AMENDMENT NO. ________ Calendar No. ________

Purpose: In the nature of a substitute.


S. ______

To provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, to provide for water pollution control activities, and for other purposes.

Referred to the Committee on ________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. BARRASSO (for himself, Mr. CARPER, Mrs. CAPITO, and Mr. CARDIN)

Viz:

1 Strike all after the enacting clause and insert the following:

3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “America’s Water Infrastructure Act of 2020”.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.

TITLE I—WATER RESOURCES DEVELOPMENT
Subtitle A—General Provisions

Sec. 1001. Upper and Lower Missouri River comprehensive flood protection studies.
Sec. 1002. Great Lakes comprehensive flood protection study.
Sec. 1003. Additional studies under North Atlantic Coast Comprehensive Study.
Sec. 1004. Maintenance and construction of water resources development projects by non-Federal interests.
Sec. 1005. Watercraft inspection stations.
Sec. 1006. Local government reservoir permit review.
Sec. 1007. Upper Mississippi River protection.
Sec. 1008. Beneficial use of dredged material.
Sec. 1010. Project modifications for improvement of environment.
Sec. 1011. Non-Federal implementation pilot program.
Sec. 1012. Thin layer placement pilot program.
Sec. 1013. Annual report to Congress on authorized studies and projects.
Sec. 1014. Annual report to Congress on water resources infrastructure.
Sec. 1015. Operation and maintenance.
Sec. 1016. Transparency and accountability in cost sharing for water resources development projects.
Sec. 1017. Continuing authority programs.
Sec. 1018. Shore damage prevention or mitigation.
Sec. 1019. Sediment management plan.
Sec. 1020. Criteria for funding environmental infrastructure projects.
Sec. 1021. Aging infrastructure.
Sec. 1022. Expediting repairs and recovery from flooding.
Sec. 1023. Upper Snake River levees.
Sec. 1024. Uniformity of notification systems.
Sec. 1025. Susquehanna, Delaware, and Potomac River Basin commissions.
Sec. 1026. Wilmington Harbor South Disposal Area, Delaware.
Sec. 1027. Conveyance of Wilmington Harbor North Disposal Area, Delaware.
Sec. 1028. Coastal storm damage reduction contracts.
Sec. 1029. Corps flood policy within urban areas.
Sec. 1030. Reporting on over budget and behind schedule Corps projects.
Sec. 1031. Dam remediation for ecosystem restoration.
Sec. 1032. Conveyance of certain Federal land to the city of Montgomery, Alabama.
Sec. 1033. Maintenance of high risk flood control projects.
Sec. 1034. Projects to accommodate irregular dredging.
Sec. 1035. Chesapeake Bay environmental restoration and protection program.
Sec. 1036. Implementation guidance; reports; and briefings.
Sec. 1037. Interagency task force on small dams and fish passages.
Sec. 1038. Project completion.
Sec. 1039. Levee accreditation process; levee certifications.
Sec. 1040. Rehabilitation of flood control pump stations affecting Corps of Engineers flood risk management projects.
Sec. 1041. Brandon Road study.
Sec. 1042. Credit or reimbursement.
Sec. 1043. Emergency contracting.
Sec. 1044. Project partnership agreement.
Sec. 1045. Acceptance of funds for harbor dredging.
Sec. 1046. Emergency flooding protection for lakes.
Sec. 1047. Levee safety.
Sec. 1048. Replacement capacity.
Sec. 1049. Implementation guidance for post-flood improvements.
Sec. 1050. Willamette Valley Project water reallocation.
Sec. 1051. Central Appalachia water.
Sec. 1052. Reviewing hydropower at Corps of Engineers facilities.
Sec. 1053. Establishing permanent features from emergency response measures.
Sec. 1054. Studies of water resources development projects by non-Federal interests.
Sec. 1055. Subsurface drain systems research and development.
Sec. 1056. Limitation on contract execution in the Arkansas River Basin.
Sec. 1057. Support for mitigation efforts for small dams in National Heritage Corridors.
Sec. 1058. Report on barriers to infrastructure development at United States ports.
Sec. 1059. Rye Harbor, New Hampshire, navigation improvement project.
Sec. 1060. Cape Arundel disposal site, Maine.
Sec. 1061. Rio Grande environmental management program, Colorado, New Mexico, and Texas.
Sec. 1062. Restoration of abandoned sites.
Sec. 1063. Rural Western water.
Sec. 1064. Thad Cochran Lock and Dam.
Sec. 1065. Report on Corps of Engineers facilities in Appalachia.
Sec. 1066. Report on Corps of Engineers hydropower facilities in Appalachia.
Sec. 1067. Harris County, Texas.
Sec. 1068. Identification of nonpowered dams for hydropower development.
Sec. 1069. Inland Waterway Transportation.
Sec. 1070. Federal interest determination.
Sec. 1072. South Atlantic Coastal Study.
Sec. 1073. Completion of reports.
Sec. 1074. Delegation of work for Comprehensive Everglades Restoration Plan projects.
Sec. 1075. Material breaches of contract.
Sec. 1076. Repair and restoration of embankments.
Sec. 1077. Non-Federal interest repayment obligations.
Sec. 1078. Great Lakes confined disposal facilities.
Sec. 1079. Coastal mapping.
Sec. 1080. Disposal of dredged materials.
Sec. 1081. Upper Missouri River Basin mainstem dam fish loss research.
Sec. 1082. Briefings on dissemination of information.
Sec. 1083. Corps of Engineers projects in underserved communities, economically distressed areas, or rural areas.
Sec. 1084. Interim risk reduction measures.
Sec. 1085. Maintenance dredging permits.
Sec. 1086. Technical correction.
Sec. 1087. Annual debris removal.
Sec. 1088. Enhanced development demonstration program.
Sec. 1089. Report on benefits calculation for flood control structures.
Sec. 1090. High water-low water preparedness.
Sec. 1091. East Rockaway Inlet to Rockaway Inlet and Jamaica Bay Reformulation, New York.
Sec. 1092. Report on antecedent hydrologic conditions.
Sec. 1093. Harmful algal blooms demonstration program.
Sec. 1094. Sense of Congress relating to annual maintenance dredging.
Sec. 1095. Selection of dredged material disposal method for certain purposes.
Sec. 1096. Increasing access for recreation at Corps of Engineers projects.
Sec. 1097. Extinction of flowage easements, Rough River Lake, Kentucky.
Sec. 1098. Small flood control projects.
Sec. 1099. Comprehensive study of Mississippi River System from Old River Control Structure to Gulf of Mexico.
Sec. 1100. Missouri River.
Sec. 1101. Flexibility for projects.
Sec. 1102. Development of categorical exclusions.
Sec. 1103. Publication of fee schedules.
Sec. 1104. Flood protection projects.
Sec. 1105. Rehabilitation of high hazard potential dams.

