANSPARENCY.**

20 Section 2017 of the Water Resources Development  
21 Act of 2007 (33 U.S.C. 2342) is amended to read as fol-  
22 lows:

23 **“SEC. 2017. ACCESS TO WATER RESOURCE DATA.**

24 “(a) **IN GENERAL.**—Using available funds, the Sec-  
25 retary shall make publicly available, including on the

1 Internet, all data in the custody of the Corps of Engineers  
2 on—

3 “(1) the planning, design, construction, oper-  
4 ation, and maintenance of water resources develop-  
5 ment projects; and

6 “(2) water quality and water management of  
7 projects owned, operated, or managed by the Corps  
8 of Engineers.

9 “(b) LIMITATION.—Nothing in this section may be  
10 construed to compel or authorize the disclosure of data  
11 or other information determined by the Secretary to be  
12 confidential information, privileged information, law en-  
13 forcement information, national security information, in-  
14 frastructure security information, personal information, or  
15 information the disclosure of which is otherwise prohibited  
16 by law.

17 “(c) TIMING.—The Secretary shall ensure that data  
18 is made publicly available under subsection (a) as quickly  
19 as practicable after the data is generated by the Corps  
20 of Engineers.

21 “(d) PARTNERSHIPS.—In carrying out this section,  
22 the Secretary may develop partnerships, including through  
23 cooperative agreements, with State, tribal, and local gov-  
24 ernments and other Federal agencies.”.

1 **SEC. 138. BACKLOG PREVENTION.**

2 (a) PROJECT DEAUTHORIZATION.—

3 (1) IN GENERAL.—A water resources develop-  
4 ment project, or separable element of such a project,  
5 authorized for construction by this Act shall not be  
6 authorized after the last day of the 7-year period be-  
7 ginning on the date of enactment of this Act unless  
8 funds have been obligated for construction of such  
9 project during that period.

10 (2) IDENTIFICATION OF PROJECTS.—Not later  
11 than 60 days after the expiration of the 7-year pe-  
12 riod referred to in paragraph (1), the Secretary shall  
13 submit to the Committee on Environment and Pub-  
14 lic Works of the Senate and the Committee on  
15 Transportation and Infrastructure of the House of  
16 Representatives a report that identifies the projects  
17 deauthorized under paragraph (1).

18 (b) REPORT TO CONGRESS.—Not later than 60 days  
19 after the expiration of the 12-year period beginning on the  
20 date of enactment of this Act, the Secretary shall submit  
21 to the Committee on Environment and Public Works of  
22 the Senate and the Committee on Transportation and In-  
23 frastructure of the House of Representatives, and make  
24 available to the public, a report that contains—



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

4 (2) a description of the reasons the projects  
5 were not completed;

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

8 (4) a 5-year and 10-year projection of construc-  
9 tion backlog and any recommendations to Congress  
10 regarding how to mitigate current problems and the  
11 backlog.

12 **SEC. 139. QUALITY CONTROL.**

13 (a) IN GENERAL.—Paragraph (a) of the first section  
14 of the Act of December 22, 1944 (58 Stat. 888, chapter  
15 665; 33 U.S.C. 701–1(a)), is amended by inserting “and  
16 shall be made publicly available” before the period at the  
17 end.

18 (b) PROJECT ADMINISTRATION.—Section 2041(b)(1)  
19 of the Water Resources Development Act of 2007 (33  
20 U.S.C. 2346(b)(1)) is amended by inserting “final post-  
21 authorization change report,” after “final reevaluation re-  
22 port,”.

23 **SEC. 140. BUDGET DEVELOPMENT AND PRIORITIZATION.**

24 (a) IN GENERAL.—In conjunction with the Presi-  
25 dent’s budget submission to Congress with respect to fiscal

1 year 2018 under section 1105(a) of title 31, United States  
2 Code, and biennially thereafter in conjunction with the  
3 President’s budget submission, the Secretary shall submit  
4 to the Committee on Environment and Public Works and  
5 the Committee on Appropriations of the Senate and the  
6 Committee on Transportation and Infrastructure and the  
7 Committee on Appropriations of the House of Representa-  
8 tives a report that describes—

9 (1) the metrics used in developing the civil  
10 works budget for the applicable fiscal year;

11 (2) the metrics used in developing each business  
12 line in the civil works budget; and

13 (3) how projects are prioritized in the applica-  
14 ble budget submission, including how the Secretary  
15 determines those projects for which construction ini-  
16 tiation is recommended.

17 (b) NOTIFICATION.—

18 (1) REQUIREMENT.—If the Secretary proposes  
19 a covered revised budget estimate, the Secretary  
20 shall notify, in writing, each Member of Congress  
21 representing a congressional district affected by the  
22 study, project, or activity subject to the revised esti-  
23 mate.

24 (2) COVERED REVISED BUDGET ESTIMATE DE-  
25 FINED.—In this subsection, the term “covered re-

1       vised budget estimate” means a budget estimate for  
2       a water resources development study, project, or ac-  
3       tivity that differs from the estimate most recently  
4       specified for that study, project, or activity in a  
5       budget of the President submitted under section  
6       1105(a) of title 31, United States Code.

7       **SEC. 141. USE OF NATURAL AND NATURE-BASED FEAT-**  
8                                   **TURES.**

9       (a) **REPORT.**—Not later than February 1, 2017, and  
10      biennially thereafter, the Secretary shall submit to the  
11      Committee on Transportation and Infrastructure of the  
12      House of Representatives and the Committee on Environ-  
13      ment and Public Works of the Senate a report on the use  
14      of natural and nature-based features in water resources  
15      development projects, including flood risk reduction, coast-  
16      al resiliency, and ecosystem restoration projects.

17      (b) **CONTENTS.**—The report shall include, at a min-  
18      imum, the following:

19                   (1) An assessment of the observed and potential  
20      impacts of the use of natural and nature-based fea-  
21      tures on the cost and effectiveness of water re-  
22      sources development projects and any co-benefits re-  
23      sulting from the use of such features.

24                   (2) A description of any statutory, fiscal, or  
25      regulatory barrier to the appropriate consideration

1 and use of natural and nature-based features in car-  
2 rying out water resources development projects.

3 **SEC. 142. ANNUAL REPORT ON PURCHASE OF FOREIGN**  
4 **MANUFACTURED ARTICLES.**

5 Section 213(a) of the Water Resources Development  
6 Act of 1992 (Public Law 102–580; 106 Stat. 4831) is  
7 amended by adding at the end the following:

8 “(4) ANNUAL REPORT ON PURCHASE OF FOR-  
9 EIGN MANUFACTURED ARTICLES.—

10 “(A) IN GENERAL.—Not later than 90  
11 days after the last day of each fiscal year, the  
12 Secretary shall submit to Congress a report on  
13 the amount of acquisitions in such fiscal year  
14 made by the Corps of Engineers for civil works  
15 projects from entities that manufactured the ar-  
16 ticles, materials, or supplies outside of the  
17 United States.

18 “(B) CONTENTS.—The report required  
19 under subparagraph (A) shall indicate, for each  
20 acquisition—

21 “(i) the dollar value of any articles,  
22 materials, or supplies purchased that were  
23 manufactured outside of the United States;  
24 and

1                   “(ii) a summary of the total procure-  
2                   ment funds spent on goods manufactured  
3                   in the United States and the total procure-  
4                   ment funds spent on goods manufactured  
5                   outside of the United States.

6                   “(C) PUBLIC AVAILABILITY.—Not later  
7                   than 30 days after the submission of a report  
8                   under subparagraph (A), the Secretary shall  
9                   make such report publicly available on the  
10                  agency’s Web site.”.

11 **SEC. 143. INTEGRATED WATER RESOURCES PLANNING.**

12                  In carrying out a feasibility study for a water re-  
13                  sources development project, the Secretary shall coordi-  
14                  nate with communities in the watershed covered by such  
15                  study to determine if a local or regional water manage-  
16                  ment plan exists or is under development for the purposes  
17                  of stormwater management, water quality improvement,  
18                  aquifer recharge, or water reuse. If such a local or regional  
19                  water management plan exists for the watershed, the Sec-  
20                  retary shall, in cooperation with the non-Federal sponsor  
21                  for the plan and affected local public entities, avoid ad-  
22                  versely affecting the purposes of the plan and, where fea-  
23                  sible, incorporate the purposes of the plan into the Sec-  
24                  retary’s feasibility study.

