

**America’s Water Infrastructure Act of 2020**  
**Section-by-Section**

**Sec.1.Short title; table of contents.**

This section states that this Act may be cited as the “America’s Water Infrastructure Act of 2020” and contains the table of contents.

**Sec.2.Definition of Secretary.**

This section states that in this Act, the term “Secretary” means the Secretary of the Army.

**TITLE I—WATER RESOURCES DEVELOPMENT**

**Subtitle A—General Provisions**

**[Sec.1001.Upper and Lower Missouri River comprehensive flood protection studies.**

This section requires that the Secretary conduct two comprehensive studies: one on the Upper and one on the Lower Missouri River. The Secretary must submit one comprehensive strategy and report encompassing both to Congress on flood risk in areas affected by the severe flooding that occurred along the Missouri River in 2019. The study shall include recommendations on management plans and actions to be carried out by the responsible federal agencies; address whether changes are necessary to the general comprehensive plan for flood control in the Missouri River Basin; and address whether there are opportunities for increased non-federal management in the Missouri River Basin. The study shall also include recommendations for non-federal and federal action where appropriate, as well as follow-up studies for problem areas for which data or current technology does not allow for immediate solutions.

This section authorizes \$50 million in appropriations to carry out this section, to remain available until expended.]

**Sec.1002.Great Lakes comprehensive flood protection study.**

This section directs the Secretary to conduct a comprehensive study, and submit a report to Congress, on shoreline protection and resiliency in areas affected by flooding in 2019 due to high lake water levels along the Great Lakes.

The section requires that the Secretary address whether changes are necessary to the management plan for the Great Lakes, including plans for individual lakes of the Great Lakes; address whether there are opportunities for increased non-federal management in the Great Lakes; and include recommendations on management plans and actions to be carried out by the responsible federal agencies.

This section authorizes \$25 million in appropriations to carry out this section, to remain available until expended.

**Sec.1003.Additional studies under North Atlantic Coast Comprehensive Study.**

This section requires the Secretary to carry out a study to determine the feasibility for a hurricane and storm damage risk reduction project for any major metropolitan area geographically located within the study area identified in the North Atlantic Coast Comprehensive Study that was not included as a high-risk focus area identified in the initial study. This study is a continuation of the previously authorized comprehensive study.

**Sec.1004.Maintenance and construction of water resources development projects by non-Federal interests.**

This section corrects an error in section 204(c) of the Water Resources Development Act (WRDA) of 1986 that was caused by enacting section 1153 of the America's Water Infrastructure Act of 2018 (AWIA 2018). Section 1153 was meant to allow a non-federal sponsor to advance projects more expeditiously using a streamlined agreement with the U.S Army Corps of Engineers (Corps).

As written, the studies and engineering (i.e., technical assistance) portion of section 1153 of AWIA 2018 does not apply to any non-federal interest seeking federal *assumption of maintenance* under section 204(f) of WRDA 1986. The studies and engineering portion of section 1153 of AWIA 2018, as currently enacted, only applies to *construction* undertaken by a non-federal interest under subsection 204(b) of WRDA 1986. The intent of section 1153 of AWIA 2018 was to cover all non-federal interest work under section 204 of WRDA 1986, not just construction, and this section makes that clarification.

**Sec.1005.Watercraft inspection stations.**

This section corrects an erroneous river basin reference in section 1170 of AWIA 2018. Section 1170 of AWIA 2018 directs the Secretary to establish, operate, and maintain new or existing watercraft inspection stations intended to prevent the spread of aquatic invasive species.

Section 1170 of AWIA 2018 mistakenly referenced the "Arizona" River Basin, instead of "Arkansas" River Basin. This technical correction enacts the correct reference to the Arkansas River Basin.

**Sec.1006.Local government reservoir permit review.**

This section strikes an error in section 1119 of AWIA 2018. This section was meant to require that the Secretary expedite the review of any application from a local governmental entity to expand a reservoir to accommodate projected water supply needs of a city with a population of less than 80,000.

Section 1119 of AWIA 2018 inadvertently included language limiting the expedited review to permits at reservoirs "owned or operated by the Secretary [of the Army]". This technical correction strikes that limitation so that local government permit applications at any reservoir are

eligible for the expediting.

**Sec.1007.Upper Mississippi river protection.**

This section corrects an errant statutory reference in section 1225 (“Upper Mississippi River protection”) of AWIA 2018. This section directs the Secretary to accept and expend funds to carry out the study that are contributed by a state or a political subdivision.

While the body of this text references contributed funds, the statutory reference under the Act of October 15, 1940 (33 U.S.C. 701h-1) is to “advance funds” authority. This technical correction will strike the reference to “the Act of October 15, 1940” and insert “section 5 of the Act of June 22, 1936” to ensure that the textual reference to contributed funds and the citation are consistent with one another.

**Sec.1008.Beneficial use of dredged material.**

This section makes a clarification to section 1148 of AWIA 2018. That section incorrectly states the Secretary may “grant” a temporary easement to facilitate the placement of sediment if the Secretary determines it is in the interest of the United States.

The Secretary does not “grant” easements for section 204 beneficial use projects. Instead, the Secretary may approve a non-federal sponsor’s plan to provide the necessary lands, easements, rights-of-way, relocations and disposal areas for a project. This technical correction strikes the reference to the Secretary “granting” a temporary easement for the placement of sediment. Instead, the amended legislative language will reference that the Secretary may “approve” the use of a temporary easement.

**Sec.1009.Klamath Basin Water Supply Enhancement Act of 2000 technical corrections.**

This section makes a technical correction to the Klamath Basin Water Supply Enhancement Act of 2000 (114 Stat. 2222; 132 Stat. 3887). Amending section 4(b) regarding water activities and drought response will facilitate agreements between the Bureau of Reclamation and water supply contractors for assistance under the Klamath Basin Water Supply Enhancement Act.

**Sec.1010.Project modifications for improvement of environment.**

This section extends the period for which the Secretary is to give priority to projects that restore degraded ecosystems through modification of existing flood risk management projects authorized under section 1135 of WRDA 1986 (33 U.S.C. 2309a) and located within the Upper Missouri River Basin until September 30, 2026.

**Sec.1011.Non-Federal implementation pilot program.**

This section amends section 1043 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014) (33 U.S.C. 2201 note; Public Law 113-121) to allow the Secretary to transfer funds to a non-federal entity to do work on feasibility studies and projects. It also extends the

date of the ability to commence feasibility studies by non-federal interests from June 10, 2019, to December 31, 2026. It also extends the associated \$25 million authorization of appropriations per fiscal year for such feasibility studies through fiscal year 2026.

In addition, this section extends the date of the ability to commence project implementation under subsection (b) by non-federal interests from June 10, 2019, to December 31, 2026. It also lengthens the associated \$25 million authorization of appropriations per fiscal year for such projects through fiscal year 2026.

**Sec.1012.Thin layer placement pilot program.**

This section amends section 1122 of the Water Infrastructure Improvements for the Nation Act of 2016 (WIIN 2016) (33 U.S.C. 2326 note; Public Law 114-322). It increases the number of authorized projects under the beneficial use of dredged material pilot program from 20 to 40 projects, and requires that ten of those projects must use thin layer placement of dredged fine and coarse grain sediment for the maintenance and restoration of wetlands.

This section also revises the pilot program so that it terminates after the completion of 40 projects.

**Sec.1013.Annual report to Congress on authorized studies and projects.**

This section requires the Secretary to develop an annual report that identifies each authorized study or authorized water resource development project submitted by non-federal interests for consideration through the annual Energy & Water Development appropriations bill. Criteria for inclusion in the report includes: projects that have been authorized by Congress, authorized studies and non-operations and maintenance projects for which the non-federal interest has entered into an appropriate agreement with the Corps, and demonstrates the legal and financial capability to satisfy the requirements of local cooperation for the study or project.

The report must describe specified benefits for each authorized study and authorized water resources development project included in the annual report, as well as the name of the associated non-federal interest; the purpose of the authorized study or authorized water resources development project; an estimate, to the maximum extent practicable, of the federal, non-federal, and total costs of the authorized study or authorized water resources development project; and an estimate, to the maximum extent practicable, of the monetary and nonmonetary benefits of the authorized study or authorized water resources development project.

According to this section, the Secretary shall include in the annual report an appendix listing the proposals submitted that were not included in the annual report and a description of why the Secretary determined that those proposals did not meet the criteria for inclusion. The Secretary shall also make the annual report to Congress publically available on the internet.

**Sec.1014.Annual report to Congress on water resources infrastructure.**

This section amends section 7001 of WRRDA 2014 (33 U.S.C. 2282d) by giving the Secretary

the option to look at regional and local benefits, in addition to benefits to the national economy.

This section also eliminates the restriction on new environmental infrastructure assistance programs or projects from being included in the annual report.

**Sec.1015.Operation and maintenance.**

This section amends section 204(f) of WRDA 1986 (33 U.S.C. 2232(f)) to require that for a federally authorized harbor or inland harbor to have federal assumption of operation and maintenance of improvements thereto, a non-federal sponsor shall submit to the Secretary a report on the improvements carried out by the non-federal sponsor. This section clarifies that the report must include an economic justification for the improvements; details of the project improvement plan and design; proposed arrangements for the work to be performed; documents relating to any applicable permits required for the project improvements; and that the Secretary must make a determination within 180 days after the date on which the Secretary receives the report on the improvements.

**Sec.1016.Transparency and accountability in cost sharing for water resources development projects.**

This section amends section 1120 of AWIA 2018 (33 U.S.C. 2315b). It requires the Secretary, in the case of a beach nourishment project for which funds in excess of the amount needed to complete the nourishment cycle in the current fiscal year have been contributed by a non-federal sponsor, to either transfer excess non-federal funds back to the non-federal sponsor upon its request; or to transfer the excess to pay the cost-share for other projects carried out by the Secretary for which the non-federal sponsor is the same.

**Sec.1017.Continuing authority programs.**

This section establishes a cost-share waiver for “small” or “disadvantaged” communities seeking to carry out a project under a continuing authority program (CAP) with the Corps.

The Secretary can only apply the waiver to a maximum of 50 projects in small communities and 50 projects in disadvantaged communities, and no more than three projects in each category within any one Corps District can qualify for the waiver. This section also increases authorized annual appropriations for all CAP programs, as well as allows for a 20 percent federal funding limit overage, per project, on a case-by-case basis.

**Sec.1018.Shore damage prevention or mitigation.**

This section amends section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) by giving discretion to the Director of the U.S. Fish and Wildlife Service (USFWS) to allow a non-federal interest to satisfy all or part of its cost-share for a shore damage or mitigation project by using funds from the USFWS.

**Sec.1019.Sediment management plan.**

This section requires that within one year of enactment of this Act, the District Commander of each Corps District that carries out any dredging activity for navigation or other water resources development project purposes develop, at full federal expense, a five-year sediment management plan for submission to the Secretary. A District Commander must provide notice and an opportunity for public comment, as well as make the plans or revisions publically available. The Secretary has to transmit the plan or revision to a plan, as applicable, to Congress.

**Sec.1020.Criteria for funding environmental infrastructure projects.**

This section requires that the Secretary develop written criteria to rank of environmental infrastructure projects for the purpose of prioritizing funding. Subsection (a) requires a minimum criteria for all environmental infrastructure programs. Subsection (b) of this section authorizes a separate criteria for the environmental infrastructure projects that are authorized under section 219 of the WRDA 1992 (106 Stat. 4835; 113 Stat. 335).

**Sec.1021.Aging infrastructure.**

This section authorizes the Secretary to enter into contracts with federal agencies and non-federal entities that own, operate, and maintain a water resources, water storage, or irrigation project for enhanced inspections of aging infrastructure. A non-federal entity that enters into such a contract for such inspections cannot be required to complete any recommended actions resulting from the enhanced inspections unless the Secretary determines that failure to do so would constitute a public safety risk.

**Sec.1022.Expediting repairs and recovery from flooding.**

This section requires that, for the five-year period beginning with the enactment of this Act, that the Secretary prioritize and expedite the processing of applications for permits under “the Rivers and Harbors Act of 1899 (30 Stat. 1151, chapter 425; 33 U.S.C. 403), section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), and permissions under section 14 of the Act of March 3, 1899 (30 Stat. 1152, chapter 425; 33 U.S.C. 408). This includes completions of repairs, reconstruction (including improvements), and upgrades to flood control infrastructure damaged by flooding events during calendar years 2017 through 2020, including damage caused by ice jams.