Subtitle B—Studies and Reports
Sec. 1201. Authorization of proposed feasibility studies and modifications.
Sec. 1202. Expedited completion.
Sec. 1203. Inclusion of certain projects in annual report to Congress.
Sec. 1204. Assistance to non-Federal sponsors.
Sec. 1205. Railway flood risk management feasibility study, New Jersey.
Sec. 1206. Arctic deep draft port.
Sec. 1207. Nassau County Back Bays coastal storm risk management.

Subtitle C—Deauthorizations, Modifications, and Related Provisions
Sec. 1301. Deauthorization of Watch Hill Cove, Rhode Island and Connecticut.
Sec. 1302. Rush River and Lower Rush River, North Dakota.
Sec. 1303. Willamette Falls Locks, Willamette River, Oregon.
Sec. 1304. 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.
Sec. 1307. No deauthorization of certain projects.
Sec. 1308. Comprehensive Everglades Restoration Plan.
Sec. 1309. Cape Porpoise Harbor, Maine, Anchorage Area designation.

Subtitle D—Water Resources Infrastructure
Sec. 1401. Project authorizations.
Sec. 1402. Expedited completion of certain projects.
Sec. 1403. Additional project authorizations.

Subtitle E—Water Supply and Storage
Sec. 1501. Small water storage projects.
Sec. 1502. Missouri River reservoir sediment management.
Sec. 1503. Planning Assistance for States.
Sec. 1504. Forecast-informed reservoir operations.
Sec. 1505. Study on data for water allocation, supply, and demand.
Sec. 1506. GAO report on certain Federal dams and reservoirs.
Sec. 1507. Aquatic ecosystem restoration.
Sec. 1508. Improving reviews for non-Federal hydropower at existing Corps of Engineers projects.
Sec. 1509. Surplus water contracts and water storage agreements.
Sec. 1510. Reduced pricing for certain water supply storage.
Subtitle F—Invasive Species

Sec. 1601. Definition of invasive species.
Sec. 1602. Invasive species in impaired waters.
Sec. 1603. Aquatic invasive species research.
Sec. 1604. Invasive species mitigation and reduction.
Sec. 1605. Terrestrial noxious weed control pilot program.
Sec. 1606. Invasive species risk assessment, prioritization, and management.
Sec. 1607. Asian carp prevention and control pilot program.
Sec. 1608. Aquatic invasive species prevention.
Sec. 1609. Invasive species in alpine lakes pilot program.
Sec. 1610. Invasive species in noncontiguous States and territories pilot program.

TITLE II—CLEAN WATER

Sec. 2001. Clean water infrastructure resiliency and sustainability program.
Sec. 2002. Increased funding for technical assistance.
Sec. 2003. Small and medium publicly owned treatment works circuit rider program.
Sec. 2004. Small publicly owned treatment works efficiency grant program.
Sec. 2005. Wastewater efficiency grant pilot program.
Sec. 2006. Pilot program for alternative water source projects.
Sec. 2007. Sewer overflow and stormwater reuse municipal grants.
Sec. 2010. Grants for construction, refurbishing, and servicing of individual household decentralized wastewater systems for individuals with low or moderate income.
Sec. 2011. Connection to publicly owned treatment works.
Sec. 2012. Use of clean water State revolving loan funds.
Sec. 2013. Water data sharing pilot program.
Sec. 2014. Water infrastructure financing reauthorization.
Sec. 2015. Final rating opinion letters.
Sec. 2016. Reauthorization of clean water State revolving funds.
Sec. 2017. Wastewater infrastructure discretionary grant program.
Sec. 2018. Small and disadvantaged community analysis.
Sec. 2019. Stormwater infrastructure technology.
Sec. 2020. Grants to Alaska to improve sanitation in rural and native villages.

TITLE III—TRIBAL AND OTHER MATTERS

Sec. 3001. Tribal partnership program.
Sec. 3002. Cost sharing provisions for territories and Indian tribes.
Sec. 3003. Inclusion of Tribal interests in project consultations.
Sec. 3004. Indian Irrigation Fund reauthorization.
Sec. 3005. Reauthorization of repair, replacement, and maintenance of certain Indian irrigation projects.
Sec. 3006. Grants to ports to reduce emissions from waterborne vessels.
Sec. 3007. Mapping and screening tool.
Sec. 3008. Assessment of coastal water infrastructure vulnerabilities.
Sec. 3009. Report on potential for blue energy at coastal wastewater treatment plants.
Sec. 3010. Great Lakes Restoration Initiative.
Sec. 3011. San Francisco Bay restoration.
1 SEC. 2. DEFINITION OF SECRETARY.
2
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.

(a) DEFINITION OF MISSOURI RIVER PROJECT.—In this section, the term "Missouri River project" means—

(1) a project constructed as part of—

(A) the Pick-Sloan Missouri River Basin Program authorized by section 9(b) of the Act of December 22, 1944 (commonly known as the "Flood Control Act of 1944") (58 Stat. 891, chapter 665); or

(B) the Missouri River Bank Stabilization and Navigation Project authorized by section 2 of the Act of March 2, 1945 (commonly known as the "River and Harbor Act of 1945") (59 Stat. 19, chapter 19); and
(2) a locally owned or operated levee system located within the Upper or Lower Missouri River basin.

(b) DEVELOPMENT.—The Secretary, in collaboration with the heads of other relevant Federal agencies, shall conduct, and submit to Congress a comprehensive strategy and report that describes the results of and aligns the recommendations of, 2 comprehensive studies to address flood risk in areas affected by severe flooding in 2019 along the Upper and Lower Missouri River, including an examination of—

(1) the use of structural and nonstructural flood control and floodplain management strategies, including the consideration of natural features or nature-based features (as those terms are defined in section 1184(a) of the Water Infrastructure Improvements for the Nation Act (33 U.S.C. 2289a(a)));

(2) continued operation and maintenance of the navigation project;

(3) management of bank caving and erosion;

(4) maintenance of water supply;

(5) fish and wildlife habitat management;

(6) recreation needs;

(7) environmental restoration needs;
(8) the division of responsibilities of the Federal Government and non-Federal interests with respect to Missouri River flooding;

(9) the roles and responsibilities of Federal agencies with respect to Missouri River flooding; and

(10) any other related matters, as determined by the Secretary.