1 **SEC. 144. EVALUATION OF PROJECT PARTNERSHIP AGREE-**  
2 **MENTS.**

3 To the maximum extent practicable, the Secretary  
4 shall prioritize and complete the activities required of the  
5 Secretary under section 1013 of the Water Resources Re-  
6 form and Development Act of 2014 (Public Law 113–121;  
7 128 Stat. 1218).

8 **SEC. 145. ADDITIONAL MEASURES AT DONOR PORTS AND**  
9 **ENERGY TRANSFER PORTS.**

10 Section 2106 of the Water Resources Reform and De-  
11 velopment Act of 2014 (33 U.S.C. 2238c) is amended—

12 (1) in subsection (a)(4)(A) by striking “Code of  
13 Federal Regulation” and inserting “Code of Federal  
14 Regulations”; and

15 (2) in subsection (f)—

16 (A) in paragraph (1) by striking “2018”  
17 and inserting “2020”; and

18 (B) in paragraph (3)—

19 (i) by striking “2015 through 2018”  
20 and inserting “2016 through 2020”; and

21 (ii) by striking “2019 through 2022”  
22 and inserting “2021 through 2025”.

23 **SEC. 146. ARCTIC DEEP DRAFT PORT DEVELOPMENT PART-**  
24 **NERSHIPS.**

25 Section 2105 of the Water Resources Reform and De-  
26 velopment Act of 2014 (33 U.S.C. 2243) is amended—

1           (1) by striking “(25 U.S.C. 450b))” each place  
2           it appears and inserting “(25 U.S.C. 450b)) and  
3           Native villages, Regional Corporations, and Village  
4           Corporations (as those terms are defined in section  
5           3 of the Alaska Native Claims Settlement Act (43  
6           U.S.C. 1602))”;

7           (2) by redesignating subsection (d) as sub-  
8           section (e); and

9           (3) by inserting after subsection (c) the fol-  
10          lowing:

11          “(d) **CONSIDERATION OF NATIONAL SECURITY IN-**  
12 **TERESTS.**—In carrying out a study of the feasibility of  
13 an Arctic deep draft port, the Secretary shall consult with  
14 the Secretary of Homeland Security and the Secretary of  
15 Defense to identify national security benefits associated  
16 with the Arctic deep draft port.”.

17 **SEC. 147. INTERNATIONAL OUTREACH PROGRAM.**

18          Section 401(a) of the Water Resources Development  
19 Act of 1992 (33 U.S.C. 2329(a)) is amended to read as  
20 follows:

21          “(a) **AUTHORIZATION.**—

22                  “(1) **IN GENERAL.**—The Secretary may engage  
23                  in activities to inform the United States of techno-  
24                  logical innovations abroad that could significantly

1 improve water resources development in the United  
2 States.

3 “(2) INCLUSIONS.—Activities under paragraph  
4 (1) may include—

5 “(A) development, monitoring, assessment,  
6 and dissemination of information about foreign  
7 water resources projects that could significantly  
8 improve water resources development in the  
9 United States;

10 “(B) research, development, training, and  
11 other forms of technology transfer and ex-  
12 change; and

13 “(C) offering technical services that cannot  
14 be readily obtained in the private sector to be  
15 incorporated into water resources projects if the  
16 costs for assistance will be recovered under the  
17 terms of each project.”.

18 **SEC. 148. COMPREHENSIVE STUDY.**

19 (a) IN GENERAL.—The Secretary shall conduct a  
20 comprehensive study on the flood risks for vulnerable  
21 coastal populations in areas within the boundaries of the  
22 South Atlantic Division of the Corps of Engineers.

23 (b) INCLUSIONS.—In carrying out the study, the Sec-  
24 retary shall identify—



1           (1) activities that warrant additional analysis  
2       by the Corps of Engineers; and

3           (2) institutional and other barriers to providing  
4       protection to the vulnerable coastal populations.

5       (c) COORDINATION.—The Secretary shall conduct the  
6       study in coordination with appropriate Federal agencies  
7       and State, local, and tribal entities to ensure consistency  
8       with related plans.

9       (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
10      authorized to be appropriated \$6,000,000 to carry out this  
11      section.

12      **SEC. 149. ALTERNATIVE MODELS FOR MANAGING INLAND**  
13                              **WATERWAYS TRUST FUND.**

14      (a) STUDY.—The Comptroller General of the United  
15      States shall conduct a study to analyze alternative models  
16      for managing the Inland Waterways Trust Fund, includ-  
17      ing the management of—

18           (1) project schedules for projects receiving as-  
19           sistance from the fund; and

20           (2) expenditures from the fund.

21      (b) CONTENTS.—In conducting the study, the Comp-  
22      troller General shall examine, at a minimum, the costs and  
23      benefits of transferring management of the fund to a not-  
24      for-profit corporation or government-owned corporation.

1 (c) CONSIDERATIONS.—In assessing costs and bene-  
2 fits under subsection (b), the Comptroller General shall  
3 consider, among other factors—

- 4 (1) the benefits to the taxpayer;
- 5 (2) the impact on project delivery; and
- 6 (3) the impact on jobs.

7 (d) REPORT.—Not later than 1 year after the date  
8 of enactment of this Act, the Comptroller General shall  
9 submit to Congress a report on the results of the study.

10 **SEC. 150. ALTERNATIVE PROJECTS TO MAINTENANCE**

11 **DREDGING.**

12 The Secretary may enter into agreements to assume  
13 the operation and maintenance costs of an alternative  
14 project to maintenance dredging for a channel if the alter-  
15 native project would lower the overall costs of maintaining  
16 the channel.

17 **SEC. 151. FISH HATCHERIES.**

18 (a) IN GENERAL.—Notwithstanding any other provi-  
19 sion of law, the Secretary may operate a fish hatchery for  
20 the purpose of restoring a population of fish species lo-  
21 cated in the region surrounding the fish hatchery that is  
22 listed as a threatened species or an endangered species  
23 under the Endangered Species Act of 1973 (16 U.S.C.  
24 1531 et seq.) or a similar State law.

1 (b) COSTS.—A non-Federal entity, a Federal agency  
2 other than the Department of Defense, or a group of non-  
3 Federal entities or such Federal agencies shall be respon-  
4 sible for 100 percent of the costs associated with man-  
5 aging a fish hatchery for the purpose described in sub-  
6 section (a) that are not authorized as of the date of enact-  
7 ment of this Act for the fish hatchery.

8 **SEC. 152. ENVIRONMENTAL BANKS.**

9 (a) ESTABLISHMENT.—Not later than 180 days after  
10 the date of enactment of this Act, the Chairperson of the  
11 Gulf Coast Ecosystem Restoration Council, with the con-  
12 currence of two-thirds of the Council, shall issue such reg-  
13 ulations as are necessary for the establishment of proce-  
14 dures and processes for the use, maintenance, and over-  
15 sight of environmental banks for purposes of mitigating  
16 adverse environmental impacts sustained by construction  
17 or other activities as required by law or regulation.

18 (b) REQUIREMENTS.—The regulations issued pursu-  
19 ant to subsection (a) shall—

20 (1) set forth procedures for certification of envi-  
21 ronmental banks, including criteria for adoption of  
22 an environmental banking instrument;

23 (2) provide a mechanism for the transfer of en-  
24 vironmental credits;

1           (3) provide for priority certification to environ-  
2           mental banks that enhance the resilience of coastal  
3           resources to inundation and coastal erosion, includ-  
4           ing the restoration of resources within the scope of  
5           a project authorized for construction;

6           (4) ensure certification is given only to banks  
7           with secured adequate financial assurance and ap-  
8           propriate legally enforceable protection for restored  
9           lands or resources;

10          (5) stipulate conditions under which cross-cred-  
11          iting of environmental services may occur and pro-  
12          vide standards for the conversion of such crediting;

13          (6) establish performance criteria for environ-  
14          mental banks;

15          (7) establish criteria for the operation and mon-  
16          itoring of environmental banks; and

17          (8) establish a framework whereby the purchase  
18          of credit from an environmental bank may be used  
19          to offset or satisfy past, current, or future adverse  
20          environmental impacts or liability under law to wet-  
21          lands, water, wildlife, or other natural resources.