**Sec.1023.Upper Snake River levees.**

This section requires the Secretary to prioritize and expedite, in coordination with State and local authorities, the completion of maintenance and repair activities to levee systems that are both operated and maintained by the Secretary and are in the Upper Snake River Basin.

**Sec.1024.Uniformity of notification systems.**

This section requires that the Secretary conduct an inventory of all communication and notifications systems used by the Corps with respect to projects, initiatives, and facilities of the

Corps within 180 days of enactment of this Act. Further, within a year of enactment of this Act, the Secretary must develop a plan for making such communication and notification systems uniform, within 18 months the Secretary shall implement emergency management notifications, and within two years the Secretary must have completed implementation of the communication and notification uniformity plans.

Nothing in section authorizes the elimination of any existing communication or notification systems used by the Corps.

**Sec.1025.Susquehanna, Delaware, and Potomac River Basin Commissions.**

This section amends section 5019 of WRDA 2007 (121 Stat. 1201; 128 Stat. 1307) to reauthorize the Susquehanna, Delaware, and Potomac River Basin Commissions and transfer them under the purview of the U.S. Environmental Protection Agency (EPA).

**Sec.1026.Wilmington Harbor South Disposal Area, Delaware.**

This section establishes the sediment fill height limit at the Wilmington Harbor South Disposal Area confined disposal facility, Delaware, at not more than 45 feet. Further, it specifies that when the sediment fill reaches 45 feet, the Secretary must convey non-usable land at the facility for fair market value to the State of Delaware. Until that conveyance, the facility may be used as a dredge disposal facility for the Port of Edgemoor and for other uses, as determined by the State of Delaware.

**Sec.1027.Conveyance of Wilmington Harbor North Disposal Area, Delaware.**

This section requires the conveyance by the Secretary of the Wilmington Harbor North Disposal Area confined disposal facility, Delaware, to the State of Delaware as soon as practicable.

**Sec.1028.Coastal storm damage reduction contracts.**

This section mandates that the Secretary seek input from the community or communities where a coastal storm damage reduction project is located to minimize, to the maximum extent practicable, the impact to the local economy due to the timing of the project activities.

**Sec.1029.Corps flood policy within urban areas.**

This section requires the Secretary to expedite the completion of the report on Corps flood policy within urban areas pursuant to section 1211 of AWIA 2018 (132 Stat. 3808).

**Sec.1030.Reporting on over budget and behind schedule Corps projects.**

This section requires the Secretary to submit a report describing water resources projects that either exceed the total estimated project budget by more than \$100 million, or exceed the estimated project completion date by more than five years. The report must be completed within 180 days of enactment of this Act and submitted to the Committee on Environment and Public

Works of the Senate (EPW) and the Committee on Transportation and Infrastructure of the House of Representatives (T&I).

**Sec.1031.Dam remediation for ecosystem restoration.**

This section amends section 542(b)(2) of WRDA 2000 (114 Stat. 2671; 121 Stat. 1150) to allow for dam remediation in the Lake Champlain Watershed if the purpose is to restore, protect and preserve the surrounding ecosystem. This section applies to dams that have been constructed, in whole or in part, by the Corps for flood control purposes, for which construction was completed before 1940, that are classified as “high hazard potential” by the state dam safety agency of the state in which the dam is located, and that is operated by a non-federal entity, as a critical restoration project.

**Sec.1032.Conveyance of certain Federal land to the city of Montgomery, Alabama.**

This section authorizes the Secretary, on request of Montgomery, Alabama, to convey all right, title and interested of the United States in and to 62.38 acres of land and water in the R.E. “Bob” Woodruff Project Area that is covered by lease number DACW01-1-05-0037 (including the parcels and structure known as “Powder Magazine”, which is a National Historic Site) to that City.

**Sec.1033.Maintenance of high risk flood control projects.**

This section mandates that if the Secretary assumes responsibility for the maintenance of a project classified as class III or higher urgency under the Corps’ Dam Safety Action Classification after the date of enactment of this Act, then the Secretary will continue to be responsible for the maintenance of that project. The Secretary’s responsibility for maintenance remains until the earlier of (1) the date on which the project is modified to reduce that risk and the Secretary determines that the project is determined to be adequately safe or (2) 15 years after the date of enactment of this Act.

**Sec.1034.Projects to accommodate irregular dredging.**

This section requires that the Secretary, within two years of enactment of this Act and to the maximum extent practicable, implement at least one project under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) to improve a harbor to accommodate a special event that is (1) hosted by a government entity, (2) is open to the public, and (3) would have significant educational and regional economic development benefits. This section also allows for the Secretary to not require national economic development benefits to exceed costs for any such project carried out under specified circumstances and includes specific cost-share requirements typical of section 107 projects under CAP.

**Sec.1035.Chesapeake Bay environmental restoration and protection program.**

This section amends section 510 of WRDA 1996 (110 Stat. 3761; 121 Stat. 1202; 128 Stat. 1318) to set a per project total cost limit of \$15 million for the Chesapeake Bay environmental



restoration program. It also increases authorized appropriations to \$90 million to carry out the program.

In addition, it requires the Secretary to carry out public outreach and workshops for non-federal interests to provide information on the Chesapeake Bay environmental restoration and protection program under section 510 of WRDA 1996, including how to participate in the program. This section authorizes \$2.5 million for this outreach for each fiscal year 2021 and 2022.

**Sec.1036.Implementation guidance; reports; and briefings.**

This section requires the Secretary within 150 days of enactment of this Act, to conduct a mandatory briefing to EPW and T&I on the status of implementation guidance and reports required under this Act.

This section also requires that the Secretary provide EPW and T&I with quarterly briefings on the status of the implementation of each provision of law under WRRDA 2014, WIIN 2016, and AWIA 2018, as well as this Act and any amendments made by this Act to these aforementioned pieces of legislation. The obligation to provide such briefings terminates on the date that the Secretary completes the implementation of each provision of law under these specified pieces of legislation.

**Sec.1037.Interagency task force on small dams and fish passages.**

This section requires the Secretary to establish an interagency task force to study small dams and fish passages.

The Secretary must also submit a report to Congress by December 31, 2021, that includes recommendations for interagency cooperation; an analysis of the quality of existing data and need for additional surveys or other studies; and a national strategy for identifying, prioritizing, and successfully removing or refurbishing small dams of concern by 2030.

**Sec.1038.Project completion.**

This section extends through fiscal year 2024 the authorization of appropriations to carry out projects or programs of assistance authorized under section 219 of WRDA 1992.

**Sec.1039.Levee accreditation process; levee certifications.**

This section includes a sense of Congress that the process developed by the Flood Protection Structure Accreditation Task Force established by Public Law 112-141 should not be limited to levee systems in the “inspection of completed works program” of the Corps. Instead, the process shall apply equally to federally owned levee systems operated by the Secretary, as well as federally owned levee systems operated by the Secretary as part of a reservoir project.

This section also amends section 3014(a) of WRRDA 2014 (42 U.S.C. 4131). The section requires that when a levee system is operated and maintained by the Corps the agency must

cooperate with local governments seeking a levee accreditation decision. The Corps must provide information necessary to support the accreditation decision in a timely manner. The section also allows non-federal entities to pay for the federal cost associated with accelerated levee system evaluations.

**Sec.1040.Rehabilitation of flood control pump stations affecting Corps of Engineers flood risk management projects.**

This section authorizes the Secretary to carry out rehabilitation of an eligible pump station if the Secretary deems the rehabilitation is feasible. This means addressing a major deficiency of the eligible pump station caused by long-term degradation of the foundation, construction materials, or engineering system or components. Prior to rehabilitation under this section, a non-federal interest must enter into a binding agreement with the Secretary to pay the non-federal share of the costs of rehabilitation and to pay 100 percent of the operation and maintenance costs of the rehabilitated eligible pump station.

This section authorizes \$75 million in appropriations, to remain available until expended.

**Sec.1041.Brandon Road study.**

This section amends section 3061(d)(2) of WRDA 2007 (121 Stat. 1121; 132 Stat. 3785). It sets the cost-share to 75 percent federal expense and 25 percent non-federal expense for any project authorized to be constructed as a result of the feasibility study regarding the range of options and technologies available to prevent the spread of aquatic nuisance species between the Great Lakes and the Mississippi River through the Chicago Sanitary and Ship Canal and other aquatic pathways.

**Sec.1042.Credit or reimbursement.**

This section amends section 1024 of WRRDA 2014 (33 U.S.C. 2325a). It changes existing law to allow an entity that contributes materials or services to repair, restore, replace or maintain a water resources project to be eligible for reimbursement for the value of the materials and services.

This section further states that prior to contributing materials or services under section 1024 of WRRDA 2014, the non-federal interest must enter into an agreement with the Secretary specifying the terms and conditions of the use of materials and services. Any such agreement requires the non-federal interest to hold the United States free from any and all damage arising from the use of any materials and services, unless due to the fault or negligence of a federal contractor.

This section also allows non-federal interests that contribute materials or services to be eligible for reimbursement up to an amount equal to the estimated federal cost for the performance of those materials or services. Reimbursement is contingent on the Secretary determining that the materials or services provided are integral to the project, and is subject to the availability of

appropriations and the non-federal interest's compliance with all federal laws and regulations that would apply to the use of materials or services had the Secretary provided them.

This section permits the Secretary to use existing emergency authorities following a flood event to accept materials, services, or funds under section 1024 of WRRDA 2014 if those materials, services, or funds are being used for restoring an authorized navigation or flood risk management project up to authorized dimensions; repairing or reconstructing an authorized navigation or flood risk management project; or any other activities the Secretary determines are in the public interest as a result of the emergency.

This section also amends section 221(a)(4) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)). It allows the Secretary, regarding a written agreement for a water resources project, to determine the value of in-kind contributions made by a non-federal interest towards the non-federal's project cost-share. It also allows the Secretary to determine as part of the agreement, the value of materials and services contributed by the non-federal third parties, without charge, to the non-federal interest for post-cost-sharing agreement planning or certain construction. This section strikes the limitation that amount of the credit authorized cannot exceed the actual and reasonable costs of the materials, services, or other things provided by the non-federal interest.

#### **Sec.1043.Emergency contracting.**

This section allows the Secretary to maximize use of "tradeoff procedures" in competitive acquisitions while carrying out work with states in an area under a disaster declaration pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170). "Tradeoff procedures" place roughly an equal weight or greater importance on schedule and other non-price factors compared to cost or price.

#### **Sec.1044.Project partnership agreement.**

This section amends section 103(j)(1) of WRDA 1986 (33 U.S.C. 2213(j)(1)). It requires that any agreement required for flood control and other purposes for which that section applies, to include a brief description of, and estimate costs for, anticipated operation, maintenance, repair, replacement, and rehabilitation obligations of the non-federal interest for the project.

#### **Sec.1045.Acceptance of funds for harbor dredging.**

This section allows the Secretary to accept and expend funds contributed by a state or other non-federal interest to dredge a non-federal harbor or channel or to provide technical assistance related to the planning and design of dredging activities in a non-federal harbor or channel.

#### **Sec.1046.Emergency flooding protection for lakes.**

This section requires the Secretary submit a report to Congress on the extent to which the program under section 5 of the Flood Control Act of 1941 (55 Stat. 650, chapter 377; 33 U.S.C. 701n), applies to lakes, including lakes with the flow of a slow-moving river, including, if applicable, recommendations for legislative changes to ensure that such lakes are eligible for the

program.

**Sec.1047.Levee safety.**

This section amends section 9004 of WRDA 2007 (33 U.S.C. 3303) to require the Secretary to identify engineering and maintenance deficiencies, as well as describe recommended remedies and the associated costs, for each levee identified in the national levee database. When identifying deficiencies and describing remedies, the Secretary is required to consult with relevant non-federal interests and provide them with an opportunity to comment.

**Sec.1048.Replacement capacity.**

The section amends section 217(a) of the WRDA 1996 (33 U.S.C. 2326a(a)) to allow the Secretary to approve the use of federal dredge disposal facilities for non-federal construction of navigation improvements pursuant to section 204(f) of WRDA 1986 (33 U.S.C. 2232(f)). If the Secretary determines that replacement capacity is necessary for federal project purposes and can be constructed at an alternative dredge disposal facility, the non-federal interest shall be responsible for the costs to construct the replacement capacity, but not until the capacity is needed for federal project purposes. Additional costs or credits may be attributable to the non-federal interest depending upon the proposed site for the replacement capacity of the dredge material. The section also stipulates that the Secretary may not reject a replacement capacity location unless it is determined that the site is environmentally unacceptable or technically unsound.