(c) CONTENTS.—The studies conducted under subsection (b) shall—

(1) include 1 study for the Upper Missouri River and 1 study for the Lower Missouri River;

(2) include recommendations on management plans and actions to be carried out by the responsible Federal agencies to reduce flood risk and improve resiliency that shall be used in recommending projects for construction authorization;

(3) address whether changes are necessary to the general comprehensive plan for flood control and other purposes in the Missouri River Basin under section 4 of the Act of June 28, 1938 (52 Stat. 1218, chapter 795) and modified by section 9(b) of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 891, chapter 665);
(4) address the potential for the transfer of flood risk between and within the Upper and Lower Missouri River Basin for any changes recommended under paragraph (3);

(5) address adverse impacts to navigation and other authorized purposes of the applicable Missouri River project for any changes recommended under paragraph (3);

(6) address whether there are opportunities for increased non-Federal management in the Missouri River Basin;

(7) recognize the interest and rights of States in—

(A) determining the development of watersheds within the borders of the State; and

(B) water utilization and control;

(8) recognize the primary responsibilities of States and local interests in developing water supplies for domestic, municipal, industrial, and other purposes; and

(9) include recommendations for—

(A) non-Federal and Federal action where appropriate; and
(B) follow-up studies for problem areas for which data or current technology does not allow immediate solutions.

(d) **Further Analysis.**—

(1) **In General.**—As part of the studies conducted under subsection (b), the Secretary shall—

(A) identify institutional and other barriers to providing protection to the areas evaluated in the studies;

(B) carry out activities that warrant additional analysis by the Corps of Engineers, including feasibility studies; and

(C) provide recommendations for inclusion of projects and feasibility studies in the report under section 1013.

(2) **Treatment.**—A feasibility study carried out under paragraph (1)(B) shall be considered to be a continuation of the applicable study under subsection (b).

(3) **Cost-share.**—

(A) **In General.**—Except as provided in subparagraph (B), the non-Federal share of the cost of carrying out a feasibility study under paragraph (1)(B) shall not be more than 35 percent.
(B) Waiver for Small or Disadvantaged Communities.—In carrying out a feasibility study under paragraph (1)(B) in partnership with a small community or a disadvantaged community (as those terms are defined in section 1017(a)(1)), if the Secretary determines that the life safety or economic viability of the community is at risk, the Secretary shall reduce the non-Federal cost share applicable to the study through a mutual agreement between the Corps of Engineers and the non-Federal interest, in an amount that is—

(i) not less than 10 percent of the total project cost; and

(ii) up to 100 percent of the non-Federal cost share applicable to the study.

(4) Timeliness.—The Secretary shall carry out feasibility studies under paragraph (1)(B) as expeditiously as possible.

(5) Delegation of Approval.—The Secretary shall delegate the approval authority for initiating any feasibility study under paragraph (1)(B) to the Commander of the Northwestern Division of the Corps of Engineers.

(e) Consultation; Use of Existing Data.—
(1) CONSULTATION.—In conducting the studies under subsection (b), the Secretary shall consult with applicable Federal and State agencies, Indian Tribes, and other stakeholders.

(2) USE OF DATA.—In conducting the studies under subsection (b), the Secretary shall make maximum use of data in existence on the date of enactment of this Act and ongoing programs and efforts of Federal agencies, States, Indian Tribes, and other stakeholders.

(f) COST SHARING.—The studies conducted under subsection (b) shall be at full Federal expense.

(g) APPLICATION OF CERTAIN REQUIREMENTS.—Section 1001(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c(a))—

(1) shall not apply to the studies conducted under subsection (b); and

(2) shall apply to a feasibility study carried out under subsection (d)(1)(B).

(h) REPORTS.—The Secretary shall submit to Congress—

(1) an interim report on the results of the studies under subsection (b) by not later than 1 year after the date of enactment of this Act; and
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(2) a final report on the results of the studies under subsection (b) by not later than 3 years after the date of enactment of this Act.

(i) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $50,000,000, to remain available until expended.

SEC. 1002. GREAT LAKES COMPREHENSIVE FLOOD PROTECTION STUDY.

(a) Definition of Great Lakes.—In this section, the term “Great Lakes” has the meaning given the term in section 118(a) of the Federal Water Pollution Control Act (33 U.S.C. 1268(a)).

(b) Development.—The Secretary, in collaboration with the heads of other relevant Federal agencies, shall conduct, and submit to Congress a report that describes the results of, a comprehensive study to address shoreline protection and resiliency in areas affected by flooding in 2019 due to high lake water levels along the Great Lakes, including an examination of—

(1) structural and nonstructural coastal storm and flood risk management measures and flood zone management strategies, including the consideration of natural features or nature-based features (as those terms are defined in section 1184(a) of the
Water Infrastructure Improvements for the Nation Act (33 U.S.C. 2289a(a));

(2) continued operation and maintenance of navigation projects within or along the Great Lakes impacted by flooding related to high water levels;

(3) management of shoreline caving and erosion;

(4) recreation needs;

(5) environmental restoration needs;

(6) the division of responsibilities of the Federal Government and non-Federal interests with respect to Great Lakes coastal storm and flood risk management measures;

(7) the roles and responsibilities of Federal agencies with respect to Great Lakes coastal storm and flood risk management measures; and

(8) other related matters, as determined by the Secretary.

c) CONTENTS.—The study under subsection (b) shall—

(1) include recommendations on management plans and actions to be carried out by the responsible Federal agencies, including the identification of—
(A) additional work that can be carried out by the Corps of Engineers under existing authorities to further reduce flood risk; and

(B) additional studies that may be needed;

(2) address whether changes are necessary to—

(A) the management plan for the Great Lakes; and

(B) the management plans for individual lakes of the Great Lakes;

(3) address whether there are opportunities for increased non-Federal management in the Great Lakes; and

(4) include recommendations for—

(A) non-Federal and Federal action, where appropriate; and

(B) follow-up studies for problem areas for which data or current technology does not allow immediate solutions.

(d) FURTHER ANALYSIS.—

(1) IN GENERAL.—As part of the study conducted under subsection (b), the Secretary shall—

(A) identify institutional and other barriers to providing protection to the areas evaluated in the study; and
(B) carry out activities that warrant additional analysis by the Corps of Engineers, including feasibility studies.

(2) TREATMENT.—A feasibility study carried out under paragraph (1)(B) shall be considered to be a continuation of the study under subsection (b).

(e) CONSULTATION; USE OF EXISTING DATA.—

(1) CONSULTATION.—In conducting the study under subsection (b), the Secretary shall consult with appropriate Federal and State agencies.

(2) USE OF DATA.—In conducting the study under subsection (b), the Secretary shall make maximum use of data in existence on the date of enactment of this Act and ongoing programs and efforts of Federal agencies and States.

(f) COST SHARING.—The study conducted under subsection (b) shall be at full Federal expense.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (b) $25,000,000, to remain available until expended.

SEC. 1003. ADDITIONAL STUDIES UNDER NORTH ATLANTIC COAST COMPREHENSIVE STUDY.