22          (c) CONSIDERATION.—In developing the regulations  
23          required under subsection (a), the Chairperson shall take  
24          into consideration habitat equivalency analysis.

1 (d) MODIFICATIONS.—The Chairperson may modify  
2 or update the regulations issued pursuant to this section,  
3 subject to appropriate consultation and public participa-  
4 tion, provided that two-thirds of the Gulf Coast Ecosystem  
5 Restoration Council approves the modification or update.

6 (e) DEFINITION OF ENVIRONMENTAL BANK.—In this  
7 section, the term “environmental bank” means a project,  
8 project increment, or projects for purposes of restoring,  
9 creating, enhancing, or preserving natural resources in a  
10 designated site to provide for credits to offset adverse envi-  
11 ronmental impacts.

12 (f) SAVINGS CLAUSE.—Nothing in this section—

13 (1) affects the requirements of section 906 of  
14 the Water Resources Development Act of 1986 (33  
15 U.S.C. 2283); or

16 (2) affects the obligations or requirements of  
17 any Federal environmental law.

## 18 **TITLE II—STUDIES**

### 19 **SEC. 201. AUTHORIZATION OF PROPOSED FEASIBILITY** 20 **STUDIES.**

21 The Secretary is authorized to conduct a feasibility  
22 study for the following projects for water resources devel-  
23 opment and conservation and other purposes, as identified  
24 in the reports titled “Report to Congress on Future Water  
25 Resources Development” submitted to Congress on Janu-

1 ary 29, 2015, and January 29, 2016, respectively, pursu-  
2 ant to section 7001 of the Water Resources Reform and  
3 Development Act of 2014 (33 U.S.C. 2282d) or otherwise  
4 reviewed by Congress:

5 (1) OUACHITA-BLACK RIVERS, ARKANSAS AND  
6 LOUISIANA.—Project for navigation, Ouachita-Black  
7 Rivers, Arkansas and Louisiana.

8 (2) CACHE CREEK SETTling BASIN, CALI-  
9 FORNIA.—Project for flood damage reduction and  
10 ecosystem restoration, Cache Creek Settling Basin,  
11 California.

12 (3) COYOTE VALLEY DAM, CALIFORNIA.—  
13 Project for flood damage reduction, environmental  
14 restoration, and water supply, Coyote Valley Dam,  
15 California.

16 (4) DEL ROSA CHANNEL, CITY OF SAN  
17 BERNARDINO, CALIFORNIA.—Project for flood dam-  
18 age reduction and ecosystem restoration, Del Rosa  
19 Channel, city of San Bernardino, California.

20 (5) MERCED COUNTY STREAMS, CALIFORNIA.—  
21 Project for flood damage reduction, Merced County  
22 Streams, California.

23 (6) MISSION-ZANJA CHANNEL, CITIES OF SAN  
24 BERNARDINO AND REDLANDS, CALIFORNIA.—Project  
25 for flood damage reduction and ecosystem restora-

1       tion, Mission-Zanja Channel, cities of San  
2       Bernardino and Redlands, California.

3           (7) SOBOBA INDIAN RESERVATION, CALI-  
4       FORNIA.—Project for flood damage reduction,  
5       Soboba Indian Reservation, California.

6           (8) INDIAN RIVER INLET, DELAWARE.—Project  
7       for hurricane and storm damage reduction, Indian  
8       River Inlet, Delaware.

9           (9) LEWES BEACH, DELAWARE.—Project for  
10      hurricane and storm damage reduction, Lewes  
11      Beach, Delaware.

12          (10) MISPILLION COMPLEX, KENT AND SUSSEX  
13      COUNTIES, DELAWARE.—Project for hurricane and  
14      storm damage reduction, Mispillion Complex, Kent  
15      and Sussex Counties, Delaware.

16          (11) DAYTONA BEACH, FLORIDA.—Project for  
17      flood damage reduction, Daytona Beach, Florida.

18          (12) BRUNSWICK HARBOR, GEORGIA.—Project  
19      for navigation, Brunswick Harbor, Georgia.

20          (13) DUBUQUE, IOWA.—Project for flood dam-  
21      age reduction, Dubuque, Iowa.

22          (14) ST. TAMMANY PARISH, LOUISIANA.—  
23      Project for flood damage reduction and ecosystem  
24      restoration, St. Tammany Parish, Louisiana.

1           (15) CATTARAUGUS CREEK, NEW YORK.—  
2           Project for flood damage reduction, Cattaraugus  
3           Creek, New York.

4           (16) CAYUGA INLET, ITHACA, NEW YORK.—  
5           Project for navigation and flood damage reduction,  
6           Cayuga Inlet, Ithaca, New York.

7           (17) DELAWARE RIVER BASIN, NEW YORK, NEW  
8           JERSEY, PENNSYLVANIA, AND DELAWARE.—Projects  
9           for flood control, Delaware River Basin, New York,  
10          New Jersey, Pennsylvania, and Delaware, authorized  
11          by section 408 of the Act of July 24, 1946 (60 Stat.  
12          644, chapter 596), and section 203 of the Flood  
13          Control Act of 1962 (76 Stat. 1182), to review oper-  
14          ations of the projects to enhance opportunities for  
15          ecosystem restoration and water supply.

16          (18) SILVER CREEK, HANOVER, NEW YORK.—  
17          Project for flood damage reduction and ecosystem  
18          restoration, Silver Creek, Hanover, New York.

19          (19) TULSA AND WEST TULSA LEVEES, TULSA,  
20          OKLAHOMA.—Project for flood damage reduction,  
21          Tulsa and West Tulsa Levees, Tulsa, Oklahoma.

22          (20) STONYCREEK AND LITTLE CONEMAUGH  
23          RIVERS, PENNSYLVANIA.—Project for flood damage  
24          reduction and recreation, Stonycreek and Little  
25          Conemaugh Rivers, Pennsylvania.



1           (21) TIOGA-HAMMOND LAKE, PENNSYLVANIA.—  
2           Project for ecosystem restoration, Tioga-Hammond  
3           Lake, Pennsylvania.

4           (22) BRAZOS RIVER, FORT BEND COUNTY,  
5           TEXAS.—Project for flood damage reduction in the  
6           vicinity of the Brazos River, Fort Bend County,  
7           Texas.

8           (23) CHACON CREEK, CITY OF LAREDO,  
9           TEXAS.—Project for flood damage reduction, eco-  
10          system restoration, and recreation, Chacon Creek,  
11          city of Laredo, Texas.

12          (24) CORPUS CHRISTI SHIP CHANNEL,  
13          TEXAS.—Project for navigation, Corpus Christi Ship  
14          Channel, Texas.

15          (25) CITY OF EL PASO, TEXAS.—Project for  
16          flood damage reduction, city of El Paso, Texas.

17          (26) GULF INTRACOASTAL WATERWAY,  
18          BRAZORIA AND MATAGORDA COUNTIES, TEXAS.—  
19          Project for navigation and hurricane and storm  
20          damage reduction, Gulf Intracoastal Waterway,  
21          Brazoria and Matagorda Counties, Texas.

22          (27) PORT OF BAY CITY, TEXAS.—Project for  
23          navigation, Port of Bay City, Texas.

24          (28) CHINCOTEAGUE ISLAND, VIRGINIA.—  
25          Project for hurricane and storm damage reduction,

1 navigation, and ecosystem restoration, Chincoteague  
2 Island, Virginia.

3 (29) BURLEY CREEK WATERSHED, KITSAP  
4 COUNTY, WASHINGTON.—Project for flood damage  
5 reduction and ecosystem restoration, Burley Creek  
6 Watershed, Kitsap County, Washington.

7 **SEC. 202. EXPEDITED COMPLETION OF REPORTS FOR CER-**  
8 **TAIN PROJECTS.**

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

15 (1) Project for flood risk management, Little  
16 Colorado River at Winslow, Navajo County, Arizona.

17 (2) Project for flood risk management, Lower  
18 San Joaquin River, California. In carrying out the  
19 feasibility study for the project, the Secretary shall  
20 include Reclamation District 17 as part of the study.

21 (3) Project for flood risk management and eco-  
22 system restoration, Sacramento River Flood Control  
23 System, California.

24 (4) Project for hurricane and storm damage  
25 risk reduction, Ft. Pierce, Florida.