**Sec.1049.Implementation guidance for post-flood improvements.**

This section requires the Secretary to expedite the implementation guidance for the amendments made by section 1176 of WIIN 2016 (130 Stat. 1673).

**Sec.1050.Willamette Valley Project water reallocation.**

This section mandates that the Secretary assist the State of Oregon in the implementation of the reallocation of water within the Willamette Basin. This includes the development of instream flow targets and facilitation of the conversion of Willamette Valley Project stored water to instream water rights. This reallocation is to ensure fish and wildlife benefits, as required by the biological opinion for the Willamette Basin Review issued by the National Marine Fisheries Service on June 28, 2019.

This section authorizes \$2 million to remain available until expended.

**Sec.1051.Central Appalachia water.**

This section establishes a program under the Corps to provide environmental assistance to non-federal interests in Central and North Central Appalachia. This assistance is to be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects. This includes projects for publically owned wastewater

treatment and related facilities, water supply and related facilities, and surface water resource protection and development.

This section also requires that the Secretary enter into local cooperation agreements with non-federal interests and create a development plan with the appropriate federal and state officials.

This section sets the federal cost-share of a project carried out with the assistance under this section at 75 percent. However, the non-federal interests may receive credit for the reasonable costs of design work completed by the non-federal interest before entering into a local cooperation agreement with the Secretary for a project, not to exceed 25 percent of the total cost of the project.

This section authorizes \$120 million, to remain available until expended.

**Sec.1052.Reviewing hydropower at Corps of Engineers facilities.**

This section amends section 1008 of WRRDA 2014 (33 U.S.C. 2321b). It requires the Secretary, at the written request of an eligible non-federal interest, to evaluate operational changes at the applicable project to facilitate production of non-federal hydropower, consistent with authorized project purposes. Within 180 days of such a request, the Secretary must provide a written response approving the request or specifying necessary additional information. The non-federal cost-share associated with an evaluation is 100 percent, including costs to prepare the report called for in this section.

This section also requires that an evaluation on the effects of the operational changes proposed by the non-federal interest be complete within one year of its commencement. The Secretary must submit a report to EPW and T&I on the effects of the operational changes proposed by the non-federal interest. The Corps must examine the effect of the changes on the authorized purposes of the project, and describe any negative impacts of the proposed operational changes thereon.

**Sec.1053.Establishing permanent features from emergency response measures.**

This section requires the Secretary, at the request of an impacted community, to evaluate whether a temporary structure that was constructed by the Corps in response to a natural disaster be considered to become a permanent feature. In making that determination, the Secretary shall consider the likelihood that a similar structure will need to be constructed in the area in the future if not made permanent; the extent to which similar structures have been constructed in the area previously and have been removed; the economic, safety, and environmental benefits and impacts of establishing a permanent feature in the watershed of the impacted community; the extent of the modifications necessary to make the temporary structure a permanent feature; and the costs of the modifications.

Once this evaluation is done, the planning, design, and construction of permanent features may proceed if the total project cost is not expected to exceed \$17.5 million. If the total construction cost of a project is more, then the Secretary must submit to Congress a request to carry out the

project in a manner similar to a Chief's Report and may not carry out the project until Congress authorizes the construction of the project.

This section establishes the maximum non-federal cost-share for carrying out a project under this section at 35 percent, except when carrying out a project with a small or disadvantaged community if it is determined that the life safety or economic viability of the community would be threatened without the project. If that is determined to be the case, the Secretary may reduce the cost-share of the applicable project from a minimum of ten percent, up to 100 percent of the non-federal share.

**Sec.1054.Studies of water resources development projects by non-Federal interests.**

This section amends section 203 of WRDA 1986 (33 U.S.C. 2231) to permit a non-federal interest to undertake not just a federally authorized feasibility study of a proposed project, but also conduct a feasibility study on modifications or improvements to a project constructed by the Corps.

The Secretary is required by this section to issue guidelines for feasibility studies of water resources development projects conducted by non-federal interests to provide sufficient information for the formulation of the studies, including processes and procedures related to reviews and assistance. Any technical assistance provided by the Secretary under section 2231 of WRDA 1986 may include any assistance that does not conflict with any other federal law (including regulations).

**Sec.1055.Subsurface drain systems research and development.**

This section mandates that the Secretary, acting through the Director of the Engineer Research and Development Center (ERDC), carry out research and development activities relating to the use of subsurface drain systems as a flood risk-reduction measure and a coastal storm risk-reduction measure.

This section authorizes \$5 million dollars, to remain available until expended.

**Sec.1056.Limitation on contract execution in the Arkansas River Basin.**

This section creates a limitation on contract execution for contracts between any local governmental entity and the Secretary for water supply storage in a hydropower lake within the Arkansas River Basin. The section requires that for new contracts entered into during the period beginning on the date of enactment of this Act and ending on December 31, 2022, for a hydropower lake, a local governmental entity shall not pay more than 110 percent of the initial principal cost for the acre-feet being sought for the new covered contract for that hydropower lake.

**Sec.1057.Support for mitigation efforts for small dams in National Heritage Corridors.**

This section allows the Secretary to participate in ecosystem restoration efforts, including fish

passage measures at a dam associated with a small hydroelectric power project, that are otherwise the legal obligation of the hydroelectric power project licensee or exemption holder to provide under the Federal Power Act (16 U.S.C. 791a *et seq.*), if the ecosystem restoration project is located in a National Heritage Area located within the boundaries of the North Atlantic Division of the Corps.

**Sec.1058.Report on barriers to infrastructure development at United States ports.**

This section requires the Secretary, within 180 days of enactment of this Act and in consultation with all relevant federal agencies, to submit a report on the barriers to infrastructure and capital improvement projects faced by ports and port authorities. The report must also examine the impact those barriers have on the strategic competitiveness of ports of the United States and provide recommendations to reduce those barriers.

**Sec.1059.Rye Harbor, New Hampshire, navigation improvement project.**

This section requires the Secretary to expedite authorized activities to address shoaling impacts at the Rye Harbor, New Hampshire, navigation project authorized by section 101 of the River and Harbor Act of 1960 (74 Stat. 480).

**Sec.1060.Cape Arundel disposal site, Maine.**

This section allows the Secretary to extend the period of time that the Cape Arundel Disposal Site can be used as an alternative dredge material disposal site under section 103(b) of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413(b)) until September 30, 2024.

**Sec.1061.Rio Grande environmental management program, Colorado, New Mexico, and Texas.**

This section extends the current level of authorized appropriations to carry out the Rio Grande Environmental Management Program, Colorado, New Mexico, and Texas under section 5056(f) of WRDA 2007 (121 Stat. 1214; 128 Stat. 1315) until fiscal year 2024. The program is authorized at \$15 million per fiscal year.

**Sec.1062.Restoration of abandoned sites.**

This section amends section 560(f) of WRDA 1999 (33 U.S.C. 2336(f)) to allow the Secretary to carry out technical, planning, and design assistance to federal and non-federal interests for carrying out projects to address water quality problems caused by drainage and related activities from abandoned and inactive non-coal mines.

The authorization is increased to \$30 million to remain available until expended.

**Sec.1063.Rural Western water.**

This section amends section 595(i) of WRDA 1999 (113 Stat. 383; 128 Stat. 1613; 130 Stat. 1681) to require that the Secretary appoint a Corps Headquarters employee as a program manager responsible for the environmental infrastructure program established under this statute. Additionally, this section increases the authorization of appropriations for the program by \$65 million in order to provide environmental infrastructure assistance to non-federal interests in rural Idaho, Montana, Nevada, New Mexico, Utah and Wyoming.

**Sec.1064.Thad Cochran lock and dam.**

This section designates the lock and dam located at mile 371 on the Tennessee-Tombigbee Waterway as the “Thad Cochran Lock and Dam”.

**Sec.1065.Report on Corps of Engineers facilities in Appalachia.**

This section requires the Secretary, in collaboration with the Appalachian Regional Commission (ARC), to submit to EPW and T&I a report that identifies Corps facilities and projects located within a distressed county (as designated by the Appalachian Regional Commission pursuant to section 14526(a)(1)(A) of title 40, United States Code). Furthermore, the study is to identify where Corps facilities could be improved for purposes of economic development, recreation, or other uses. The report must be submitted within 180 days of enactment of this Act.

**Sec.1066.Report on Corps of Engineers hydropower facilities in Appalachia.**

This section mandates that the Secretary conduct a study in collaboration with the ARC, the Secretary of Energy, and the Federal Energy Regulatory Commission (FERC) that examines the potential at Corps facilities located within ARC-identified distressed communities, or an at risk county, for testing, evaluating, piloting, demonstrating, or deploying hydropower or energy storage technologies and powering non-powered dams. The study is also to identify previously proposed dam sites in ARC-designated distressed counties that may be appropriate for such activities.

This section requires the study to be carried out in coordination with relevant National Laboratories and shall be issued within 180 days of enactment of this Act.

**Sec.1067.Harris County, Texas.**

This section repeals section 575 of WRDA 1996 (110 Stat. 3789; 113 Stat. 311; 121 Stat. 1253) regarding computation of economic benefits for certain projects located in Harris County, Texas.

**Sec.1068.Identification of nonpowered dams for hydropower development.**

This section requires that the Secretary, pursuant to section 1206 of AWIA 2018 (132 Stat. 3806), expedite completion of a list of existing nonpowered dams owned and operated by the Corps that have the greatest potential for hydropower.

**Sec.1069.Inland Waterway Transportation.**



This section amends section 102 of WRDA 1986 (33 U.S.C. 2212) to adjust the cost-share for the construction or major rehabilitation of a navigation project on inland waterways to 65 percent from the general fund of the Treasury and 35 percent from the Inland Waterways Trust Fund (IWTF). The change in cost-share applies to projects authorized on or after the date of enactment of WRDA 1986 and for which the construction or major rehabilitation has not been initiated or completed by the date of enactment of this Act.

**Sec.1070.Federal interest determination.**

This section amends section 905 of WRDA 1986 (33 U.S.C. 2282) by requiring a federal interest determination prior to initiating an authorized water resources project-related study. The cost of the determination is at full federal expense and is limited to no more than \$100,000. Further, the federal interest determination must be completed within 120 days from the availability of full funding for the determination, and is not subject to the 3x3x3 requirements established under sections 1001(a)(1) and (2) of the WRRDA 2014 (33 U.S.C. 2282c(a)(1) and (2)).

**Sec.1071.Report on single levee standard.**

This section requires that the Secretary, in coordination with the Federal Emergency Management Agency (FEMA) Administrator, submit to EPW and the T&I a report on the differences between the levee standards of the Corps and levee standards of FEMA. The report should address whether any differences uncovered create uncertainty for levee management purposes. The report must be submitted within 180 days of enactment of this Act.

**Sec.1072.South Atlantic Coastal Study.**

This section amends section 1204 of WIIN 2016 (130 Stat. 1685) to require the Secretary to provide EPW and T&I with an annual briefing and report on the South Atlantic Coastal Study. The purpose of the study is to identify the risks and vulnerabilities of coastal areas located within the South Atlantic Division of the Corps to increased hurricane and storm damage as a result of sea level rise. The report on the status of the study on a state-by-state basis must be submitted annually, and not later than 180 days after the aforementioned annual briefing. The report will include detailed information on the engagement of the Corps with non-federal interests regarding the study.

**Sec.1073.Completion of reports.**

This section authorizes \$50 million in appropriations, to remain available until expended, for the completion of any report required under a provision of WRRDA 2014, WIIN 2016, AWIA 2018, this Act, or any amendments made by any of these aforementioned acts, and for which appropriations were not or are not otherwise provided.

**Sec.1074.Delegation of work for Comprehensive Everglades Restoration Plan projects.**

This section amends section 601 of WRDA 2000 (114 Stat. 2684) to allow the Secretary to delegate work that needs to be completed on projects authorized under the Comprehensive Everglades Restoration Plan (CERP) to non-federal sponsors. This also includes modifications to the Central and Southern Florida Project, and the specified authorization of future projects.

If the Secretary determines that a non-federal sponsor is capable and willing to design and construct an authorized CERP project, or separable element, the Secretary may transfer funds to the non-federal sponsor up to the amount of the federal share to carry out the project. If Corps technical assistance is required, the transferred funds would equal to the difference between: not greater than 100 percent of the federal share of the cost of carrying out the project, or separable element, and the cost of providing the non-federal sponsor with federal technical assistance required for compliance with statutory, regulatory, and program requirements.