(a) IN GENERAL.—The Secretary shall carry out a study to determine the feasibility of a project for hurricane and storm damage risk reduction for any major metropoli-
tan area located in the study area for the comprehensive study authorized under the heading “INVESTIGATIONS” under the heading “CORPS OF ENGINEERS—CIVIL” under the heading “DEPARTMENT OF THE ARMY” under title X of division A of Public Law 113–2 (127 Stat. 23) that was not included in a high-risk focus area identified in the study.

(b) TREATMENT.—A study carried out under subsection (a) shall be considered to be a continuation of the comprehensive study described in that subsection.

SEC. 1004. MAINTENANCE AND CONSTRUCTION OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

Section 204(c)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2232(c)(1)) is amended by striking “under subsection (b)” and inserting “under this section”.

SEC. 1005. WATERCRAFT INSPECTION STATIONS.


SEC. 1006. LOCAL GOVERNMENT RESERVOIR PERMIT REVIEW.

Section 1119(b) of the America’s Water Infrastructure Act of 2018 (33 U.S.C. 2347 note; Public Law 115–
SEC. 1007. UPPER MISSISSIPPI RIVER PROTECTION.


SEC. 1008. BENEFICIAL USE OF DREDGED MATERIAL.

Section 1148 of the America’s Water Infrastructure Act of 2018 (33 U.S.C. 2326 note; Public Law 115–270) is amended—

(1) in subsection (a)—

(A) by striking “grant” and inserting “approve”; and

(B) by striking “granting” and inserting “approving”; and

(2) in subsection (b), by striking “grants” and inserting “approves”.
SEC. 1009. KLAMATH BASIN WATER SUPPLY ENHANCEMENT ACT OF 2000 TECHNICAL CORRECTIONS.

Section 4(b) of the Klamath Basin Water Supply Enhancement Act of 2000 (114 Stat. 2222; 132 Stat. 3887) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “Pursuant to the reclamation laws and subject” and inserting “Subject”; and

(ii) by striking “may” and inserting “is authorized to”; and

(B) in subparagraph (A), by inserting “, including conservation and efficiency measures, land idling, and use of groundwater,” after “administer programs”; 

(2) in paragraph (3)(A), by inserting “and” after the semicolon at the end;

(3) by redesignating the second paragraph (4) (relating to the effect of the subsection) as paragraph (5); and

(4) in paragraph (5) (as so redesignated)—

(A) by striking subparagraph (B); 

(B) in subparagraph (A), by striking “; or” and inserting a period; and
(C) by striking “the Secretary—” and all that follows through “to develop” in subpara-
graph (A) and inserting “the Secretary to de-
velop”.

SEC. 1010. PROJECT MODIFICATIONS FOR IMPROVEMENT
OF ENVIRONMENT.

Section 1203(g) of the America’s Water Infrastruc-
ture Act of 2018 (132 Stat. 3805) is amended, in the mat-
ter preceding paragraph (1), by striking “For fiscal years
2019 and 2020” and inserting “Until September 30,
2026”.

SEC. 1011. NON-FEDERAL IMPLEMENTATION PILOT PRO-
GRAM.

Section 1043 of the Water Resources Reform and De-
velopment Act of 2014 (33 U.S.C. 2201 note; Public Law
113–121) is amended—

(1) in subsection (a)—

(A) in paragraph (4), by striking “this Act” and inserting “the America’s Water Infra-
structure Act of 2020”; 

(B) in paragraph (7), by striking “the date that is” and all that follows through the period
at the end and inserting “December 31, 2026.”; and
(C) in paragraph (8), by striking “2019” and inserting “2026”; and
(2) in subsection (b)—
(A) in paragraph (3)(A), by striking “this Act” each place it appears and inserting “the America’s Water Infrastructure Act of 2020”; (B) in paragraph (4), by striking “this Act” and inserting “the America’s Water Infrastructure Act of 2020”; (C) in paragraph (7), by striking “the date that is” and all that follows through the period at the end and inserting “December 31, 2026.”; and (D) in paragraph (8), by striking “2023” and inserting “2026”.

SEC. 1012. THIN LAYER PLACEMENT PILOT PROGRAM.
Section 1122 of the Water Infrastructure Improvements for the Nation Act (33 U.S.C. 2326 note; Public Law 114–322) is amended—
(1) in subsection (b)(1), by striking “20 projects for the beneficial use of dredged material” and inserting “40 projects for the beneficial use of dredged material, 10 of which shall be projects using thin layer placement of dredged fine and coarse
grain sediment for the maintenance and restoration of wetlands”; and

(2) in subsection (g), by striking “20” and inserting “40”.

SEC. 1013. ANNUAL REPORT TO CONGRESS ON AUTHORIZED STUDIES AND PROJECTS.

(a) In general.—Not later than February 1 of each year, the Secretary shall develop and submit to the Committees on Appropriations and Environment and Public Works of the Senate and the Committees on Appropriations and Transportation and Infrastructure of the House of Representatives an annual report, to be entitled “Report to Congress on Water Resources Development Projects and Studies Available for Appropriation”, that identifies each authorized study or authorized water resources development project that—

(1) is submitted to the Secretary by a non-Federal interest pursuant to subsection (b); and

(2) meets the criteria established under subsection (c)(1)(A).

(b) Requests for Proposals.—

(1) Publication.—Not later than May 1 of each year, the Secretary shall publish in the Federal Register a notice requesting proposals from non-Federal interests for authorized studies and author-
ized water resources development projects to be included in the annual report.

(2) **DEADLINE FOR REQUESTS.**—The Secretary shall include in each notice under this subsection a requirement that non-Federal interests submit to the Secretary any proposals described in paragraph (1) by not later than 120 days after the date of publication of the notice in the Federal Register in order for the proposals to be considered for inclusion in the annual report.

(3) **NOTIFICATION.**—On the date of publication of each notice required by this subsection, the Secretary shall—

(A) make the notice publicly available, including on the Internet; and

(B) provide written notification of the publication to the Committees on Appropriations and Environment and Public Works of the Senate and the Committees on Appropriations and Transportation and Infrastructure of the House of Representatives.

(c) **CONTENTS.**—

(1) **INCLUSIONS.**—

(A) **CRITERIA.**—The Secretary shall include in the annual report only an authorized
study or authorized water resources development project—

(i) that has been authorized by Congress and does not require any additional authorization to be carried out;

(ii) for which funds may be appropriated under any of the Investigations, Construction, Operation and Maintenance, or Mississippi River and Tributaries appropriations accounts for the Corps of Engineers; and

(iii) for which the non-Federal interest—

(I) in the case of a study or a project other than a project for which funds may be appropriated for operation and maintenance, has entered into, or is willing to enter into, a feasibility cost-sharing agreement, design agreement, or project partnership agreement with the Corps of Engineers; and

(II) demonstrates the legal and financial capability to satisfy the re-
requirements of local cooperation for the study or project.