1           (5) Project for flood risk management, Des  
2 Moines and Raccoon Rivers, Iowa.

3           (6) Project for navigation, Mississippi River  
4 Ship Channel, Louisiana.

5           (7) Project for flood risk management, North  
6 Branch Ecorse Creek, Wayne County, Michigan.

7           (8) Project for flood risk management, Rahway  
8 River Basin (Upper Basin), New Jersey.

9           (9) Project for navigation, Upper Ohio River,  
10 Pennsylvania.

11         (b) POST-AUTHORIZATION CHANGE REPORTS.—The  
12 Secretary shall expedite completion of a post-authorization  
13 change report for each of the following projects:

14           (1) Project for flood risk management, Swope  
15 Park Industrial Area, Kansas City, Missouri.

16           (2) Project for hurricane and storm damage  
17 risk reduction, New Hanover County, North Caro-  
18 lina.

19         **TITLE III—DEAUTHORIZATIONS**  
20           **AND RELATED PROVISIONS**

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

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

23           (1) to identify \$5,000,000,000 in water re-  
24 sources development projects authorized by Congress  
25 that are no longer viable for construction due to—

1 (A) a lack of local support;

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

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

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

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

13 (b) INTERIM DEAUTHORIZATION LIST.—

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

16 (A) each water resources development  
17 project, or separable element of a project, au-  
18 thorized for construction before November 8,  
19 2007, for which—

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

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

1           eral or non-Federal, were obligated for  
2           planning, design, or construction of the  
3           project or separable element of the project  
4           during the current fiscal year or any of the  
5           6 preceding fiscal years; and

6           (B) each project or separable element iden-  
7           tified and included on a list to Congress for de-  
8           authorization pursuant to section 1001(b)(2) of  
9           the Water Resources Development Act of 1986  
10          (33 U.S.C. 579a(b)(2)).

11          (2) PUBLIC COMMENT AND CONSULTATION.—

12           (A) IN GENERAL.—The Secretary shall so-  
13           licit comments from the public and the Gov-  
14           ernors of each applicable State on the interim  
15           deauthorization list developed under paragraph  
16           (1).

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

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

23           (A) submit a revised interim deauthoriza-  
24           tion list to the Committee on Environment and  
25           Public Works of the Senate and the Committee

1 on Transportation and Infrastructure of the  
2 House of Representatives; and

3 (B) publish the revised interim deauthor-  
4 ization list in the Federal Register.

5 (c) FINAL DEAUTHORIZATION LIST.—

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

11 (2) DEAUTHORIZATION AMOUNT.—

12 (A) PROPOSED FINAL LIST.—The Sec-  
13 retary shall prepare a proposed final deauthor-  
14 ization list of projects and separable elements of  
15 projects that have, in the aggregate, an esti-  
16 mated Federal cost to complete that is at least  
17 \$5,000,000,000.

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

25 (3) IDENTIFICATION OF PROJECTS.—

1 (A) SEQUENCING OF PROJECTS.—

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

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

1 (iii) CONSIDERATION OF PUBLIC COM-  
2 MENTS.—In making determinations under  
3 clause (ii), the Secretary shall consider any  
4 comments received under subsection (b)(3).

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

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

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

16 (4) PUBLIC COMMENT AND CONSULTATION.—

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

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

24 (5) SUBMISSION OF FINAL LIST TO CONGRESS;  
25 PUBLICATION.—Not later than 120 days after the



1 date of the close of the comment period under para-  
2 graph (4), the Secretary shall—

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

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

12 (d) DEAUTHORIZATION; CONGRESSIONAL REVIEW.—

13 (1) IN GENERAL.—After the expiration of the  
14 180-day period beginning on the date of submission  
15 of the final deauthorization list and appendix under  
16 subsection (c), a project or separable element of a  
17 project identified in the final deauthorization list is  
18 hereby deauthorized, unless Congress passes a joint  
19 resolution disapproving the final deauthorization list  
20 prior to the end of such period.

21 (2) NON-FEDERAL CONTRIBUTIONS.—

22 (A) IN GENERAL.—A project or separable  
23 element of a project identified in the final de-  
24 authorization list under subsection (c) shall not  
25 be deauthorized under this subsection if, before

1           the expiration of the 180-day period referred to  
2           in paragraph (1), the non-Federal interest for  
3           the project or separable element of the project  
4           provides sufficient funds to complete the project  
5           or separable element of the project.

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

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

18          (e) SPECIAL RULE FOR PROJECTS RECEIVING  
19          FUNDS FOR POST-AUTHORIZATION STUDY.—A project or  
20          separable element of a project may not be identified on  
21          the interim deauthorization list developed under sub-  
22          section (b), or the final deauthorization list developed  
23          under subsection (c), if the project or separable element  
24          received funding for a post-authorization study during the  
25          current fiscal year or any of the 6 preceding fiscal years.

1 (f) GENERAL PROVISIONS.—

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

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

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

9 (ii) a feasibility study, as defined in  
10 section 105(d) of the Water Resources De-  
11 velopment Act of 1986 (33 U.S.C.  
12 2215(d)); or

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

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

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

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

8   **SEC. 302. VALDEZ, ALASKA.**

9           (a) IN GENERAL.—Subject to subsection (b), the por-  
10          tion of the project for navigation, Valdez, Alaska, identi-  
11          fied as Tract G, Harbor Subdivision, shall not be subject  
12          to navigational servitude beginning on the date of enact-  
13          ment of this Act.

14          (b) ENTRY BY FEDERAL GOVERNMENT.—The Fed-  
15          eral Government may enter upon the property referred to  
16          in subsection (a) to carry out any required operation and  
17          maintenance of the general navigation features of the  
18          project referred to in subsection (a).

19   **SEC. 303. LOS ANGELES COUNTY DRAINAGE AREA, LOS AN-**  
20                                   **GELES COUNTY, CALIFORNIA.**

21          (a) IN GENERAL.—The Secretary shall—

22               (1) prioritize the updating of the Water Control  
23               Manuals for control structures in the Los Angeles  
24               County Drainage Area, Los Angeles County, Cali-  
25               fornia, authorized by section 101(b) of the Water

1 Resources Development Act of 1990 (Public Law  
2 101–640; 104 Stat. 4611); and

3 (2) integrate and incorporate into the project  
4 seasonal operations for water conservation and water  
5 supply.

6 (b) PARTICIPATION.—The update referred to in sub-  
7 section (a) shall be done in coordination with all appro-  
8 priate Federal agencies, elected officials, and members of  
9 the public.

10 **SEC. 304. SUTTER BASIN, CALIFORNIA.**

11 (a) IN GENERAL.—The separable element consti-  
12 tuting the locally preferred plan increment reflected in the  
13 report of the Chief of Engineers dated March 12, 2014,  
14 and authorized for construction in item 8 of the table con-  
15 tained in section 7002(2) of the Water Resources Reform  
16 and Development Act of 2014 (Public Law 113–121; 128  
17 Stat. 1366) is no longer authorized beginning on the date  
18 of enactment of this Act.

19 (b) SAVINGS PROVISIONS.—The deauthorization  
20 under subsection (a) does not affect—

21 (1) the national economic development plan sep-  
22 arable element reflected in the report of the Chief of  
23 Engineers dated March 12, 2014, and authorized for  
24 construction in item 8 of the table contained in sec-  
25 tion 7002(2) of the Water Resources Reform and

1 Development Act of 2014 (Public Law 113–121;  
2 128 Stat. 1366); or

3 (2) previous authorizations providing for the  
4 Sacramento River and major and minor tributaries  
5 project, including—

6 (A) section 2 of the Act of March 1, 1917  
7 (39 Stat. 949, chapter 144);

8 (B) section 12 of the Act of December 22,  
9 1944 (58 Stat. 900, chapter 665);

10 (C) section 204 of the Flood Control Act  
11 of 1950 (64 Stat. 177, chapter 188); and

12 (D) any other Acts relating to the author-  
13 ization for the Sacramento River and major and  
14 minor tributaries project along the Feather  
15 River right bank between levee stationing  
16 1483+33 and levee stationing 2368+00.