**Sec.1075.Material breaches of contract.**

This section allows the Secretary to waive a non-federal interest's share of damages and attorney's fees in a case where the Armed Service Board of Contract Appeals, or another court of competent jurisdiction, renders a decision awarding damages to a contractor related to claims arising from the construction of general navigation features of any authorized project. This waiver is conditioned on the court decision occurring between specified dates, and the contracting officer having been instructed by the Corps to modify the terms of the contract or terminate the contract. Additionally, the court must determine the failure of the contracting officer to timely take the action was a material breach of the contract that resulted in damages to the contractor.

**Sec.1076.Repair and restoration of embankments.**

This section authorizes the Secretary to repair and restore any portion of an embankment that is adjacent to the shoreline of a reservoir project operated by the Secretary for which damage to, or the failure of, the embankment has adversely affected a roadway that the Secretary has relocated for construction of the reservoir.

**Sec.1077.Non-Federal interest repayment obligations.**

This section amends section 103 of WRDA 1986 (33 U.S.C. 2213) to allow the Secretary and non-federal interest to renegotiate the payment terms and conditions of a covered project accrued during a project delay. Specifically, the parties may renegotiate the payment terms and conditions regarding the interest rate and forgiveness of construction interest accrued during a project delay; and a credit against construction interest for a non-federal investment that benefits the covered project. To qualify, a project must have been initiated on or after September 8, 2005, and must have had a delay of five or more years beyond the completion date established by the project partnership agreement.

In addition, the Secretary can credit any costs incurred by the non-federal interest to fix a design or construction deficiency of a covered project towards the non-federal share of the cost of the covered project. However, the Secretary must make a determination that the fix is integral to the

completion of the covered project.

**Sec.1078.Great Lakes confined disposal facilities.**

This section requires the Secretary to the maximum extent practicable, to relocate access to a confined disposal facility owned or operated by a non-federal interest in the Great Lakes region in which material dredged by the Corps is placed, if the Administrator of the Federal Aviation Administration regulates access to the confined disposal facility. The cost to relocate access to a confined disposal facility under this section must be shared in accordance with the cost-share applicable to operation and maintenance of the federal navigation project from which material placed in the confined disposal facility is dredged. The authority under this section terminates on December 31, 2024.

**Sec.1079.Coastal mapping.**

This section amends section 516 of WRDA 1996 (33 U.S.C. 2326b) to require the Secretary to develop and carry out a plan for the mapping of coastlines that are experiencing rapid coastline changes on a reoccurring basis. This includes, but is not limited to, Alaska, Hawaii, and any U.S. territories. This section authorizes an additional \$10 million for these activities.

**Sec.1080.Disposal of dredged materials.**

This section requires the Secretary, within 180 days of enactment of this Act, to amend parts 335 through 338 of title 33, Code of Federal Regulations, to ensure that, when evaluating the placement of dredged materials from operation and maintenance of water resources development projects, the Corps shall consider the suitability of the material to be dredged for a full range of beneficial uses and the economic and environmental benefits and impacts, and feasibility, of using the material for those beneficial uses.

**Sec.1081.Upper Missouri River Basin mainstem dam fish loss research.**

This section requires the Secretary to carry out research relating to the management of fish losses through the mainstem dams of the Missouri River Basin during periods of high water flow. Within 18 months of enactment of this Act, a report must be submitted to EPW and T&I recommending a plan to address these losses.

**Sec.1082.Briefings on dissemination of information.**

This section amends section 1104(b) of AWIA 2018 (33 U.S.C. 2282d note; Public Law 115-270) to require that the Secretary provide EPW and T&I annual briefings on the Secretary's education and awareness efforts regarding non-federal interests and the annual 7001 Report. It also requires that the Secretary issue guidance for the uniform implementation of the 7001 process by Corps districts and ensure annual compliance with that guidance.

**Sec.1083.Corps of Engineers projects in underserved communities, economically distressed areas, or rural areas.**

This section allows the Secretary to recommend a project for funding without the need to demonstrate that the project is justified by national economic development benefits. This is contingent on the community that is served by the project being small, financially disadvantaged, or rural, as well as the long-term life safety, economic viability, and environmental sustainability of the community being threatened without the project. The economic evaluation of such a project must include non-monetary benefits, as well as monetary benefits.

**Sec.1084.Interim risk reduction measures.**

This section requires the Secretary to reevaluate a final environmental assessment completed during the period beginning on March 18, 2019, and ending on the date of enactment of this Act, where an interim risk reduction measure for dam safety purposes was evaluated if the final environmental assessment did not consider in detail at least one operational water control plan change alternative, one action alternative other than an operational water control plan change, and the no action alternative.

**Sec.1085.Maintenance dredging permits.**

This section requires that the Secretary prioritize the reissuance of any regional general permit for maintenance dredging that expires prior to May 1, 2021, while also using best efforts to ensure the reissuance prior to expiration of said regional permit.

**Sec.1086.Technical correction.**

This section makes a technical correction to the authorization pursuant to section 112 of WRDA 1976 (90 Stat. 2923) regarding the Theodore Ship Channel, Mobile Harbor, Alabama.

**Sec.1087.Annual debris removal.**

This section requires the Secretary to submit a report to EPW and T&I by December 31<sup>st</sup> each year that identifies the activities the Secretary plans to start, continue, or complete during the upcoming year under section 3 of the Act of March 2, 1945 (59 Stat. 23, chapter 19; 33 U.S.C. 603a), or another debris removal authority of the Secretary. This report has to include, among others, the estimated total cost and completion dates for each activity.

**Sec.1088.Enhanced development demonstration program.**

This section directs the Secretary to review the master plan and shoreline management plan for any lake under section 3134 of WRDA 2007 (121 Stat. 1142; 130 Stat. 1671) for the purpose of identifying areas suitable for enhanced development. Additionally, this section allows the Secretary to lease federal land for the purpose of enhanced development for up to 100 years, and is authorized to accept as in-kind consideration for lease payment the maintenance, protection, alteration, repair, improvement, or restoration of public recreation facilities under the control of the Secretary and construction of new public recreation facilities.

**Sec.1089. Report on benefits calculation for flood control structures.**

This section requires the Secretary to submit a report, not later than 180 days after the date of enactment of this Act, to EPW and T&I on the extent to which flood insurance premium reductions are included in the calculation of the benefits when justifying the implementation of a structural flood risk management project.

**Sec.1090.High water-low water preparedness.**

This section authorizes the Secretary, in consultation with the District Commanders responsible for maintaining any affected waterway, the Inland Waterway Users Board, and the Coast Guard, to make a determination that an “emergency condition” exists, or is anticipated to exist, on an inland navigable waterway or a bypass.

This section allows the Secretary, subject to appropriations and in accordance with federal permit requirements, to carry out emergency mitigation projects on an inland navigable waterway or bypass if an emergency condition is determined to exist, or is anticipated to exist. However, such a project must be initiated within 60 days after the Secretary makes an emergency condition determination, and it must be completed within one year of such a determination.

This section authorizes \$25 million for each fiscal year 2022 through 2024, to remain available until expended.

**Sec.1091.East Rockaway Inlet to Rockaway Inlet and Jamaica Bay reformulation, New York.**

This section authorizes the Secretary to carry out the East Rockaway Inlet to Rockaway Inlet and Jamaica Bay Reformulation, Atlantic Coast of New York project, in accordance with the terms and conditions of the August 22, 2019, Chief’s Report. It also describes the treatment and cost-share of the project.

**Sec.1092.Report on antecedent hydrologic conditions.**

This section requires the Secretary to submit a report within one year of enactment of this Act to EPW and T&I relating to the Corps’ use of data relating to antecedent hydrologic conditions in the Missouri River Basin since 2010 (e.g., soil moisture conditions, frost depths, snowpack, and stream flow conditions). More specifically, the report is required to examine the use of this data in conducting Missouri River mainstem reservoir operations under the Missouri River Master Manual; developing related annual operating plans; and performing seasonal, monthly, and conducting daily operations.

This section requires the Secretary to enter into an agreement with the National Academy of Sciences (NAS) or another independent scientific and technical advisory organization to conduct a peer review of the Corps’ report. The Secretary shall submit the results of the peer review to EPW and T&I within 180 days after receipt of the peer review.

This section authorizes \$5 million for the report, and an additional \$5 million for the peer review.

**Sec.1093.Harmful algal blooms demonstration program.**

This section authorizes the Secretary to conduct a demonstration program to determine the causes of, and how to effectively treat and eliminate, harmful algal blooms with the Great Lakes and Lake Okeechobee, Florida, and applicable tributaries. Related activities will be carried out at full federal expense. \$25 million is authorized to carry out this section, to remain available until expended.

**Sec.1094.Sense of Congress relating to annual maintenance dredging.**

This section expresses the sense of Congress that the Corps should maintain the annual maintenance dredging for Wilmington Harbor, Delaware.

**Sec.1095.Selection of dredged material disposal method for certain purposes.**

This section amends section 204 of WRDA 1992 (33 U.S.C. 2326) to allow the Secretary to evaluate the most beneficial use of dredged material from a project rather than disposing of it in the least cost option.

**Sec.1096.Increasing access for recreation at Corps of Engineers projects.**

This section requires the Secretary to develop recommendations, in consultation with relevant non-federal sponsors and local recreational organizations, to maximize public access and public use at Corps projects. The Secretary is required to submit a report to EPW and T&I within 180 days of enactment of this Act, regarding the recommendations to increase public access for recreation at Corps owned and operated projects.

**Sec.1097.Extinguishment of flowage easements, Rough River Lake, Kentucky.**

This section requires the Secretary to extinguish, upon request of the landowner, flowage easements or any portion of a flowage easement on developed land that is held by the United States at Rough River Lake, Kentucky. These easements can be extinguished provided that the elevation is above 534 feet mean sea level and the easement is not required to address backwater effects. \$10 million is authorized to carry out this section, to remain available until expended.

**Sec.1098.Small flood control projects.**

This section amends section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) (as amended by section 1017(b)(6) of this Act) to include natural or nature based projects.

**Sec.1099.Comprehensive study of Mississippi River System from Old River Control Structure to Gulf of Mexico.**

This section requires the Secretary to submit a report to Congress on the lower Mississippi River.

This study shall include the tributaries and distributaries of the Mississippi River, from the Old River Control Structure near Point Breeze, Louisiana, to the Gulf of Mexico. The section outlines specific detail of the study and requires it to be conducted in collaboration with the heads of other relevant federal agencies.

This section authorizes \$25 million to carry out this comprehensive study, to remain available until expended.

**Sec.1100.Missouri River.**

This section requires the Secretary to submit a report to EPW and T&I on impacts of interception rearing complexes (IRC) on flood control, navigation, and other authorized purposes set forth in the Missouri River Master Manual, as well as population status and trend of the pallid sturgeon. The report must be submitted within one year of enactment of this Act, and biannually, for ten years thereafter.

Additionally, the section requires the Secretary to continue research on the design of IRCs, ensure comments are solicited from the public and Governors of states where any future IRC construction takes place, and to take corrective action if any adverse impacts on an authorized purpose described in the Missouri River Master Manual are determined to be a result of an IRC.

**Sec.1101.Flexibility for projects.**

This section establishes a two-year goal for the completion of Corps feasibility studies.

**Sec.1102.Development of categorical exclusions.**

This section directs the Secretary to share a list of the Corps' categorical exclusions for environmental review with other federal agencies and directs those federal agencies to conduct a rulemaking process if they determine that it is appropriate to adopt similar categorical exclusions.