(B) DESCRIPTION OF BENEFITS.—

(i) DESCRIPTION.—The Secretary shall describe in the annual report, to the extent applicable and practicable, for each authorized study and authorized water resources development project included in the annual report, the benefits, as described in clause (ii), of each authorized study or project.

(ii) BENEFITS.—The benefits referred to in clause (i) are benefits to—

(I) the protection of human life and property;

(II) improvement to transportation;

(III) the national, regional, or local economy;

(IV) the environment; or

(V) the national security interests of the United States.

(2) TRANSPARENCY.—The Secretary shall include in the annual report, for each authorized study...
and authorized water resources development project included under paragraph (1)(A)—

(A) the name of the associated non-Federal interest, including the name of any non-Federal interest that has contributed, or is expected to contribute, a non-Federal share of the cost of the authorized study or authorized water resources development project;

(B) the purpose of the authorized study or authorized water resources development project;

(C) an estimate, to the extent practicable, of the Federal, non-Federal, and total costs of the authorized study or authorized water resources development project, including, to the extent practicable, the fully funded capability of the Corps of Engineers for—

(i) the 3 fiscal years following the fiscal year in which the report is submitted, in the case of an authorized study; and

(ii) the 5 fiscal years following the fiscal year in which the report is submitted, in the case of an authorized water resources development project; and

(D) an estimate, to the extent practicable, of the monetary and nonmonetary benefits of
the authorized study or authorized water re-
ources development project.

(3) Certification.—The Secretary shall in-
clude in the annual report a certification stating
that each authorized study or authorized water re-
sources development project included in the annual
report meets the criteria established under para-
graph (1)(A).

(4) Appendix.—

(A) In General.—The Secretary shall in-
clude in the annual report an appendix listing
the proposals submitted under subsection (b)
that were not included in the annual report
under paragraph (1)(A) and a description of
why the Secretary determined that those pro-
posals did not meet the criteria for inclusion
under that paragraph.

(B) Limitation.—In carrying out sub-
paragraph (A), the Secretary shall not include
proposals in the appendix of the annual report
that otherwise meet the criteria for inclusion in
the annual report solely on the basis of a policy
of the Secretary.
(d) Special Rule for Initial Annual Report.— Notwithstanding any other deadline under this section, the Secretary shall—

(1) not later than 60 days after the date of enactment of this Act, publish in the Federal Register a notice under subsection (b)(1); and

(2) include in the notice a requirement that non-Federal interests submit to the Secretary any proposals described in subsection (b)(1) by not later than 120 days after the date of publication of the notice in the Federal Register in order for the proposals to be considered for inclusion in the first annual report developed by the Secretary under this section.

(e) Publication.—On submission of an annual report to Congress, the Secretary shall make the annual report publicly available, including through publication on the Internet.

(f) Funding.—The Secretary shall develop the annual report using funds available and not otherwise obligated from the Expenses appropriations account for the Corps of Engineers.

(g) Definitions.—In this section:

(1) Annual Report.—The term “annual report” means a report under subsection (a).
(2) AUTHORIZED STUDY.—The term “authorized study” means—

(A) a study authorized by Congress to be carried out by the Corps of Engineers; or

(B) a feasibility study (as defined in section 105 of the Water Resources Development Act of 1986 (33 U.S.C. 2215)) that has been authorized by Congress.

(3) AUTHORIZED WATER RESOURCES DEVELOPMENT PROJECT.—The term “authorized water resources development project” includes any water resources development project of the Corps of Engineers, including a project under an environmental infrastructure assistance program.

(4) NON-FEDERAL INTEREST.—The term “non-Federal interest” has the meaning given the term in section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b).

SEC. 1014. ANNUAL REPORT TO CONGRESS ON WATER RESOURCES INFRASTRUCTURE.

Section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) is amended—

(1) in subsection (c)(1)(B)(ii)(III), by inserting “, regional, or local” after “national”; and
(2) in subsection (g)(5), by striking “if authorized” and all that follows through “2016”.

SEC. 1015. OPERATION AND MAINTENANCE.

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

(1) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(2) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately;

(3) in the matter preceding subparagraph (A) (as so redesignated), by striking “Whenever” and inserting the following:

“(1) IN GENERAL.—Subject to paragraph (2), in any case in which”; and

(4) by adding at the end the following:

“(2) REPORT.—

“(A) IN GENERAL.—To be eligible for assumption of operation and maintenance of improvements to a federally authorized harbor or inland harbor, a non-Federal interest shall submit to the Secretary a report on the improvements carried out by the non-Federal interest under paragraph (1).
“(B) INCLUSIONS.—A report under subparagraph (A) shall include any information necessary for the Secretary to make a determination under paragraph (1), including—

“(i) economic justification for the improvements;

“(ii) details of the project improvement plan and design;

“(iii) proposed arrangements for the work to be performed; and

“(iv) documents relating to any applicable permits required for the project improvements.

“(3) REQUIREMENTS.—

“(A) PEER REVIEW WAIVER.—In the case of a project with a cost of less than $200,000,000, the Secretary shall not be required to subject the project to independent peer review pursuant to section 2034 of the Water Resources Development Act of 2007 (33 U.S.C. 2343).

“(B) CALCULATION OF COSTS.—In calculating the benefit-cost ratio for a project under paragraph (1), the Secretary shall not include non-Federal costs.
“(4) DEADLINE.—The Secretary shall make a determination on whether the requirement under paragraph (1)(A)(i) has been met by not later than 180 days after the date on which the Secretary receives the report under paragraph (2).”.

SEC. 1016. TRANSPARENCY AND ACCOUNTABILITY IN COST SHARING FOR WATER RESOURCES DEVELOPMENT PROJECTS.

Section 1120 of the America’s Water Infrastructure Act of 2018 (33 U.S.C. 2315b) is amended by adding at the end the following:

“(d) EXCESS FUNDS.—In the case of a beach nourishment project carried out by the Secretary for which funds in excess of the funds needed to complete the nourishment cycle in the current fiscal year have been contributed by a non-Federal interest, on the request of the non-Federal interest, the Secretary shall, at the end of the fiscal year—

“(1) transfer the excess non-Federal funds to the non-Federal interest; or

“(2) transfer the excess non-Federal funds to a separate account of the Secretary, in which the funds shall remain available until the non-Federal interest uses the funds to pay the cost-share for
other projects carried out by the Secretary for which a non-Federal cost-share is required.”.

SEC. 1017. CONTINUING AUTHORITY PROGRAMS.