17 **SEC. 305. ESSEX RIVER, MASSACHUSETTS.**

18 (a) DEAUTHORIZATION.—The portions of the project  
19 for navigation, Essex River, Massachusetts, authorized by  
20 the Act of July 13, 1892 (27 Stat. 88, chapter 158), and  
21 modified by the Act of March 3, 1899 (30 Stat. 1121,  
22 chapter 425), and the Act of March 2, 1907 (34 Stat.  
23 1073, chapter 2509), that do not lie within the areas de-  
24 scribed in subsection (b) are no longer authorized begin-  
25 ning on the date of enactment of this Act.

1 (b) DESCRIPTION OF PROJECT AREAS.—The areas  
2 described in this subsection are as follows: Beginning at  
3 a point N3056139.82 E851780.21, thence southwesterly  
4 about 156.88 feet to a point N3055997.75 E851713.67;  
5 thence southwesterly about 64.59 feet to a point  
6 N3055959.37 E851661.72; thence southwesterly about  
7 145.14 feet to a point N3055887.10 E851535.85; thence  
8 southwesterly about 204.91 feet to a point N3055855.12  
9 E851333.45; thence northwesterly about 423.50 feet to a  
10 point N3055976.70 E850927.78; thence northwesterly  
11 about 58.77 feet to a point N3056002.99 E850875.21;  
12 thence northwesterly about 240.57 feet to a point  
13 N3056232.82 E850804.14; thence northwesterly about  
14 203.60 feet to a point N3056435.41 E850783.93; thence  
15 northwesterly about 78.63 feet to a point N3056499.63  
16 E850738.56; thence northwesterly about 60.00 feet to a  
17 point N3056526.30 E850684.81; thence southwesterly  
18 about 85.56 feet to a point N3056523.33 E850599.31;  
19 thence southwesterly about 36.20 feet to a point  
20 N3056512.37 E850564.81; thence southwesterly about  
21 80.10 feet to a point N3056467.08 E850498.74; thence  
22 southwesterly about 169.05 feet to a point N3056334.36  
23 E850394.03; thence northwesterly about 48.52 feet to a  
24 point N3056354.38 E850349.83; thence northeasterly  
25 about 83.71 feet to a point N3056436.35 E850366.84;

1 thence northeasterly about 212.38 feet to a point  
2 N3056548.70 E850547.07; thence northeasterly about  
3 47.60 feet to a point N3056563.12 E850592.43; thence  
4 northeasterly about 101.16 feet to a point N3056566.62  
5 E850693.53; thence southeasterly about 80.22 feet to a  
6 point N3056530.97 E850765.40; thence southeasterly  
7 about 99.29 feet to a point N3056449.88 E850822.69;  
8 thence southeasterly about 210.12 feet to a point  
9 N3056240.79 E850843.54; thence southeasterly about  
10 219.46 feet to a point N3056031.13 E850908.38; thence  
11 southeasterly about 38.23 feet to a point N3056014.02  
12 E850942.57; thence southeasterly about 410.93 feet to a  
13 point N3055896.06 E851336.21; thence northeasterly  
14 about 188.43 feet to a point N3055925.46 E851522.33;  
15 thence northeasterly about 135.47 feet to a point  
16 N3055992.91 E851639.80; thence northeasterly about  
17 52.15 feet to a point N3056023.90 E851681.75; thence  
18 northeasterly about 91.57 feet to a point N3056106.82  
19 E851720.59.

20 **SEC. 306. PORT OF CASCADE LOCKS, OREGON.**

21 (a) **EXTINGUISHMENT OF PORTIONS OF EXISTING**  
22 **FLOWAGE EASEMENT.**—With respect to the properties de-  
23 scribed in subsection (b), beginning on the date of enact-  
24 ment of this Act, the flowage easements described in sub-



1 section (c) are extinguished above elevation 82.2 feet  
2 (NGVD29), the ordinary high water line.

3 (b) AFFECTED PROPERTIES.—The properties de-  
4 scribed in this subsection, as recorded in Hood River  
5 County, Oregon, are as follows:

6 (1) Lots 3, 4, 5, and 7 of the “Port of Cascade  
7 Locks Business Park” subdivision, Instrument  
8 Number 2014–00436.

9 (2) Parcels 1, 2, and 3 of Hood River County  
10 Partition, Plat Number 2008–25P.

11 (c) FLOWAGE EASEMENTS.—The flowage easements  
12 described in this subsection are identified as Tracts 302E–  
13 1 and 304E–1 on the easement deeds recorded as instru-  
14 ments in Hood River County, Oregon, and described as  
15 follows:

16 (1) A flowage easement dated October 3, 1936,  
17 recorded December 1, 1936, book 25, page 531  
18 (Records of Hood River County, Oregon), in favor of  
19 the United States (302E–1–Perpetual Flowage  
20 Easement from 10/5/37, 10/5/36, and 10/3/36; pre-  
21 viously acquired as Tracts OH–36 and OH–41 and  
22 a portion of Tract OH–47).

23 (2) A flowage easement dated October 5, 1936,  
24 recorded October 17, 1936, book 25, page 476  
25 (Records of Hood River County, Oregon), in favor of

1 the United States, affecting that portion below the  
2 94-foot contour line above main sea level (304 E1–  
3 Perpetual Flowage Easement from 8/10/37 and 10/  
4 3/36; previously acquired as Tract OH–042 and a  
5 portion of Tract OH–47).

6 (d) FEDERAL LIABILITIES; CULTURAL, ENVIRON-  
7 MENTAL, AND OTHER REGULATORY REVIEWS.—

8 (1) FEDERAL LIABILITY.—The United States  
9 shall not be liable for any injury caused by the extin-  
10 guishment of an easement under this section.

11 (2) CULTURAL AND ENVIRONMENTAL REGU-  
12 LATORY ACTIONS.—Nothing in this section estab-  
13 lishes any cultural or environmental regulation relat-  
14 ing to the properties described in subsection (b).

15 (e) EFFECT ON OTHER RIGHTS.—Nothing in this  
16 section affects any remaining right or interest of the Corps  
17 of Engineers in the properties described in subsection (b).

18 **SEC. 307. CENTRAL DELAWARE RIVER, PHILADELPHIA,**  
19 **PENNSYLVANIA.**

20 (a) AREA TO BE DECLARED NONNAVIGABLE.—Sub-  
21 ject to subsection (c), unless the Secretary finds, after con-  
22 sultation with local and regional public officials (including  
23 local and regional public planning organizations), that  
24 there are substantive objections, those portions of the  
25 Delaware River, bounded by the former bulkhead and

1 pierhead lines that were established by the Secretary of  
2 War and successors and described as follows, are declared  
3 to be nonnavigable waters of the United States:

4 (1) Piers 70 South through 38 South, encom-  
5 passing an area bounded by the southern line of  
6 Moore Street extended to the northern line of Cath-  
7 erine Street extended, including the following piers:  
8 Piers 70, 68, 67, 64, 61–63, 60, 57, 55, 53, 48, 46,  
9 40, and 38.

10 (2) Piers 24 North through 72 North, encom-  
11 passing an area bounded by the southern line of Cal-  
12 lowhill Street extended to the northern line of East  
13 Fletcher Street extended, including the following  
14 piers: Piers 24, 25, 27–35, 35.5, 36, 37, 38, 39, 49,  
15 51–52, 53–57, 58–65, 66, 67, 69, 70–72, and  
16 Rivercenter.

17 (b) PUBLIC INTEREST DETERMINATION.—The Sec-  
18 retary shall make the public interest determination under  
19 subsection (a) separately for each proposed project to be  
20 undertaken within the boundaries described in subsection  
21 (a), using reasonable discretion, not later than 150 days  
22 after the date of submission of appropriate plans for the  
23 proposed project.

24 (c) LIMITS ON APPLICABILITY; REGULATORY RE-  
25 QUIREMENTS.—The declaration under subsection (a) shall

1 apply only to those parts of the areas described in sub-  
2 section (a) that are or will be bulkheaded and filled or  
3 otherwise occupied by permanent structures, including  
4 marina and recreation facilities. All such work is subject  
5 to all applicable Federal statutes and regulations, includ-  
6 ing sections 9 and 10 of the Act of March 3, 1899 (30  
7 Stat. 1151, chapter 425; 33 U.S.C. 401 and 403), section  
8 404 of the Federal Water Pollution Control Act (33  
9 U.S.C. 1344), and the National Environmental Policy Act  
10 of 1969 (42 U.S.C. 4321 et seq.).