**Subtitle B—Studies and Reports**

**Sec.1201.Authorization of proposed feasibility studies and modifications.**

This section authorizes the Secretary to conduct feasibility studies or initiate project modifications for the following 14 projects for water resources development that were submitted to Congress in an annual *Report to Congress on Future Water Resources Development* pursuant to section 7001 of WRRDA 2014 (33 U.S.C. 2282d), or otherwise reviewed by Congress:

1. The project for coastal storm risk management, Newbury and Newburyport, Massachusetts
2. The project for flood protection, Jones County, Mississippi
3. The project for ecosystem restoration, Lower Osage River Basin, Missouri
4. The project modification for Clarence Cannon Dam and Mark Twain Lake Project Salt

River, Missouri

5. The project modification for Smithville Lake, Plattsburg, Missouri
6. The project modification for Smithville Lake, Smithville, Missouri
7. The project for navigation, Lower Missouri River, Missouri
8. The project for flood risk management, Port Arthur, Texas
9. The project for flood risk management, Chocolate Bayou, Texas
10. The project for navigation, Houston-Galveston, Texas
11. Reauthorization of the project for navigation, Christiansted Harbor, St. Croix, United States Virgin Islands
12. Modification of the project for water supply desalination, South Perris, California
13. Reauthorization of the project for navigation, Charlotte Amalie Harbor, St. Thomas, United States Virgin Islands
14. The project for flood protection, levee rehabilitation, Greater Williamsport, Pennsylvania

**Sec.1202.Expedited completion.**

This section requires the Secretary to expedite the completion, review, or validation of the following applicable decision documents:

1. Modification of the Tennessee-Tombigbee Waterway for improved access and navigation
2. The project for ecosystem restoration, Hudson-Raritan Estuary, New York and New Jersey
3. The project for flood risk management, Peckman River Basin, New Jersey
4. The project for navigation, New York and New Jersey Harbor Anchorages
5. The project for navigation, St. George Harbor, Alaska
6. The project for navigation, Kentucky Lock and Dam, Tennessee River, Kentucky
7. The project for navigation, New Haven Harbor, Connecticut
8. The project for flood risk management, Fairfield and New Haven Counties, Connecticut
9. The project for navigation, Wilmington Harbor, North Carolina
10. The project for hurricane and storm damage risk reduction, Carolina Beach, North Carolina
11. The project for hurricane and storm damage risk reduction, Wrightsville Beach, North Carolina
12. The project for flood risk management, Raymondville Drain Project, Lower Rio Grande Basin, Texas
13. The project for navigation, Port of Corpus Christi, Texas
14. The project for navigation, Port of Houston Ship Channel, Texas
15. The project for flood risk management, Westminster and East Garden Grove, California
16. The project for flood risk management, Prado Basin, California
17. The project for ecosystem restoration, Malibu Creek watershed, California
18. The project for flood risk management, San Francisquito Creek, California
19. The project for navigation, Georgetown Harbor, South Carolina
20. The project for coastal storm risk management, Myrtle Beach, South Carolina
21. The project for flood risk management, Dorchester County, South Carolina
22. The project for navigation, Florence, Alabama
23. The project for navigation, North Landing Bridge, Atlantic Intracoastal Waterway,



Virginia

24. The project for flood risk management, Upper Barataria, Louisiana
25. The project for navigation, Houma Navigation Canal, Louisiana
26. The project for navigation, Port Fourchon, Belle Pass, Louisiana
27. The project for flood risk management, Tulsa-West Tulsa, Oklahoma
28. The project for ecosystem restoration, Lake Okeechobee, Florida
29. The project for ecosystem restoration, Western Everglades, Florida
30. The project for ecosystem restoration, Canal 111, South Dade, Florida
31. The project for ecosystem restoration, Caloosahatchee River C-43, West Basin Storage Reservoir, Florida
32. The project for ecosystem restoration, Seminole Big Cypress, Florida
33. The project for hurricane and storm damage risk reduction, Fort Pierce Beach, Florida
34. The project for flood risk management, Hanapepe River, Kaua'i, Hawaii
35. The project for flood risk management, Wailupe Stream, Oahu, Hawaii
36. The project for flood risk management, Lower Santa Cruz watershed, Arizona
37. The project for navigation, Upper St. Anthony Falls Lock and Dam, Minnesota
38. The project for flood risk management, Westchester County streams, New York
39. The project for hurricane and storm damage risk reduction, Fire Island to Montauk Point Reformulation, New York
40. The project for flood risk management, Savan Gut Phase II, St. Thomas, United States Virgin Islands
41. The project for flood risk management, Rio Culebrinas, Puerto Rico
42. The project for flood risk management, Turpentine Run, St. Thomas, United States Virgin Islands
43. The project for flood risk management, Rio Guayanilla, Puerto Rico
44. The project for hurricane and storm damage risk reduction, Highlands, New Jersey
45. The project for navigation, Baptiste Collette Bayou, Louisiana
46. The project for navigation, Seattle Harbor, Washington
47. The project for flood risk management, metropolitan Louisville, Kentucky
48. The feasibility study for the project for rehabilitation of Lock E -32, Erie Canal, Pittsford, New York
49. The project for ecosystem restoration, Hudson River Habitat Restoration, New York
50. The project for navigation, Lake Montauk Harbor, New York
51. Modifications to the project for navigation, Menominee Harbor, Michigan and Wisconsin, pursuant to section 14 of the Act of March 3, 1899 (commonly known as the "Rivers and Harbors Act of 1899") (30 Stat. 1152, chapter 425; 33 U.S.C. 408)
52. Modifications to the project for navigation, Milwaukee Harbor, Wisconsin, pursuant to section 14 of the Act of March 3, 1899 (commonly known as the "Rivers and Harbors Act of 1899") (30 Stat. 1152, chapter 425; 33 U.S.C. 408)
53. An economic reevaluation report for the navigation and sustainability program under title VIII of WRDA 2007 (33 U.S.C. 652 note; Public Law 110-114).
54. The project for water supply, Willamette River Basin Review Reallocation, Oregon
55. The project for ecosystem restoration, South Fork of the South Branch of the Chicago River (Bubbly Creek), Illinois

**Sec.1203.Inclusion of certain projects in annual report to Congress.**

This section requires that the Secretary complete the review of each of the following submissions for inclusion in the report submitted for 2020 under section 7001 of WRRDA 2014 (33 U.S.C. 2282d):

1. Modification of the authorization for the environmental infrastructure project, DeSoto County, Mississippi, under section 219(f)(30) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 122 Stat. 1623)
2. Modification of the types of activities authorized under the environmental infrastructure project, Jackson County, Mississippi, under section 331 of WRDA 1999 (113 Stat. 305; 121 Stat. 1134)
3. Modification of the environmental restoration infrastructure and resource protection development program, southern West Virginia, under section 340 of WRDA 1992
4. Modification of the environmental assistance program, central West Virginia, under section 571 of WRDA 1999
5. Modification of the authorized funding level for the project for water and wastewater assistance, Madison and St. Claire Counties, Illinois
6. A study on the reallocation of water storage at Lake Whitney, Texas, in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b)
7. Reallocation of water storage at Aquilla Lake, Texas, in accordance with the Aquilla Lake Reallocation Study of the Corps, dated February 2018, and section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b)
8. Expansion of the Abiquiu Reservoir, New Mexico, to allow more flexibility for concurrent storage of San Juan-Chama and Rio Grande system water, while changing the authorized water supply storage limit within the flood control space from a volume of 200,000 acre-feet to an elevation of 6,230 feet National Geodetic Vertical Datum, in order to increase the currently available space by approximately 30,000 acre-feet until the space diminishes over time due to sediment inflow
9. A watershed assessment to determine problems, needs, and opportunities within the Lower Rio Grande Valley watershed, Texas

#### **Sec.1204.Assistance to non-Federal sponsors.**

This section requires that the Secretary provide assistance to the applicable non-federal stakeholders associated with the studies or projects identified below, during the Corps outreach required under section 7001(b) of WRRDA 2014:

1. Development of a management plan for restoration of the Chicago River, Illinois, pursuant to the resolution of EPW (108th Congress, 2d Session) relating to the Chicago River System Restoration Management Plan, Illinois, and dated June 23, 2004
2. Modification of the authorized funding level for the project for flood damage reduction, Des Moines and Raccoon Rivers, Des Moines, Iowa, authorized by section 1001(21) of WRDA 2007 (121 Stat. 1053)
3. Modification of the project for navigation, Ouachita-Black Rivers, Arkansas and Louisiana, authorized by section 101 of the River and Harbor Act of 1960 (74 Stat. 481) to include water supply as an authorized purpose

4. Modification of the project for navigation, McClellan-Kerr Arkansas River, to deepen the navigation channel to a minimum depth of 12 feet, as authorized under section 136 of the Energy and Water Development Appropriations Act, 2004 (117 Stat. 1842)
5. Modification of the project for flood risk management and water supply, Tenkiller Ferry Lake, Arkansas River Basin, Oklahoma, authorized by section 4 of the Act of June 28, 1938 (52 Stat 1218, chapter 795) to modify water storage and provide for a sufficient quantity of water supply storage space in the inactive pool storage to support the fishery downstream from Tenkiller Reservoir
6. Reauthorization of the project for environmental restoration, Muddy River, Brookline and Boston, Massachusetts, authorized by section 522 of WRDA 2000 (114 Stat. 2656), and deauthorized pursuant to section 6001 of WRRDA 2014 (33 U.S.C. 579b) (as in effect on the day before the date of enactment of the Water Infrastructure Improvements for the Nation Act (130 Stat. 1690))
7. Modification of the project for flood damage reduction, Muddy River, Brookline and Boston, Massachusetts, authorized by section 522 of WRDA 2000 (114 Stat. 2656), to provide that in the case of phase II of the project, the non-federal interest is not required to pay any cost of the project above the initial estimate
8. A feasibility study for a project for flood risk management, Hoosic River, Massachusetts
9. A feasibility study for a project for aquatic ecosystem restoration at the mouth of the Hood River, Oregon, at the confluence of that river with the Columbia River, Oregon
10. A feasibility study on resolving increased silting and shoaling adjacent to, but outside of, the federal channel, experienced at the Port of Bandon, Coquille River, Oregon
11. A feasibility study on increasing the frequency and depth of dredging assistance from the Corps at the Port of Astoria, located at the mouth of the Columbia River, Oregon
12. A feasibility study on modifying the project for navigation, Port of Gulfport, Mississippi, authorized by section 202(a) of WRDA 1986 (100 Stat. 4094), to deepen the navigation channel to 46 feet
13. A feasibility study to identify and evaluate opportunities to reduce the risk of flooding and restore lost habitat within the Escatawpa River Basin, Mississippi and Alabama
14. The project described in section 219(f)(231) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1266)
15. A feasibility study for a project to design and construct the Naugatuck River Greenway Trail, a multiuse trail on federal land between Torrington and Derby, Connecticut
16. A feasibility study for a project for coastal and flood risk management, Stratford, Connecticut
17. A feasibility study for projects for flood risk management, Woodbridge, Connecticut
18. Modification of the authorized funding level for the project to eliminate or control combined sewer overflows, St. Louis, Missouri, authorized by section 219(f)(32) of WRDA 1992 (106 Stat. 4835; 113 Stat. 337; 121 Stat. 1233)
19. A feasibility study for projects for ecosystem restoration, Bangert Island, St. Charles, Missouri, related to channels and aquatic habitats
20. Modification of the authorized funding level for the project to carry out water related infrastructure, El Paso, Texas, authorized by section 219(f)(269) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1268)
21. Modification of the authorized funding level for the South Central Pennsylvania environmental restoration infrastructure and resource protection development pilot

- program under section 313 of WRDA 1992 (106 Stat. 4845; 121 Stat. 1146)
22. A feasibility study for dam safety improvements, Oroville Dam, California
  23. Modification of the authorized funding level for the project for water supply, Lakes Marion and Moultrie, South Carolina
  24. An environmental infrastructure project to increase hydrologic variability, Sacramento Regional Water Bank, California
  25. A study for a project for aquatic ecosystem restoration and allied purposes, Blue River Watershed, Missouri and Kansas
  26. A project for aquatic and riparian restoration, Line Creek, Riverside, Kansas
  27. Modification of the authorized funding level for the environmental infrastructure program, Central New Mexico, under section 593 of WRDA 1999 (113 Stat. 381; 119 Stat. 2255)
  28. Modification of the authorized funding level for the environmental assistance program, Ohio and North Dakota, under section 594 of WRDA 1999 (113 Stat. 383; 121 Stat. 1140; 121 Stat. 1944)
  29. A study for a fish passage for ecological restoration, Lower Alabama River, Alabama
  30. Modification of the project for Atlantic Intracoastal Waterway Deep Creek bridge replacement, Virginia
  31. Modification of projects for water supply, wastewater infrastructure, and environmental restoration, Virginia, authorized by section 219(f)(10) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1255)
  32. Modification of the project for flood risk management, Red River below Denison Dam, Arkansas, Louisiana, and Texas, for Caddo Levee District, Louisiana, to incorporate the Cherokee Park Levee into the project
  33. Modification of the Mississippi River and Tributaries Project authorized by the first section of the Act of May 15, 1928 (45 Stat. 534, chapter 569) to include the portion of the Ouachita River Levee System at and below Monroe, Louisiana, to Caldwell Parish, Louisiana
  34. Modification of the project for navigation, Port of Iberia, Louisiana
  35. A feasibility study for flood risk management and storm damage reduction in the Hoey's Basin area of the eastbank of Jefferson Parish, including a study of the "pump to the river" concept
  36. A feasibility study for a project for flood risk management, Cataouatche Subbasin, which encompasses part of the westbank of Jefferson Parish, Louisiana
  37. Modification of the project for beach erosion and hurricane protection, Grand Isle, Louisiana, to include periodic beach nourishment
  38. A feasibility study, Arkansas River Basin, Oklahoma, to determine whether the purchase of additional flood easements, changes in lake level management, additional levee infrastructure, or implementation of other flood risk management or containment mechanisms along the Arkansas River Basin would benefit local communities by reducing flood risks around projects of the Secretary in a range of different flood scenarios
  39. Modification of the authorized funding level for critical restoration projects, Lake Champlain watershed, Vermont and New York, authorized by section 542 of WRDA 2000 (114 Stat. 2671; 121 Stat. 1150)
  40. Modification of the authorized funding level for wastewater infrastructure, Charlotte