(a) SMALL OR DISADVANTAGED COMMUNITIES.—

(1) DEFINITIONS.—In this subsection:

(A) CONTINUING AUTHORITY PROGRAM.—

The term “continuing authority program” means any of—

(i) section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r);

(ii) section 3 of the Act of August 13, 1946 (60 Stat. 1056, chapter 960; 33 U.S.C. 426g);

(iii) section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577);

(iv) section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i);

(v) section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326);

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

(vii) section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330);
(viii) section 2 of the Act of August 28, 1937 (50 Stat. 877, chapter 877; 33 U.S.C. 701g); and

(B) Disadvantaged Community.—The term “disadvantaged community” means a city, town, or other incorporated or unincorporated political subdivision of a State that—

(i) provides general local government for a population of less than 20,000; and
(ii)(I) is an economically distressed area (as defined in section 1083(a));
(II) is at risk from repeat flooding events; or
(III) has a degraded ecosystem.

(C) Small Community.—The term “small community” means a city, town, or other incorporated or unincorporated political subdivision of a State that provides general local government for a population of less than 10,000.

(2) Cost-share for Small Communities and Disadvantaged Communities.—Subject to paragraph (3), in carrying out a project under a con-
continuing authority program in a small community or a disadvantaged community, if the Secretary determines that the life safety, economic viability, or environmental sustainability of the community would be threatened without the project, the Secretary shall reduce the non-Federal cost share applicable to the project through a mutual agreement between the Corps of Engineers and the non-Federal interest, in an amount that is—

(A) not less than 10 percent of the total project cost; and

(B) up to 100 percent of the non-Federal cost share applicable to the project.

(3) LIMITATIONS.—In any fiscal year, the Secretary may apply a waiver under paragraph (2) to—

(A) not more than 50 projects in small communities;

(B) not more than 50 projects in disadvantaged communities;

(C) not more than 3 projects in small communities within any 1 district of the Corps of Engineers; and

(D) not more than 3 projects in disadvantaged communities within any 1 district of the Corps of Engineers.
(b) Authorizations of Appropriations and Project Limits.—

(1) Emergency streambank and shoreline protection.—Section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r) is amended—

(A) by striking “$25,000,000” and inserting “the amount described in subsection (b)”;

(B) in the proviso, by striking “That not more” and inserting “That, except as provided in subsection (c), not more”;

(C) by striking “The Secretary” and inserting the following:

“(a) In General.—The Secretary”; and

(D) by adding at the end the following:

“(b) Amounts Described.—The amount referred to in subsection (a) is—

“(1) for fiscal year 2021, $28,000,000;

“(2) for fiscal year 2022, $28,500,000;

“(3) for fiscal year 2023, $29,000,000;

“(4) for fiscal year 2024, $29,500,000;

“(5) for fiscal year 2025, $30,000,000;

“(6) for fiscal year 2026, $30,500,000;

“(7) for fiscal year 2027, $31,000,000;

“(8) for fiscal year 2028, $31,500,000;

“(9) for fiscal year 2029, $32,000,000; and
“(10) for fiscal year 2030 and each fiscal year thereafter, $32,500,000.

“(c) INCREASE.—The Secretary may increase the maximum amount for a single project under the proviso in subsection (a) by an amount equal to not more than 20 percent, if the Secretary determines the increase to be appropriate.”.

(2) STORM AND HURRICANE RESTORATION AND IMPACT MINIMIZATION PROGRAM.—Section 3(c) of the Act of August 13, 1946 (33 U.S.C. 426g(c)) is amended—

(A) in paragraph (1)—

(i) by striking “$37,500,000” and inserting “the amount described in subparagraph (B)”;

(ii) by striking the paragraph designation and heading and all that follows through “Subject to paragraph (2)” and inserting the following:

“(1) ANNUAL LIMIT.—

“(A) IN GENERAL.—Subject to paragraph (2); and

(iii) by adding at the end the following:
“(B) AMOUNTS DESCRIBED.—The amount referred to in subparagraph (A) is—

“(i) for fiscal year 2021, $41,500,000;
“(ii) for fiscal year 2022, $42,000,000;
“(iii) for fiscal year 2023, $42,500,000;
“(iv) for fiscal year 2024, $43,000,000;
“(v) for fiscal year 2025, $43,500,000;
“(vi) for fiscal year 2026, $44,000,000;
“(vii) for fiscal year 2027, $44,500,000;
“(viii) for fiscal year 2028, $45,000,000;
“(ix) for fiscal year 2029, $45,500,000; and
“(x) for fiscal year 2030 and each fiscal year thereafter, $46,000,000.”; and

(B) in paragraph (2)—

(i) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;
(ii) in the matter preceding clause (i) (as so redesignated), by striking “The total amount” and inserting the following:

“(A) IN GENERAL.—Except as provided in subparagraph (B), the total amount”; and

(iii) by adding at the end the following:

“(B) INCREASE.—The Secretary may increase the maximum amount under subparagraph (A)(ii) by an amount equal to not more than 20 percent, if the Secretary determines the increase to be appropriate.”.

(3) SMALL RIVER AND HARBOR IMPROVEMENT PROJECTS.—Section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) is amended—

(A) in subsection (a)—

(i) by striking “$62,500,000” and inserting “the amount described in paragraph (2)”;

(ii) by striking the subsection designation and all that follows through “That the Secretary” and inserting the following:

“(a) AUTHORIZATION.—

“(1) IN GENERAL.—The Secretary”; and
(iii) by adding at the end the follow-
ing:

“(2) AMOUNTS DESCRIBED.—The amount re-
ferred to in paragraph (1) is—

“(A) for fiscal year 2021, $69,000,000;
“(B) for fiscal year 2022, $69,500,000;
“(C) for fiscal year 2023, $70,000,000;
“(D) for fiscal year 2024, $70,500,000;
“(E) for fiscal year 2025, $71,000,000;
“(F) for fiscal year 2026, $71,500,000;
“(G) for fiscal year 2027, $72,000,000;
“(H) for fiscal year 2028, $72,500,000;
“(I) for fiscal year 2029, $73,000,000; and
“(J) for fiscal year 2030 and each fiscal
year thereafter, $73,500,000.”; and

(B) in subsection (b)—

(i) by striking the subsection designa-
tion and all that follows through “Not
more than” and inserting the following:

“(b) LIMITATION.—

“(1) IN GENERAL.—Except as provided in para-
graph (2), not more than”; and

(ii) by adding at the end the fol-
lowing:
“(2) INCREASE.—The Secretary may increase the maximum amount under paragraph (1) by an amount equal to not more than 20 percent, if the Secretary determines the increase to be appropriate.”.

(4) SHORE DAMAGE PREVENTION OR MITIGATION.—

(A) IN GENERAL.—Section 111(c) of the River and Harbor Act of 1968 (33 U.S.C. 426i(c)) is amended—

(i) by striking “No such project shall be initiated” and inserting the following:

“(1) IN GENERAL.—Except as provided in paragraph (2), a project under this section shall not be initiated”; and

(ii) by adding at the end the following:

“(2) INCREASE.—The Secretary may increase the maximum amount under paragraph (1) by an amount equal to not more than 20 percent, if the Secretary determines the increase to be appropriate.”.