11 **SEC. 308. HUNTINGDON COUNTY, PENNSYLVANIA.**

12 (a) IN GENERAL.—The Secretary shall—

13 (1) prioritize the updating of the Master Plan  
14 for the Juniata River and tributaries project, Hun-  
15 tingdon County, Pennsylvania, authorized by section  
16 203 of the Flood Control Act of 1962 (Public Law  
17 87–874; 76 Stat. 1182); and

18 (2) ensure that alternatives for additional recre-  
19 ation access and development at the project are fully  
20 assessed, evaluated, and incorporated as a part of  
21 the update.

22 (b) PARTICIPATION.—The update referred to in sub-  
23 section (a) shall be done in coordination with all appro-  
24 priate Federal agencies, elected officials, and members of  
25 the public.

1 **SEC. 309. RIVERCENTER, PHILADELPHIA, PENNSYLVANIA.**

2 Section 38(c) of the Water Resources Development  
3 Act of 1988 (33 U.S.C. 59j–1(c)) is amended—

4 (1) by striking “(except 30 years from such  
5 date of enactment, in the case of the area or any  
6 part thereof described in subsection (a)(5))”; and

7 (2) by adding at the end the following: “Not-  
8 withstanding the preceding sentence, the declaration  
9 of nonnavigability for the area described in sub-  
10 section (a)(5), or any part thereof, shall not ex-  
11 pire.”.

12 **SEC. 310. JOE POOL LAKE, TEXAS.**

13 The Secretary shall accept from the Trinity River Au-  
14 thority of Texas, if received by September 30, 2016,  
15 \$31,233,401 as payment in full of amounts owed to the  
16 United States, including any accrued interest, for the ap-  
17 proximately 61,747.1 acre-feet of water supply storage  
18 space in Joe Pool Lake, Texas (previously known as  
19 Lakeview Lake), for which payment has not commenced  
20 under Article 5.a. (relating to project investment costs)  
21 of contract number DACW63–76–C–0106, as of the date  
22 of enactment of this Act.

23 **SEC. 311. SALT CREEK, GRAHAM, TEXAS.**

24 (a) IN GENERAL.—The project for flood control, envi-  
25 ronmental restoration, and recreation, Salt Creek, Gra-  
26 ham, Texas, authorized by section 101(a)(30) of the

1 Water Resources Development Act of 1999 (Public Law  
2 106–53; 113 Stat. 278), is no longer authorized as a Fed-  
3 eral project beginning on the date of enactment of this  
4 Act.

5 (b) CERTAIN PROJECT-RELATED CLAIMS.—The non-  
6 Federal interest for the project shall hold and save the  
7 United States harmless from any claim that has arisen,  
8 or that may arise, in connection with the project.

9 (c) TRANSFER.—The Secretary is authorized to  
10 transfer any land acquired by the Federal Government for  
11 the project on behalf of the non-Federal interest that re-  
12 mains in Federal ownership on or after the date of enact-  
13 ment of this Act to the non-Federal interest.

14 (d) REVERSION.—If the Secretary determines that  
15 land transferred under subsection (c) ceases to be owned  
16 by the public, all right, title, and interest in and to the  
17 land and improvements thereon shall revert, at the discre-  
18 tion of the Secretary, to the United States.

19 **SEC. 312. TEXAS CITY SHIP CHANNEL, TEXAS CITY, TEXAS.**

20 (a) IN GENERAL.—The portion of the Texas City  
21 Ship Channel, Texas City, Texas, described in subsection  
22 (b) shall not be subject to navigational servitude beginning  
23 on the date of enactment of this Act.

24 (b) DESCRIPTION.—The portion of the Texas City  
25 Ship Channel described in this subsection is a tract or par-

1 cel containing 393.53 acres (17,142,111 square feet) of  
2 land situated in the City of Texas City Survey, Abstract  
3 Number 681, and State of Texas Submerged Lands  
4 Tracts 98A and 99A, Galveston County, Texas, said  
5 393.53 acre tract being more particularly described as fol-  
6 lows:

7 (1) Beginning at the intersection of an edge of  
8 fill along Galveston Bay with the most northerly east  
9 survey line of said City of Texas City Survey, Ab-  
10 stract No. 681, the same being a called 375.75 acre  
11 tract patented by the State of Texas to the City of  
12 Texas City and recorded in Volume 1941, Page 750  
13 of the Galveston County Deed Records (G.C.D.R.),  
14 from which a found U.S. Army Corps of Engineers  
15 Brass Cap stamped "R 4-3" set in the top of the  
16 Texas City Dike along the east side of Bay Street  
17 bears North  $56^{\circ} 14' 32''$  West, a distance of  
18 6,045.31 feet and from which a found U.S. Army  
19 Corps of Engineers Brass Cap stamped "R 4-2" set  
20 in the top of the Texas City Dike along the east side  
21 of Bay Street bears North  $49^{\circ} 13' 20''$  West, a dis-  
22 tance of 6,693.64 feet.

23 (2) Thence, over and across said State Tracts  
24 98A and 99A and along the edge of fill along said

1 Galveston Bay, the following eight (8) courses and  
2 distances:

3 (A) South  $75^{\circ} 49' 13''$  East, a distance of  
4 298.08 feet to an angle point of the tract herein  
5 described.

6 (B) South  $81^{\circ} 16' 26''$  East, a distance of  
7 170.58 feet to an angle point of the tract herein  
8 described.

9 (C) South  $79^{\circ} 20' 31''$  East, a distance of  
10 802.34 feet to an angle point of the tract herein  
11 described.

12 (D) South  $75^{\circ} 57' 32''$  East, a distance of  
13 869.68 feet to a point for the beginning of a  
14 non-tangent curve to the right.

15 (E) Easterly along said non-tangent curve  
16 to the right having a radius of 736.80 feet, a  
17 central angle of  $24^{\circ} 55' 59''$ , a chord of South  
18  $68^{\circ} 47' 35''$  East – 318.10 feet, and an arc  
19 length of 320.63 feet to a point for the begin-  
20 ning of a non-tangent curve to the left.

21 (F) Easterly along said non-tangent curve  
22 to the left having a radius of 373.30 feet, a  
23 central angle of  $31^{\circ} 57' 42''$ , a chord of South  
24  $66^{\circ} 10' 42''$  East – 205.55 feet, and an arc



1 length of 208.24 feet to a point for the begin-  
2 ning of a non-tangent curve to the right.

3 (G) Easterly along said non-tangent curve  
4 to the right having a radius of 15,450.89 feet,  
5 a central angle of  $02^{\circ} 04' 10''$ , a chord of South  
6  $81^{\circ} 56' 20''$  East – 558.04 feet, and an arc  
7 length of 558.07 feet to a point for the begin-  
8 ning of a compound curve to the right and the  
9 northeasterly corner of the tract herein de-  
10 scribed.

11 (H) Southerly along said compound curve  
12 to the right and the easterly line of the tract  
13 herein described, having a radius of 1,425.00  
14 feet, a central angle of  $133^{\circ} 08' 00''$ , a chord  
15 of South  $14^{\circ} 20' 15''$  East – 2,614.94 feet, and  
16 an arc length of 3,311.15 feet to a point on a  
17 line lying 125.00 feet northerly of and parallel  
18 with the centerline of an existing levee for the  
19 southeasterly corner of the tract herein de-  
20 scribed.

21 (3) Thence, continuing over and across said  
22 State Tracts 98A and 99A and along lines lying  
23 125.00 feet northerly of, parallel, and concentric  
24 with the centerline of said existing levee, the fol-  
25 lowing twelve (12) courses and distances:

1 (A) North  $78^{\circ} 01' 58''$  West, a distance of  
2 840.90 feet to an angle point of the tract herein  
3 described.

4 (B) North  $76^{\circ} 58' 35''$  West, a distance of  
5 976.66 feet to an angle point of the tract herein  
6 described.

7 (C) North  $76^{\circ} 44' 33''$  West, a distance of  
8 1,757.03 feet to a point for the beginning of a  
9 tangent curve to the left.