- County, Florida, authorized by section 219(f)(121) of WRDA 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1261)
41. A project to extend dredging of the South Haven Harbor, Michigan, to include the former Turning Basin
  42. Modification of the project for flood risk management, Upper Rouge River, Wayne County, Michigan
  43. A feasibility study for the project for flood risk management, Tonto Creek, Arizona
  44. A feasibility study for the project for flood risk management, Sikorsky Airport, Bridgeport, Connecticut
  45. Modification of the authorized funding level for the environmental infrastructure project, Calaveras County, California, under section 219(f)(86) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1259)
  46. Modification of the project for navigation, River Rouge, Michigan
  47. A feasibility study for dredge disposal management activities, Port of Florence, Alabama
  48. A feasibility study for the project for navigation, Port of Oswego, New York
  49. A project for repairs to the West Pier and West Barrier Bar, Little Sodus Bay Harbor, Cayuga County, New York
  50. A project for repair of sheet pile wall and east breakwater, Great Sodus Bay, New York
  51. A study of the resiliency of the Allegheny Reservoir, in consultation with the Seneca Nation
  52. A feasibility study for potential projects for the rehabilitation of the Glenn Falls Feeder Canal, which begins at the Feeder Dam intersection with the Hudson River in Queensbury, New York, and runs to the confluence of the Old Champlain Canal in Kingsbury, New York
  53. A feasibility study for the rehabilitation of the tainter gates and guard gate, Caughdenoy Dam, New York, including an evaluation of the rehabilitation work necessary to extend the service life of those structures
  54. Modification of the Upper Mississippi River Restoration program authorized by section 1103 of WRDA 1986 (33 U.S.C. 652)
  55. The project for flood protection, Bloomington, Indiana
  56. The project for flood protection, Gary, Indiana
  57. Modification of the environmental infrastructure project, Athens, Tennessee, authorized by section 219(f)(254) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1267).
  58. Modification of the environmental infrastructure project, Blaine, Tennessee, authorized by section 219(f)(255) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1267)
  59. Modification of the environmental infrastructure project, Claiborne County, Tennessee, authorized by section 219(f)(256) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1267)
  60. Modification of the environmental infrastructure project, Giles County, Tennessee, authorized by section 219(f)(257) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1267)
  61. Modification of the environmental infrastructure project, Grainger County, Tennessee, authorized by section 219(f)(258) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1267)
  62. Modification of the environmental infrastructure project, Hamilton County, Tennessee, authorized by section 219(f)(259) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121

- Stat. 1267)
63. Modification of the environmental infrastructure project, Harrogate, Tennessee, authorized by section 219(f)(260) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1267)
  64. Modification of the environmental infrastructure project, Johnson County, Tennessee, authorized by section 219(f)(261) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1267)
  65. Modification of the environmental infrastructure project, Knoxville, Tennessee, authorized by section 219(f)(262) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1267)
  66. Modification of the environmental infrastructure project, Nashville, Tennessee, authorized by section 219(f)(263) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1267)
  67. Modification of the environmental infrastructure project, Lewis, Lawrence, and Wayne Counties, Tennessee, authorized by section 219(f)(264) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1268)
  68. Modification of the environmental infrastructure project, Oak Ridge, Tennessee, authorized by section 219(f)(265) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1268)
  69. Modification of the environmental infrastructure project, Plateau Utility District, Morgan County, Tennessee, authorized by section 219(f)(266) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1268)
  70. Extension of existing authority to the City of Sheffield, Alabama, for the Nashville District of the Corps to replace a sewer pipe that floods when the Corps mitigates flooding upstream as authorized by section 219(f)(263) of WRDA 1992 (106 Stat. 4835; 113 Stat. 335; 121 Stat. 1267)
  71. A research study to examine the causes of harmful algal blooms, such as agricultural runoff, sewer discharge, and commercial or industrial flows, and possible mitigation strategies for algal blooms in the Allegheny Reservoir Watershed, New York

**Sec.1205.Rahway flood risk management feasibility study, New Jersey.**

This section requires the Secretary to nullify the North Atlantic Division of the Corps determination decision on the feasibility study for flood risk management, Rahway, New Jersey. It directs the Corps to identify an acceptable alternative to the project that could receive federal support. Additionally, the Secretary must expedite the completion of the feasibility study for the acceptable alternative.

**Sec.1206.Arctic deep draft port.**

This section includes a Sense of the Senate regarding the Arctic and requires the Secretary to expedite the completion of the applicable decision document for the Arctic Deep Draft Port, Nome, Alaska.

**Sec.1207.Nassau County Back Bays coastal storm risk management.**

This section exempts the Nassau County Back Bays Costal Storm Risk Management feasibility study from the requirements under section 1001(a) of WRRDA 2014 (33 U.S.C. 2282c(a)).

### **Subtitle C—Deauthorizations, Modifications, and Related Provisions**

#### **Sec.1301.Deauthorization of Watch Hill Cove, Rhode Island and Connecticut.**

This section deauthorizes the portion of the project for navigation, Pawcatuck River, Rhode Island and Connecticut, authorized by section 2 of the River and Harbor Act of 1945 (59 Stat. 13) beginning on the date of enactment of this Act.

#### **Sec.1302.Rush River and Lower Rush River, North Dakota.**

This section deauthorizes a portion of the project for flood control and other purposes in the Red River of the North drainage basin, North Dakota, South Dakota, and Minnesota, authorized by section 203 of the Flood Control Act of 1948 (62 Stat. 1177) and modified by section 204 of the Flood Control Act of 1950 (64 Stat. 176).

#### **Sec.1303.Willamette Falls Locks, Willamette River, Oregon.**

This section authorizes the Secretary to dispose of the project for navigation, Willamette Falls Locks, Willamette River, Oregon, authorized by the Act of June 25, 1910 (36 Stat. 664, chapter 382) (referred to in this section as the “Willamette Falls Locks project”), subject to specified conditions and in accordance with the report of the Director of Civil Works entitled “Willamette Falls Locks, Willamette River, Oregon, section 216 Disposition Study with Integrated Environmental Assessment (Study)” and dated July 11, 2019.

Under this section, if an entity to be named by the Willamette Falls Locks Commission or the State of Oregon does not accept the conveyance under that subsection, the Secretary may dispose of the land and improvements in which the Federal Government has a property interest for the Willamette Falls Locks project under subchapter III of chapter 5 of title 40, United States Code.

#### **Sec.1304.Camden Harbor, Maine.**

This section deauthorizes specified portions of the project for navigation, Camden Harbor Maine.

#### **Sec.1305.Deauthorization of flood control project for Taylor Creek Reservoir and Levee L-73, Upper St. Johns River Basin, Central and Southern Florida.**

This section deauthorizes the portions of the project for flood control and other purposes, Central and Southern Florida, authorized by section 203 of the Flood Control Act of 1948 (62 Stat. 1176), consisting of the Taylor Creek Reservoir and Levee L-73 within the Upper St. Johns River Basin, Florida. This deauthorization is effective beginning on the date of enactment of this Act.

#### **Sec.1306.New London Harbor Waterfront Channel, Connecticut.**

This section deauthorizes, as of the date of enactment of this Act, the New London Harbor waterfront Channel, Connecticut, authorized by the first section of the Act of June 13, 1902 (32 Stat. 333, chapter 1079).

**Sec.1307.No deauthorization of certain projects.**

This section mandates that an environmental infrastructure assistance project or program of the Corps shall not be deauthorized during the period between enactment of this Act and September 30, 2024.

**Sec.1308.Comprehensive Everglades Restoration Plan.**

This section mandates that a water resource project or separable element of a project under the Comprehensive Everglades Restoration Plan (CERP) (114 Stat. 2680) shall not be deauthorized prior to December 31, 2030.

**Subtitle D—Water Resources Infrastructure**

**Sec.1401.Project authorizations.**

This section authorizes 20 Chief’s or Director’s Reports:

Ecosystem restoration—

1. Anacostia River, Prince George’s County
2. Great Lakes and Mississippi River Interbasin Study—Brandon Road
3. South Platte River and Tributaries, Adams and Denver Counties
4. St. Louis Riverfront--Meramec River Basin
5. Delta Islands and Levees
6. Yuba River
7. Sandia Pueblo to Isleta Pueblo
8. Jefferson County
9. Loxahatchee River Watershed

Flood Risk Management—

1. Souris River Basin, Bottineau, McHenry, Renville, and Ward
2. Little Colorado River at Winslow, Navajo County
3. Middle Rio Grande floor protection, Bernalillo to Belen, New Mexico

Hurricane and storm damage risk reduction—

1. East Rockaway Inlet to Rockaway Inlet and Jamaica Bay Reformulation, Atlantic Coast
2. Pawcatuck River
3. Norfolk Coastal Storm Risk Management



4. Hashamomuck Cove
5. Delaware River Dredged Material Utilization

Navigation—

1. Unalaska Dutch Harbor Channels
2. Gulf Intracoastal Waterway, Brazos River Floodgates and Colorado River Locks
3. Matagorda Ship Channel Improvement Project

**Sec.1402.Expedited completion of certain projects.**

This section states that the Secretary shall provide priority funding for and expedite the completion of the following projects:

1. The project for ecosystem restoration, Cano Martin Pena, Puerto Rico
2. The project for navigation for Portsmouth Harbor and the Piscataqua River, Maine and New Hampshire
3. The project for flood risk management, Rio de Flag, Arizona
4. The project for flood risk management, East Hartford Levee System, Connecticut
5. The project for flood risk management, Hartford Levee System, Connecticut
6. The project for navigation, Guilford Harbor and Sluice Channel, Connecticut
7. Phase 5 of the Bluestone Dam Project Remediation, West Virginia
8. The project for water supply and ecosystem restoration, Howard Hanson Dam, Washington, authorized by section 101(b)(15) of WRDA 1999 (113 Stat. 281)
9. The project for ecosystem restoration, Puget Sound, Washington, authorized by section 209 of the Flood Control Act of 1962 (76 Stat. 1197)
10. The project for navigation, Tacoma Harbor, Washington
11. The project for water storage, Halligan Dam, Colorado
12. The project for construction of tribal housing authorized by title IV of Public Law 100-581 (102 Stat. 2944)
13. The replacement of the Bourne and Sagamore Bridges, Cape Cod, Massachusetts

**Subtitle E—Water Supply and Storage**

**Sec.1501.Small water storage projects.**

This section requires the Secretary to carry out a program to study and construct new, or enlarge existing, small water storage projects in rural states. This is to be done in partnership with a non-federal interest. Qualifying projects must be located in a state with a population of less than one million; in the case of a new water storage project, have a water storage capacity of not less than 2,000 acre feet and not more than 30,000 acre feet; and in the case of an enlargement of an existing water storage project, be for an enlargement of not less than 1,000 acre feet and not more than 30,000 acre feet. Further, such projects must provide either flood risk management benefits or ecological benefits, and be economically justified, environmentally acceptable, and technically feasible.

Under this section, for the ten-year period starting with the date of enactment of this Act, the Secretary must expedite projects under this section if applicable federal permitting requirements have been completed.

This section states that in conducting a study under this section, to the maximum extent practicable, the Secretary shall use any applicable hydrologic, economic, or environmental data from state water plans or other state planning documents relating to water resources management.

The federal share of the study conducted pursuant to this section is 75 percent; the cost of operation, maintenance, repair, replacement, and rehabilitation for a project constructed under this section is wholly the responsibility of the non-federal interest.

The maximum amount of authorized federal funds per projects is \$65 million. \$130 million is authorized to be appropriated to carry out this section for each fiscal year.

#### **Sec.1502.Missouri River reservoir sediment management.**

This section amends section 1179(a) of WIIN 2016 (130 Stat. 1675). It inserts language stating that in determining the economic justification of a sediment management plan, the Secretary must measure and include flooding erosion, and accretion damages both upstream and downstream of the reservoir that are likely to occur as a result of sediment management within the reservoir compared to the damages that are likely to occur if the sediment management plan is not implemented. The sediment management plan's economic justification must also include lifecycle costs and a 100-year period of analysis.