(B) CERTAIN PROJECT.—Section 3085 of the Water Resources Development Act of 2007 (121 Stat. 1129) is amended—
(i) by striking “The maximum” and inserting the following:

“(a) IN GENERAL.—Except as provided in subsection (b), the maximum”; and

(ii) by adding at the end the following:

“(b) INCREASE.—The Secretary may increase the maximum amount under subsection (a) by an amount equal to not more than 20 percent, if the Secretary determines the increase to be appropriate.”.

(5) REGIONAL SEDIMENT MANAGEMENT.—Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended—

(A) in subsection (c)(1)(C)—

(i) by striking “The total” and inserting the following:

“(i) IN GENERAL.—Except as provided in clause (ii), the total”; and

(ii) by adding at the end the following:

“(ii) INCREASE.—The Secretary may increase the maximum amount under clause (i) by an amount equal to not more than 20 percent, if the Secretary determines the increase to be appropriate.”; and
(B) by striking subsection (g) and inserting the following:

“(g) Authorization of Appropriations.—

“(1) In general.—There are authorized to be appropriated to carry out this section—

“(A) for fiscal year 2021, $69,000,000;
“(B) for fiscal year 2022, $69,500,000;
“(C) for fiscal year 2023, $70,000,000;
“(D) for fiscal year 2024, $70,500,000;
“(E) for fiscal year 2025, $71,000,000;
“(F) for fiscal year 2026, $71,500,000;
“(G) for fiscal year 2027, $72,000,000;
“(H) for fiscal year 2028, $72,500,000;
“(I) for fiscal year 2029, $73,000,000; and
“(J) for fiscal year 2030 and each fiscal year thereafter, $73,500,000.

“(2) Set-asides.—Of the amounts made available under paragraph (1) for each fiscal year—

“(A) not more than $5,000,000 may be used for the development of regional sediment management plans under subsection (e); and
“(B) not more than $3,000,000 may be used for construction of projects to which subsection (c)(1)(B)(ii) applies.
“(3) Availability.—Amounts made available under paragraph (1) shall remain available until expended.”.

(6) Small flood control projects.—Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amended—

(A) in the fifth sentence, by striking “The work” and inserting the following:

“(e) No Additional Improvements.—A project carried out under this section”;

(B) in the fourth sentence, by striking “The provisions” and inserting the following:

“(d) Local Cooperation.—The provisions”;

(C) in the third sentence—

(i) by striking “Not more than” and inserting the following:

“(c) Project Limit.—

“(1) In general.—Except as provided in paragraph (2), not more than”; and

(ii) by adding at the end the following:

“(2) Increase.—The Secretary may increase the maximum amount under paragraph (1) by an amount equal to not more than 20 percent, if the
Secretary determines the increase to be appropriate.”;

(D) in the second sentence, by striking “The amount” and inserting the following:

“(b) FEDERAL PARTICIPATION.—The amount”; and

(E) in the first sentence—

(i) by striking “$68,750,000” and inserting “the amount described in paragraph (2)”;

(ii) by striking “That the Secretary” and inserting the following:

“(a) AUTHORIZATION.—

“(1) IN GENERAL.—The Secretary”; and

(iii) by adding at the end the following:

“(2) AMOUNTS DESCRIBED.—The amount referred to in paragraph (1) is—

“(A) for fiscal year 2021, $76,000,000;
“(B) for fiscal year 2022, $76,500,000;
“(C) for fiscal year 2023, $77,000,000;
“(D) for fiscal year 2024, $77,500,000;
“(E) for fiscal year 2025, $78,000,000;
“(F) for fiscal year 2026, $78,500,000;
“(G) for fiscal year 2027, $79,000,000;
“(H) for fiscal year 2028, $79,500,000;
“(I) for fiscal year 2029, $80,000,000; and
“(J) for fiscal year 2030 and each fiscal
year thereafter, $80,500,000.”.

(7) AQUATIC ECOSYSTEM RESTORATION.—Section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) is amended—

(A) in subsection (d)—

(i) by striking “Not more than” and inserting the following:

“(1) IN GENERAL.—Except as provided in para-
graph (2), not more than”; and

(ii) by adding at the end the fol-
lowing:

“(2) INCREASE.—The Secretary may increase
the maximum amount under paragraph (1) by an
amount equal to not more than 20 percent, if the
Secretary determines the increase to be appro-
priate.”; and

(B) by striking subsection (f) and inserting
the following:

“(f) AUTHORIZATION OF APPROPRIATIONS.—There
are authorized to be appropriated to carry out this sec-
tion—

“(1) for fiscal year 2021, $69,000,000;
“(2) for fiscal year 2022, $69,500,000;
“(3) for fiscal year 2023, $70,000,000;
“(4) for fiscal year 2024, $70,500,000;
“(5) for fiscal year 2025, $71,000,000;
“(6) for fiscal year 2026, $71,500,000;
“(7) for fiscal year 2027, $72,000,000;
“(8) for fiscal year 2028, $72,500,000;
“(9) for fiscal year 2029, $73,000,000; and
“(10) for fiscal year 2030 and each fiscal year
thereafter, $73,500,000.”.

(8) Removal of obstructions; clearing
channels.—Section 2 of the Act of August 28,
1937 (50 Stat. 877, chapter 877; 33 U.S.C. 701g)
is amended—

(A) by striking “flood control:” and all
that follows through “not more than” and in-
serting the following: “flood control.
“(b) Project limit.—
“(1) In general.—Except as provided in para-
graph (2), not more than”;

(B) by adding at the end the following:
“(2) Increase.—The Secretary may increase
the maximum amount under paragraph (1) by an
amount equal to not more than 20 percent, if the
Secretary determines the increase to be appro-
priate.”;
(C) by striking “The Secretary of the Army is authorized to allot not to exceed $7,500,000” and inserting the following:

“(a) AUTHORIZATION.—

“(1) IN GENERAL.—The Secretary of the Army may allot not more than the amount described in paragraph (2); and

(D) in subsection (a) (as so designated), by adding at the end the following:

“(2) AMOUNTS DESCRIBED.—The amount referred to in paragraph (1) is—

“(A) for fiscal year 2021, $8,500,000;

“(B) for fiscal year 2022, $9,000,000;

“(C) for fiscal year 2023, $9,500,000;

“(D) for fiscal year 2024, $10,000,000;

“(E) for fiscal year 2025, $10,500,000;

“(F) for fiscal year 2026, $11,000,000;

“(G) for fiscal year 2027, $11,500,000;

“(H) for fiscal year 2028, $12,000,000;

“(I) for fiscal year 2029, $12,500,000; and

“(J) for fiscal year 2030 and each fiscal year thereafter, $13,000,000.”.