10 (D) Southwesterly, along said tangent  
11 curve to the left having a radius of 185.00 feet,  
12 a central angle of  $82^{\circ} 27' 32''$ , a chord of South  
13  $62^{\circ} 01' 41''$  West – 243.86 feet, and an arc  
14 length of 266.25 feet to a point for the begin-  
15 ning of a compound curve to the left.

16 (E) Southerly, along said compound curve  
17 to the left having a radius of 4,535.58 feet, a  
18 central angle of  $11^{\circ} 06' 58''$ , a chord of South  
19  $15^{\circ} 14' 26''$  West – 878.59 feet, and an arc  
20 length of 879.97 feet to an angle point of the  
21 tract herein described.

22 (F) South  $64^{\circ} 37' 11''$  West, a distance of  
23 146.03 feet to an angle point of the tract herein  
24 described.

1 (G) South  $67^{\circ} 08' 21''$  West, a distance of  
2 194.42 feet to an angle point of the tract herein  
3 described.

4 (H) North  $34^{\circ} 48' 22''$  West, a distance of  
5 789.69 feet to an angle point of the tract herein  
6 described.

7 (I) South  $42^{\circ} 47' 10''$  West, a distance of  
8 161.01 feet to an angle point of the tract herein  
9 described.

10 (J) South  $42^{\circ} 47' 10''$  West, a distance of  
11 144.66 feet to a point for the beginning of a  
12 tangent curve to the right.

13 (K) Westerly, along said tangent curve to  
14 the right having a radius of 310.00 feet, a cen-  
15 tral angle of  $59^{\circ} 50' 28''$ , a chord of South  $72^{\circ}$   
16  $42' 24''$  West – 309.26 feet, and an arc length  
17 of 323.77 feet to an angle point of the tract  
18 herein described.

19 (L) North  $77^{\circ} 22' 21''$  West, a distance of  
20 591.41 feet to the intersection of said parallel  
21 line with the edge of fill adjacent to the easterly  
22 edge of the Texas City Turning Basin for the  
23 southwesterly corner of the tract herein de-  
24 scribed, from which a found U.S. Army Corps  
25 of Engineers Brass Cap stamped “SWAN 2”

1 set in the top of a concrete column set flush in  
2 the ground along the north bank of Swan Lake  
3 bears South  $20^{\circ} 51' 58''$  West, a distance of  
4 4,862.67 feet.

5 (4) Thence, over and across said City of Texas  
6 City Survey and along the edge of fill adjacent to  
7 the easterly edge of said Texas City Turning Basin,  
8 the following eighteen (18) courses and distances:

9 (A) North  $01^{\circ} 34' 19''$  East, a distance of  
10 57.40 feet to an angle point of the tract herein  
11 described.

12 (B) North  $05^{\circ} 02' 13''$  West, a distance of  
13 161.85 feet to an angle point of the tract herein  
14 described.

15 (C) North  $06^{\circ} 01' 56''$  East, a distance of  
16 297.75 feet to an angle point of the tract herein  
17 described.

18 (D) North  $06^{\circ} 18' 07''$  West, a distance of  
19 71.33 feet to an angle point of the tract herein  
20 described.

21 (E) North  $07^{\circ} 21' 09''$  West, a distance of  
22 122.45 feet to an angle point of the tract herein  
23 described.

1 (F) North  $26^{\circ} 41' 15''$  West, a distance of  
2 46.02 feet to an angle point of the tract herein  
3 described.

4 (G) North  $01^{\circ} 31' 59''$  West, a distance of  
5 219.78 feet to an angle point of the tract herein  
6 described.

7 (H) North  $15^{\circ} 54' 07''$  West, a distance of  
8 104.89 feet to an angle point of the tract herein  
9 described.

10 (I) North  $04^{\circ} 00' 34''$  East, a distance of  
11 72.94 feet to an angle point of the tract herein  
12 described.

13 (J) North  $06^{\circ} 46' 38''$  West, a distance of  
14 78.89 feet to an angle point of the tract herein  
15 described.

16 (K) North  $12^{\circ} 07' 59''$  West, a distance of  
17 182.79 feet to an angle point of the tract herein  
18 described.

19 (L) North  $20^{\circ} 50' 47''$  West, a distance of  
20 105.74 feet to an angle point of the tract herein  
21 described.

22 (M) North  $02^{\circ} 02' 04''$  West, a distance of  
23 184.50 feet to an angle point of the tract herein  
24 described.

1 (N) North  $08^{\circ} 07' 11''$  East, a distance of  
2 102.23 feet to an angle point of the tract herein  
3 described.

4 (O) North  $08^{\circ} 16' 00''$  West, a distance of  
5 213.45 feet to an angle point of the tract herein  
6 described.

7 (P) North  $03^{\circ} 15' 16''$  West, a distance of  
8 336.45 feet to a point for the beginning of a  
9 non-tangent curve to the left.

10 (Q) Northerly along said non-tangent  
11 curve to the left having a radius of 896.08 feet,  
12 a central angle of  $14^{\circ} 00' 05''$ , a chord of North  
13  $09^{\circ} 36' 03''$  West – 218.43 feet, and an arc  
14 length of 218.97 feet to a point for the begin-  
15 ning of a non-tangent curve to the right.

16 (R) Northerly along said non-tangent  
17 curve to the right having a radius of 483.33  
18 feet, a central angle of  $19^{\circ} 13' 34''$ , a chord of  
19 North  $13^{\circ} 52' 03''$  East – 161.43 feet, and an  
20 arc length of 162.18 feet to a point for the  
21 northwesterly corner of the tract herein de-  
22 scribed.

23 (5) Thence, continuing over and across said  
24 City of Texas City Survey, and along the edge of fill

1 along said Galveston Bay, the following fifteen (15)  
2 courses and distances:

3 (A) North  $30^{\circ} 45' 02''$  East, a distance of  
4 189.03 feet to an angle point of the tract herein  
5 described.

6 (B) North  $34^{\circ} 20' 49''$  East, a distance of  
7 174.16 feet to a point for the beginning of a  
8 non-tangent curve to the right.

9 (C) Northeasterly along said non-tangent  
10 curve to the right having a radius of 202.01  
11 feet, a central angle of  $25^{\circ} 53' 37''$ , a chord of  
12 North  $33^{\circ} 14' 58''$  East – 90.52 feet, and an  
13 arc length of 91.29 feet to a point for the be-  
14 ginning of a non-tangent curve to the left.

15 (D) Northeasterly along said non-tangent  
16 curve to the left having a radius of 463.30 feet,  
17 a central angle of  $23^{\circ} 23' 57''$ , a chord of North  
18  $48^{\circ} 02' 53''$  East – 187.90 feet, and an arc  
19 length of 189.21 feet to a point for the begin-  
20 ning of a non-tangent curve to the right.

21 (E) Northeasterly along said non-tangent  
22 curve to the right having a radius of 768.99  
23 feet, a central angle of  $16^{\circ} 24' 19''$ , a chord of  
24 North  $43^{\circ} 01' 40''$  East – 219.43 feet, and an

1           are length of 220.18 feet to an angle point of  
2           the tract herein described.

3           (F) North  $38^{\circ} 56' 50''$  East, a distance of  
4           126.41 feet to an angle point of the tract herein  
5           described.

6           (G) North  $42^{\circ} 59' 50''$  East, a distance of  
7           128.28 feet to a point for the beginning of a  
8           non-tangent curve to the right.

9           (H) Northerly along said non-tangent  
10          curve to the right having a radius of 151.96  
11          feet, a central angle of  $68^{\circ} 36' 31''$ , a chord of  
12          North  $57^{\circ} 59' 42''$  East – 171.29 feet, and an  
13          arc length of 181.96 feet to a point for the  
14          most northerly corner of the tract herein de-  
15          scribed.

16          (I) South  $77^{\circ} 14' 49''$  East, a distance of  
17          131.60 feet to an angle point of the tract herein  
18          described.

19          (J) South  $84^{\circ} 44' 18''$  East, a distance of  
20          86.58 feet to an angle point of the tract herein  
21          described.

22          (K) South  $58^{\circ} 14' 45''$  East, a distance of  
23          69.62 feet to an angle point of the tract herein  
24          described.



1 (L) South 49° 44' 51" East, a distance of  
2 149.00 feet to an angle point of the tract herein  
3 described.

4 (M) South 44° 47' 21" East, a distance of  
5 353.77 feet to a point for the beginning of a  
6 non-tangent curve to the left.