This section also authorizes the Secretary to carry out sediment removal activities at reservoirs owned and operated by the Secretary in the Upper Missouri River Basin, or at reservoirs for which the Secretary has flood control responsibilities under section 7 of the Act of December 22, 1944 (commonly known as the "Flood Control Act of 1944") (58 Stat. 890, chapter 665; 33 U.S.C. 709) in the Upper Missouri River Basin, in accordance with section 602 of WRDA 1986 (100 Stat. 4148; 121 Stat. 1076), as part of such a sediment management plan.

#### **Sec.1503.Planning Assistance for States.**

This section mandates that the Secretary ensure that the planning assistance for states program under section 22 of WRDA 1974 (42 U.S.C. 1962d-16) provides equal priority for all authorized purposes, including water supply and water conservation.

#### **Sec.1504.Forecast-informed reservoir operations.**

This section mandates that the Secretary, in conjunction with the Commissioner of Reclamation, establish a working group to advance the science to support forecast-informed reservoir operations (FIRO) in the Upper Missouri River Basin. It outlines the membership of the working group, as well as its duties.

This section states that on request of a non-federal interest, the Secretary, the Commissioner of Reclamation, and the non-federal interest must jointly conduct a viability assessment on the use of FIRO at a reservoir located in the Upper Missouri River Basin for which the Secretary has flood control responsibilities under section 7 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 890, chapter 665; 33 U.S.C. 709). The viability assessment must be completed within one year after the date on which it begins, and the federal cost-share of the viability assessment is 100 percent.

This section also states that if a conducted viability assessment indicates that forecast-informed reservoir operations are viable at a reservoir described under this section, the Secretary and the Commissioner of Reclamation must develop and implement a pilot program to carry out FIRO at that reservoir.

**Sec.1505.Study on data for water allocation, supply, and demand.**

This section states that the Secretary must offer to enter into an agreement with NAS to conduct a study on the ability of federal agencies to coordinate with other federal agencies, state and local agencies, communities, universities, consortiums, councils, and other relevant entities with expertise in water resources to facilitate and coordinate the sharing of water allocation, supply, and demand data.

NAS must submit a report to Congress within one year of enactment of this Act. It must include the results of the study, as well as recommendations for ways to streamline and make cost-effective methods for federal agencies to coordinate interstate sharing of data; including recommendations for the development of a publically accessible, internet-based platform that can allow entities to communicate and coordinate ongoing data collection efforts relating to water allocation, supply, and demand; and share best practices relating to those efforts. The report should also make a recommendation as to an appropriate federal entity that should serve as the lead coordinator for data relating to water allocation, supply, and demand and host and manage the internet-based platform.

This section authorizes \$3.9 million to carry out this section from unobligated funds made available for operations and maintenance activities of the Corps.

**Sec.1506.GAO study on Federal dams with reservoirs.**

This section requires the Comptroller General of the United States to identify dams with reservoirs owned or operated by the Federal Government that no longer serve a federal purpose or have been considered for divestment, breaching, or removal. The Secretary must submit a report to Congress within 180 days of enactment of this Act that includes a list of such dams.

**Sec.1507.GAO report on certain Federal dams and reservoirs.**

This section requires the Comptroller General of the United States to submit a report to Congress within one year of enactment of this Act. It must address, with respect to each federal dam and reservoir in the United States located west of the 100th meridian, the water control manuals that

were changed or updated by the Corps during the previous ten years. Further, it must identify any water storage reallocations approved by the Corps during the previous ten years.

The report must include a summary of the process and policies used by the Corps to establish and update flood control curves within those water control manuals at the federal dams and reservoirs, and make recommendations for changes to the process and policies used by the Corps to establish and update flood control curves within water control manuals at the federal dams and reservoirs.

**Sec.1508.Aquatic ecosystem restoration.**

This section amends section 206 of WRDA 1996 (33 U.S.C. 2330) regarding projects to restore and protect an aquatic ecosystem or estuary. It states that for fiscal years 2021 through 2024, the Secretary must prioritize a project that is located in the South Platte River Basin; is on a body of water that is identified by the applicable state under section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)) as being impaired; has the potential to provide flood risk management and recreational benefits in addition to ecosystem restoration benefits; and is located in a city with a population of 80,000 or less.

**Sec.1509.Improving reviews for non-Federal hydropower at existing Corps of Engineers projects.**

This section requires FERC and the Secretary to develop and implement an environmental review process, as outlined in the section, for a licensing application to construct or operate hydropower facilities at dams, dikes, embankments, or other barriers for which the construction was completed on or before the date of enactment of this Act, and that is operated, owned, or was constructed by the Corps.

**Sec.1510.Surplus water contracts and water storage agreements.**

This section makes permanent the current prohibition for the Corps to charge fees for surplus water under a contract entered into pursuant to section 6 of the Flood Control Act of 1944, if the contract is for surplus water stored in the Upper Missouri Mainstem Reservoirs.

**Sec.1511.Reduced pricing for certain water supply storage.**

This section amends section 322 of WRDA 1990 (33 U.S.C. 2324) regarding reduced pricing for certain water supply storage for a low income communities. It increases the maximum amount of water supply storage space that may be provided to a community under that section to an amount not to exceed storage space sufficient to yield three million gallons of water per day. In addition, it adds to the previous definition of “low income community” that of a regional water system that serves populations below 100,000, for which the per capita income is less than the per capita income of not less than 50 percent of the United States’ counties.

**Subtitle F—Invasive Species**

**Sec.1601.Definition of invasive species.**

This section gives the term "invasive species", the same meaning given to the term in section 10(a) of the Fish and Wildlife Coordination Act (16 USC 666c-1(a)): "The term 'invasive species' means an alien species, the introduction of which causes, or is likely to cause, economic or environmental harm or harm to human health."

**Sec.1602.Invasive species in impaired waters.**

This section allows EPA to provide technical assistance to support the efforts of states, Indian Tribes and local governments in the eradication of invasive species from U.S. waterways. Priority is to be given to efforts that target invasive species in a waterway identified by an applicable state under subparagraph (A) or (B) of section 303(d)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)(1)). The cost-share will be 100 percent federal, and \$10 million in appropriations is authorized to carry out this section, to remain available until expended.

**Sec.1603.Aquatic invasives species research.**

This section amends section 1108 of AWIA 2018 (33 U.S.C. 2263a). It requires ERDC to add "prevention" into its research, in addition to "management and eradication," of aquatic invasive species. In addition, it specifies that the Secretary must work with the Corps district offices representing regions that are threatened by aquatic invasive species, in addition to those that are impacted. This section also adds elodea and quagga mussels to the list of species the Secretary shall research, as well as adding the "Arctic" region as a region impacted by aquatic invasive species.

**Sec.1604.Invasive species mitigation and reduction.**

This section amends section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610).

This section expands the Secretary's obligation to establish, operate, and maintain new or existing watercraft inspection stations in specified basins to include decontamination stations. Additionally, it directs the Secretary to place watercraft inspection stations and decontamination stations within the specified basins at locations with the highest likelihood of preventing the spread of aquatic invasive species into and out of waters of the United States, as determined by the Secretary in consultations with governors.

This section authorizes \$10 million in appropriations for fiscal years 2021 through 2024 to support watercraft inspection stations along the United States border with Canada.

This section also authorizes the Secretary to carry out a pilot program in collaboration with states in the Upper Missouri River Basin. The purpose would be to develop voluntary aquatic invasive species management plans to mitigate the effects of invasive species on public infrastructure facilities located on reservoirs of the Corps reservoirs. This section authorizes \$10 million in appropriations for each fiscal year 2021 through 2024 to carry out this pilot program. This pilot

program terminates on September 30, 2024.

This section also authorizes the Secretary to enter into partnerships with states and other federal agencies to carry out actions to reduce, to the maximum extent possible, terrestrial invasive species that adversely affect water quantity or water quality in the Platte River Basin, the Upper Colorado River Basin, the Upper Snake River Basin, and the Upper Missouri River Basin. Projects The Secretary shall give priority to projects targeting Russian olive or saltcedar are to be given priority by the Secretary. \$50 million in appropriations is authorized for each fiscal year 2021 through 2024 to carry out these partnerships.

This section also directs the Secretary of Interior, acting through the Director of USFWS, to establish a pilot program to carry out activities to remove invasive plant species in riparian areas that contribute to drought conditions in the Lower Colorado River Basin, the Rio Grande River Basin, the Texas Gulf Coast Basin, and the Arkansas-White-Red Basin. The pilot shall also include activities to replace invasive plants removed from those basins with suitable native plants and will maintain and monitor these riparian areas. \$10 million in appropriations is authorized for fiscal years 2021 through 2024 to carry out the pilot program, which terminates on September 30, 2024.

**Sec.1605.Terrestrial noxious weed control pilot program.**

This section requires the Secretary to carry out a pilot program, in consultation with the Federal Interagency Committee for the Management of Noxious and Exotic Weeds, to identify and develop new and improved strategies for terrestrial noxious weed control on federal land under the jurisdiction of the Secretary. It permits the utilization of partnerships with individuals and entities and cooperative agreements with county and state agencies for the implementation of the pilot program. It also requires the Secretary to submit a report to EPW and T&I within 18 months of enactment of this Act describing the new and improved strategies developed through the pilot program.

**Sec.1606.Invasives species assessment, prioritization, and management.**

This section amends section 528(f)(2) of WRDA 1996 (110 Stat. 3771). It authorizes the South Florida Ecosystem Restoration Task Force (Task Force) to develop a priority list of invasive species that impact the structure and function of the South Florida ecosystem and that have a strong potential to reduce key indicators used to measure Everglades restoration progress. The Task Force will use the priority list to guide technical assistance and scientific research, and to develop innovative technologies and approaches to identify, target, and eliminate particularly impactful invasive plants and animals in the South Florida Ecosystem.

**Sec.1607.Asian carp prevention and control pilot program.**

This section requires the Secretary to create an Asian carp prevention and control pilot program to carry out projects to manage and prevent the spread of, reduce the population of, or eradicate Asian carp using innovative technologies, methods, and measures.

This section mandates that the Secretary complete no more than 20 projects by September 30, 2024. Of the total number of projects, at least five projects must be carried out at Corps or Tennessee Valley Authority (TVA) reservoirs located in the Cumberland River or Tennessee River watersheds. The federal cost-share for construction of a pilot project will be 80 percent, as well as 100 percent for operation and maintenance, rehabilitation, repair or removal of unsuccessful projects. The Secretary must submit reports to Congress regarding the results of the pilot program within two years of enactment, and two years thereafter.

This section authorizes \$35 million to remain available until expended. It further states that the pilot program authority terminates on September 30, 2024; however, the authority for the Secretary to transfer projects at reservoirs of the TVA to the TVA does not expire.

**Sec.1608.Aquatic invasive species prevention.**

This section amends section 1039(b) of WRRDA 2014 (16 U.S.C. 4701 note; Public Law 113-121) by expanding the program to slow the spread of Asian Carp beyond the Upper Mississippi and Ohio River Basins and tributaries to all six sub-basins of the Mississippi River.

**Sec.1609.Invasive species in Alpine Lakes pilot program.**

This section requires that the Secretary of the Interior, through the Director of USFWS, establish a pilot program to carry out measures to prevent, reduce the number of, or eradicate aquatic invasive species in alpine lakes where the Secretary of the Interior is carrying out environmental projects.

This section also authorizes \$25 million in appropriations to carry out the program for fiscal years 2022 through 2024.

**TITLE II—CLEAN WATER**

**Sec.2001.Clean water infrastructure resiliency and sustainability program.**

The section establishes the Clean Infrastructure Resiliency and Sustainability Program,” modeled off a similar drinking water program established in AWIA 2018 (Public Law 115-270). An owner or operator of a publicly owned treatment works can use the grants to assist in the planning, design, construction, implementation, operation, or maintenance of a program or project to increase the resiliency or adaptability of water systems to natural hazards. There is a non-federal cost-share of 25 percent.

This section authorizes \$5 million to carry out this section for each fiscal year 2021 through 2024.

**Sec.2002.Increased funding for technical assistance.**

This section increases the authorization of appropriations in the Clean Water Act (CWA) for technical assistance grants to nonprofit agencies assisting rural, small and tribal municipalities.