7 (N) Easterly along said non-tangent curve  
8 to the left having a radius of 253.99 feet, a  
9 central angle of 98° 53' 23", a chord of South  
10 83° 28' 51" East – 385.96 feet, and an arc  
11 length of 438.38 feet to an angle point of the  
12 tract herein described.

13 (O) South 75° 49' 13" East, a distance of  
14 321.52 feet to the point of beginning and con-  
15 taining 393.53 acres (17,142,111 square feet)  
16 of land.

17 **TITLE IV—WATER RESOURCES**  
18 **INFRASTRUCTURE**

19 **SEC. 401. PROJECT AUTHORIZATIONS.**

20 The following projects for water resources develop-  
21 ment and conservation and other purposes, as identified  
22 in the reports titled “Report to Congress on Future Water  
23 Resources Development” submitted to Congress on Janu-  
24 ary 29, 2015, and January 29, 2016, respectively, pursu-  
25 ant to section 7001 of the Water Resources Reform and

1 Development Act of 2014 (33 U.S.C. 2282d) or otherwise  
 2 reviewed by Congress, are authorized to be carried out by  
 3 the Secretary substantially in accordance with the plans,  
 4 and subject to the conditions, described in the respective  
 5 reports designated in this section:

6 (1) NAVIGATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. TX	Brazos Island Harbor	Nov. 3, 2014	Federal: \$116,116,000 Non-Federal: \$88,471,000 Total: \$204,587,000
2. LA	Calcasieu Lock	Dec. 2, 2014	Total: \$16,700,000 (to be derived ½ from the general fund of the Treasury and ½ from the Inland Waterways Trust Fund)
3. NH, ME	Portsmouth Harbor and Piscataqua River	Feb. 8, 2015	Federal: \$15,580,000 Non-Federal: \$5,190,000 Total: \$20,770,000
4. FL	Port Everglades	Jun. 25, 2015	Federal: \$220,200,000 Non-Federal: \$102,500,000 Total: \$322,700,000
5. AK	Little Diomedé Harbor	Aug. 10, 2015	Federal: \$26,015,000 Non-Federal: \$2,945,000 Total: \$28,960,000
6. SC	Charleston Harbor	Sep. 8, 2015	Federal: \$224,300,000 Non-Federal: \$269,000,000 Total: \$493,300,000
7. AK	Craig Harbor	March 16, 2016	Federal: \$29,062,000 Non-Federal: \$3,255,000 Total: \$32,317,000.

7 (2) FLOOD RISK MANAGEMENT.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. TX	Leon Creek Watershed	Jun. 30, 2014	Federal: \$18,314,000 Non-Federal: \$9,861,000 Total: \$28,175,000
2. MO, KS	Armourdale and Central Industrial District Levee Units, Missouri River and Tributaries at Kansas Citys	Jan. 27, 2015	Federal: \$207,036,000 Non-Federal: \$111,481,000 Total: \$318,517,000
3. KS	City of Manhattan	Apr. 30, 2015	Federal: \$15,440,100 Non-Federal: \$8,313,900 Total: \$23,754,000
4. TN	Mill Creek	Oct. 16, 2015	Federal: \$17,759,000 Non-Federal: \$10,745,000 Total: \$28,504,000
5. KS	Upper Turkey Creek Basin	Dec. 22, 2015	Federal: \$24,584,000 Non-Federal: \$13,238,000 Total: \$37,822,000
6. NC	Princeville	Feb. 23, 2016	Federal: \$14,001,000 Non-Federal: \$7,539,000 Total: \$21,540,000
7. CA	American River Common Features	Apr. 26, 2016	Federal: \$876,478,000 Non-Federal: \$689,272,000 Total: \$1,565,750,000
8. CA	West Sacramento	Apr. 26, 2016	Federal: \$776,517,000 Non-Federal: \$414,011,000 Total: \$1,190,528,000.

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

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Initial Costs and Estimated Renourishment Costs</b>
1. SC	Colleton County	Sep. 5, 2014	Initial Federal: \$13,733,850 Initial Non-Federal: \$7,395,150 Initial Total: \$21,129,000 Renourishment Federal: \$16,371,000 Renourishment Non-Federal: \$16,371,000 Renourishment Total: \$32,742,000
2. FL	Flagler County	Dec. 23, 2014	Initial Federal: \$9,218,300 Initial Non-Federal: \$4,963,700 Initial Total: \$14,182,000 Renourishment Federal: \$15,390,000 Renourishment Non-Federal: \$15,390,000 Renourishment Total: \$30,780,000
3. NC	Carteret County	Dec. 23, 2014	Initial Federal: \$24,263,000 Initial Non-Federal: \$13,064,000 Initial Total: \$37,327,000 Renourishment Federal: \$114,728,000 Renourishment Non-Federal: \$114,728,000 Renourishment Total: \$229,456,000
4. NJ	Hereford Inlet to Cape May Inlet, Cape May County	Jan. 23, 2015	Initial Federal: \$14,040,000 Initial Non-Federal: \$7,560,000 Initial Total: \$21,600,000 Renourishment Federal: \$41,215,000 Renourishment Non-Federal: \$41,215,000 Renourishment Total: \$82,430,000
5. LA	West Shore Lake Pontchartrain	Jun. 12, 2015	Federal: \$466,760,000 Non-Federal: \$251,330,000 Total: \$718,090,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Initial Costs and Estimated Renourishment Costs</b>
6. CA	San Diego County	Apr. 26, 2016	Initial Federal: \$20,166,000 Initial Non-Federal: \$10,858,000 Initial Total: \$31,024,000 Renourishment Federal: \$68,215,000 Renourishment Non-Federal: \$68,215,000 Renourishment Total: \$136,430,000.

## 1 (4) ECOSYSTEM RESTORATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. FL	Central Ever- glades	Dec. 23, 2014	Federal: \$976,375,000 Non-Federal: \$974,625,000 Total: \$1,951,000,000
2. WA	Skokomish River	Dec. 14, 2015	Federal: \$12,782,000 Non-Federal: \$6,882,000 Total: \$19,664,000.

2 (5) FLOOD RISK MANAGEMENT AND ECO-  
3 SYSTEM RESTORATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. IL, WI	Upper Des Plaines River and Tributaries	Jun. 8, 2015	Federal: \$199,393,000 Non-Federal: \$107,694,000 Total: \$307,087,000.

4 (6) FLOOD RISK MANAGEMENT, ECOSYSTEM  
5 RESTORATION, AND RECREATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. CA	South San Francisco Bay Shoreline	Dec. 18, 2015	Federal: \$69,521,000 Non-Federal: \$104,379,000 Total: \$173,900,000.

1 (7) ECOSYSTEM RESTORATION AND RECRE-  
2 ATION.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Report of Chief of Engineers</b>	<b>D. Estimated Costs</b>
1. OR	Willamette River	Dec. 14, 2015	Federal: \$19,143,000 Non-Federal: \$10,631,000 Total: \$29,774,000
2. CA	Los Angeles River	Dec. 18, 2015	Federal: \$375,773,000 Non-Federal: \$980,835,000 Total: \$1,356,608,000.

3 (8) DEAUTHORIZATIONS, MODIFICATIONS, AND  
4 OTHER PROJECTS.—

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Decision Document</b>	<b>D. Estimated Costs</b>
1. TX	Upper Trinity River	May 21, 2008	Federal: \$526,500,000 Non-Federal: \$283,500,000 Total: \$810,000,000
2. KY	Green River Locks and Dams 3, 4, 5, 6 and Barren River Lock and Dam 1 Disposition	Apr. 30, 2015	Federal: \$0 Non-Federal: \$0 Total: \$0
3. KS	Turkey Creek Basin	May 13, 2016	Federal: \$97,067,750 Non-Federal: \$55,465,250 Total: \$152,533,000

<b>A. State</b>	<b>B. Name</b>	<b>C. Date of Decision Document</b>	<b>D. Estimated Costs</b>
4. KY	Ohio River Shore- line	May 13, 2016	Federal: \$20,309,900 Non-Federal: \$10,936,100 Total: \$31,246,000.
5. MO	Blue River Basin	May 13, 2016	Federal: \$34,860,000 Non-Federal: \$11,620,000 Total: \$46,480,000