These activities include providing technical assistance and training on water quality and ways to achieve and maintain compliance with the laws and regulations, assisting the utilities in financing opportunities, and information regarding planning, design, construction and operation of treatment works and decentralized wastewater systems. This section extends the authorization to fiscal year 2024 and increases authorized appropriations to \$75 million for fiscal years 2021 through 2024.

**Sec.2003.Small and medium publicly owned treatment works circuit rider program.**

This section creates a circuit rider program that will award grants to provide additional on-site technical assistance to owners and operators of small and medium public owned treatment works. It requires the EPA to submit to Congress annually, a report on who received these grants and what activities these funds covered.

This program is authorized for \$10 million for each fiscal year 2021 through 2024.

**Sec.2004.Small publicly owned treatment works efficiency grant program.**

This section creates an EPA grant program to assist small publicly owned treatment works that serve less than 10,000 people, or are disadvantaged, with replacing or repairing equipment to increase the water efficiency or energy efficiency.

This program is authorized at \$5 million for each fiscal year 2021 through 2024.

**Sec.2005.Wastewater efficiency grant pilot program.**

This section creates an EPA pilot program to assist fifteen publicly owned treatment works with projects that create or improve waste-to-energy systems. This may be awarded to sludge collections systems, anaerobic digesters, methane capture or transfer, and other emerging technologies that transform waste to energy. It requires the EPA to submit to Congress annually, a report on who received these grants, what activities these funds covered, and the impact of these projects.

This program is authorized for \$17.5 million for each fiscal year 2021 and 2022.

**Sec.2006.Pilot program for alternative water source projects.**

This section reauthorizes an existing grant program for alternative water source projects. The grants may be used for engineering, design, construction, and final testing of alternative water source projects designed to meet critical water supply needs. Alternative water source projects means a project that provides alternative sources of water through conserving, managing, reclaiming, or reusing water, stormwater or wastewater.

The program is authorized for \$25 million for each fiscal year 2022 through 2024.

**Sec.2007.Sewer overflow and storm reuse municipal grants.**



This section reauthorizes the existing sewer overflow and storm reuse municipal grants program for the planning, construction and design of treatment works of municipal combined sewer overflows, sanitary sewer overflows or stormwater and any measures to manage, reduce or recapture stormwater or subsurface drainage. This section adds notification systems as an allowable use for grants. In addition, the section creates a new rural needs set aside within the program of 15 percent.

The programs are reauthorized with increased funding from \$225 million to \$250 million for fiscal years 2021 and 2022.

**Sec.2008.Water infrastructure and workforce investment.**

This section reauthorizes an existing competitive grant program created in AWIA 2018 (Public Law 115-270) to promote workforce development in the water utility sector. The section modifies the program to make public works departments and agencies eligible for these grants in addition to schools.

This section extends the authorization years and increases funding from \$1 million to \$2 million for each fiscal year 2021 through 2024.

**Sec.2009.Water Resources Research Act amendments.**

This section builds on an existing grant program for research institutions for projects on water supply reliability and other water issues. This section strikes “water phenomena” as a potential field for research for more general “water resources.” This section sets the cost-share for funding to a 50-50 match and requires that every five years each institution that receives these grants to be re-evaluated on the relevancy, quality and effectiveness of the work they have done with this funding.

This section reauthorizes the program for \$8.25 million for each fiscal year 2021 through 2024.

**Sec.2010.Grants for construction, refurbishing, and servicing of individual household decentralized wastewater systems for individuals with low or moderate income.**

This section creates a grant program that allows non-profit organizations to receive funds for the construction, refurbishing, and servicing of low or moderate income households with decentralized wastewater systems. The program gives priority to households that do not have access to sanitary sewer disposal systems. Each individual grant may not exceed \$20,000. This section requires that EPA, two years after the date of enactment of this Act, must submit a report to Congress on the results of the program. The program is authorized for \$15 million for each fiscal year 2021 and 2022.

**Sec.2011.Connection to publicly owned treatment works.**

This section creates a grant program that allows the EPA to provide grants to publicly owned

treatment works or nonprofit organizations to cover the costs incurred from connecting a household to a municipal or private wastewater system. The program authorizes \$20 million for each fiscal year 2021 and 2022.

**Sec.2012.Use of Clean Water State Revolving Funds.**

This section amends the CWA and codifies language carried in previous appropriations bills, requiring ten percent of the state's Clean Water State Revolving Funds (CWSRF) to be used for grants, negative interest loans, and loan forgiveness or to buy, refinance or purchase debt. This section also allows for assistance with design and engineering of wastewater treatment systems to be an eligible use of the CWSRFs.

This section also allows for up to two percent of a state's CWSRF to be used to provide technical assistance to small, rural, and tribal publicly owned treatment works.

**Sec.2013.Water data sharing pilot program.**

This section amends the CWA to require EPA to establish a pilot program for states to encourage intrastate information sharing among communities regarding water quality, water infrastructure needs, and water technology. A state that is eligible for funding must contain a coastal watershed that has significant pollution levels or substantive wastewater infrastructure deficits.

This section also authorizes funds to assist states in the creation of multi-state consortias to exchange water data, share information regarding water practices, protocols, technologies and procedures, and to establish regional intended use plans. This grant program is authorized for \$15 million for each fiscal year 2021 through 2024.

**Sec.2014.Water infrastructure financing reauthorization.**

This section reauthorizes the Water Infrastructure Finance and Innovation Act (WIFIA) through 2024 at the current funding level of \$50 million annually.

**Sec.2015.Reauthorization of Clean Water State Revolving Loan Funds.**

This section amends the CWA to reauthorize the CWSRF and increase the program's authorization to \$3 billion over three years. This increase is incremental: \$2 billion for fiscal year 2021, \$2.5 billion for fiscal year 2022, and \$3 billion for fiscal year 2023.

**Sec.2016.Wastewater infrastructure discretionary grant program.**

This section creates an EPA discretionary grant program for publically-owned treatment works. This new program will provide priority funding to systems that need assistance coming into compliance with federal regulations and laws or that need additional assistance in completing work because of a lack of full financing.

This program is authorized at \$50 million for each fiscal year 2021 through 2024.

**Sec.2017.Small and disadvantaged community analysis.**

This section requires to EPA to do an analysis of the historical distribution of funds to low income communities, rural, minority and indigenous peoples under Safe Drinking Water Act and CWA programs. The EPA is also required to analyze new opportunities and methods to improve the distribution of funds under these programs to those same communities.

**Sec.2018.Stormwater infrastructure technology.**

This section creates a grant program to assist research institutions and institutions of higher education with research on new and emerging stormwater control technology. The eligible research includes stormwater and sewer overflow reduction, project enhancement, and other infrastructure. The section authorizes \$5 million for each fiscal year 2022 and 2023 to establish Centers of Excellence for stormwater control infrastructure and create a public website to share the results of the research. Second, the section creates a grant program to fund the development of standards, create fee structures, and develop training and educational materials for stormwater control. for each fiscal year

This additional grant program is authorized at \$10 million for each fiscal year 2022 and 2023 at a 65 percent federal/35 percent non-federal cost-share.

**TITLE III—TRIBAL AND OTHER MATTERS**

**Sec.3001.Tribal partnership program.**

This section amends section 203(b)(4) of WRDA 2000 (33 U.S.C. 2269(b)(4)) to increase the maximum federal share for a project or separable element of a project from \$12.5 million to \$22.5 million under the tribal partnership program. If the cost of the project or separable element exceeds \$22.5 million, the Secretary may only carry out the project or separable element if it is authorized by Congress in subsequent legislation.

**Sec.3002.Grants to ports to reduce emissions from waterborne vessels.**

This section authorizes EPA to spend \$20 million for each fiscal year 2021 and 2022 for grants to reduce emissions coming from water born vessels docked at U.S. ports.

**Sec.3003.Mapping and screening tool.**

This section requires the EPA Administrator to continue to update, on an annual basis, and make available to the public the existing environmental justice mapping tool (known as EJScreen) or an equivalent environmental justice mapping and screening tool.

**Sec.3004.Assessment of coastal water infrastructure vulnerabilities.**

This section requires the EPA Administrator, within one year of the enactment of this Act, to

submit a report to Congress that assesses the vulnerability of coastal drinking water and wastewater infrastructure to sea level rise, storm surge, extreme weather, and other flood risks. The report must identify states and communities with the most immediate and severe risks, and make recommendations for investments and other improvements to water infrastructure to ensure the infrastructure's long-term survivability.

**Sec.3005.Report on potential for blue energy at coastal wastewater treatment plants.**

This section requires a joint report by the EPA Administrator and the Secretary of Energy to be completed within one year of enactment of this Act. This report must evaluate the potential for the use of energy generation technologies that are based on harnessing the salinity differential between freshwater and saltwater at coastal wastewater treatment plants and other facilities.

**Sec.3006.Great Lakes Restoration Initiative.**

This section reauthorizes the Great Lakes Restoration Initiative, which provides funding for restoring and protecting the Great Lakes through water infrastructure projects, as well as ecosystem restoration and invasive species control.

The section extends the current authorization through fiscal year 2022 and increases the funding authorization to \$375 million.

**Sec.3007.San Francisco Bay restoration grant program.**

This section creates an estuary partnership for the San Francisco Bay Restoration Program as well as a grant program to implement the San Francisco Bay Plan, which is a comprehensive conservation and management plan. Under this section, the EPA will establish a San Francisco Bay National Program Office and appoint a Director to oversee projects, activities and studies necessary to implement the San Francisco Bay Plan. The provision is authorized at \$25 million for each fiscal year 2021 and 2022.

**Sec.3008.Lake Tahoe restoration program.**

This section requires the EPA Administrator to establish a Lake Tahoe National Program Office near the geographical area. The EPA Administrator must appoint an EPA employee as Director of the Office, who has expertise related to the region, so that the development and implementation of necessary restoration projects at Lake Tahoe are executed. The section also establishes a grant program to provide funding through cooperative agreements, grants, or other means for activities, studies, or projects identified in the Lake Tahoe Environmental Improvement Program. This section authorizes \$6 million is authorized in appropriations for fiscal years 2021 through 2024.

**Sec.3009.Puget Sound coordinated recovery.**

This section establishes a Puget Sound Recovery National Program Office at EPA, to be located in the State of Washington. The Puget Sound Recovery National Program Office will coordinate

activities related to the restoration and protection of Puget Sound across the EPA while also promoting the efficient use of program resources. Additionally, this section directs the Director of the Office of Management and Budget, in consultation with the Puget Sound Federal Task Force, to submit to Congress a financial report containing an interagency crosscut budget relating to Puget Sound restoration and protection activities. \$50 million is authorized for each fiscal year 2021 through 2025 to carry out this section.

**Sec.3010.Final rating opinion letters.**

This section changes the WIFIA requirement that mandates each WIFIA project applicant must provide two final Agency rating opinion letters. Under the section, project applicants will only need to provide one final Agency rating opinion letter, similar to other programs, prior to final acceptance and financing of the project.

**Sec.3011.Reauthorization of the Denali Commission.**

This section reauthorizes the Denali Commission through fiscal year 2024 at currently authorized appropriations levels.

**Sec.3012.Municipal ombudsman.**

This section expands the duties of the existing Office of Ombudsman under the CWA to include providing information to municipalities on local funding sources for projects, organization analyses, grant application assistance and innovative funding sources.

**Sec.3013.Cost sharing provisions for territories and Indian tribes.**

This section further extends a WRDA 1986 provision that allowed the Corps to adjust the costs of a project for a territory or tribe for inflation.

**Sec.3014.Inclusion of Tribal interests in project consultations.**

This section requires the Secretary complete a previously authorized study from WIIN 2016 on the Agency's policies, regulations, and guidance related to consulting with Indian tribes on water resource development projects that may impact tribal culture or natural resources.

In addition, this section requires the Secretary to ensure all existing Tribal consultation policies, regulations, and guidance continue to be implemented and that consultations with federal and state agencies and Indian Tribes required for a water resources development project are carried out.

**Sec.3015.Indian irrigation fund reauthorization.**

This section amends section 3212(a) of WIIN 2016 (130 Stat. 1750; 132 Stat. 3892) to extend deposits into, and expenditures from, the Indian Irrigation Fund through fiscal year 2030.

**Sec.3016.Reauthorization of repair, replacement, and maintenance of certain Indian irrigation projects.**

This section amends section 3221(b) of WIIN 2016 (130 Stat. 1751; 132 Stat. 3892) to extend the requirement that the Secretary transfer to the Bureau of Indian Affairs at least \$35 million from the Indian Irrigation Fund to carry out maintenance, repair, and replacement activities for one or more of the Indian irrigation projects eligible under section 3222 of WIIN 2016 through fiscal year 2030.