(9) PROJECT MODIFICATIONS FOR IMPROVEMENT OF ENVIRONMENT.—Section 1135 of the
Water Resources Development Act of 1986 (33 U.S.C. 2309a) is amended—

(A) in subsection (d)—

(i) in the third sentence—

(I) by striking “Not more than” and inserting the following:

“(3) PROJECT LIMIT.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), not more than”; and

(II) by adding at the end the following:

“(B) INCREASE.—The Secretary may increase the maximum amount under subparagraph (A) by an amount equal to not more than 20 percent, if the Secretary determines the increase to be appropriate.”;

(ii) in the second sentence, by striking “The non-Federal share” and inserting the following:

“(2) IN-KIND CONTRIBUTIONS.—The non-Federal share”; and

(iii) in the first sentence, by striking “The non-Federal share” and inserting the following:
“(1) IN GENERAL.—The non-Federal share”;

and

(B) by striking subsection (h) and inserting the following:

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) for fiscal year 2021, $55,000,000;
“(2) for fiscal year 2022, $55,500,000;
“(3) for fiscal year 2023, $56,000,000;
“(4) for fiscal year 2024, $56,500,000;
“(5) for fiscal year 2025, $57,000,000;
“(6) for fiscal year 2026, $57,500,000;
“(7) for fiscal year 2027, $58,000,000;
“(8) for fiscal year 2028, $58,500,000;
“(9) for fiscal year 2029, $59,000,000; and
“(10) for fiscal year 2030 and each fiscal year thereafter, $59,500,000.”.

SEC. 1018. SHORE DAMAGE PREVENTION OR MITIGATION.

Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) is amended by adding at the end the following:

“(f) USE OF UNITED STATES FISH AND WILDLIFE SERVICE FUNDS.—The Director of the United States Fish and Wildlife Service shall allow a non-Federal interest to
use funds from the Service to satisfy all or a portion of
the non-Federal share of the costs of a project under this
section.”.

SEC. 1019. SEDIMENT MANAGEMENT PLAN.

(a) IN GENERAL.—

(1) INITIAL PLAN.—Not later than 1 year after
the date of enactment of this Act, the District Com-
mander of each district of the Corps of Engineers
that carries out any dredging activity for navigation
or other water resources development project pur-
poses shall develop, at full Federal expense, and sub-
mit to the Secretary a 5-year sediment management
plan.

(2) SCOPE.—Each plan developed under this
section shall include—

(A) a sediment budget for each watershed
or littoral system within the district;

(B) a description of the scheduled dredging
and other sediment removal activities;

(C) an estimate of the amount of sediment
anticipated to be dredged or removed as a re-
sult of each activity described under subpara-
graph (B); and

(D) an evaluation of—
(i) the suitability of the sediment anticipated to be dredged or removed as a result of each activity described under subparagraph (B) for a full range of beneficial uses; and

(ii) the economic and environmental benefits and impacts, and feasibility, of using the material for such beneficial uses.

(3) REVISION.—On an annual basis, the District Commander of each district of the Corps of Engineers shall—

(A) revise the plan developed under paragraph (1); and

(B) submit the revised plan to the Secretary.

(b) PUBLIC COMMENT.—In developing or revising a plan under subsection (a), a District Commander shall provide notice and an opportunity for public comment.

(c) PUBLICATION.—A District Commander that develops or revises a plan under subsection (a) shall make the plan or revision to the plan, as applicable, publicly available.

(d) TRANSMISSION TO CONGRESS.—As soon as practicable after receiving a plan or a revision to a plan under
subsection (a), the Secretary shall transmit the plan or revision to the plan, as applicable, to Congress.

(c) **Regional Sediment Management Plans.**—A plan developed under this section—

(1) shall be in addition to regional sediment management plans prepared under section 204(a) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(a)); and

(2) shall not be subject to section 204(g) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(g)).

**SEC. 1020. CRITERIA FOR FUNDING ENVIRONMENTAL INFRASTRUCTURE PROJECTS.**

(a) **Certain Environmental Projects.**—

(1) **In general.**—Except as provided in paragraph (3), the Secretary shall develop written criteria for the ranking of environmental infrastructure projects of the Secretary for the purpose of prioritizing funding, including, at a minimum—

(A) the extent of the local economic impact of the project;

(B) whether the project is in a rural community;
(C) whether the project is in or would benefit counties or communities with high poverty rates; and

(D) whether the project is in a financially distressed area.

(2) INCLUSION IN GUIDANCE.—The Secretary shall include the criteria developed under paragraph (1) in the annual Civil Works Direct Program Development Policy Guidance of the Secretary.

(3) APPLICABILITY.—This subsection shall not apply to any environmental infrastructure project authorized under section 219 of the Water Resources Development Act of 1992 (106 Stat. 4835).

(b) ENVIRONMENTAL INFRASTRUCTURE.—Section 219 of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 335) is amended by adding at the end the following:

“(g) CRITERIA FOR RANKING PROJECTS.—

“(1) IN GENERAL.—The Secretary shall develop written criteria for ranking projects authorized under this section for funding.

“(2) REQUIREMENTS.—The written criteria under paragraph (1) shall include—

“(A) the benefits of the project to the local economy;
“(B) the extent to which the project will enhance local development;
“(C) the number of jobs that will be directly created by the project; and
“(D) any other criteria that the Secretary considers to be appropriate.”

SEC. 1021. AGING INFRASTRUCTURE.

(a) Definitions.—In this section:

(1) Aging infrastructure.—The term “aging infrastructure” means a project of the Corps of Engineers or any other water resources, water storage, or irrigation project of another Federal agency that is greater than 75 years old.

(2) Enhanced inspection.—The term “enhanced inspection” means an inspection that uses current or innovative technology, including Light Detection and Ranging (commonly known as “LiDAR”), ground penetrating radar, subsurface imaging, or subsurface geophysical techniques, to detect whether the features of the aging infrastructure are structurally sound and can operate as intended, or are at risk of failure.

(b) Contracts for Enhanced Inspection.—

(1) In general.—The Secretary is authorized to enter into a contract with another Federal agency
or a non-Federal entity that owns, or operates and maintains, a water resources, water storage, or irrigation project for carrying out enhanced inspections of aging infrastructure.

(2) CERTAIN CIRCUMSTANCES.—Subject to the availability of appropriations, the Secretary shall enter into a contract described in paragraph (1), if—

(A) another Federal agency or a non-Federal entity requests that the Secretary carry out the inspections; and

(B) the inspection is at the full expense of the other Federal agency or non-Federal entity requesting the inspections.

(c) LIMITATION.—The Secretary shall not require a non-Federal entity associated with a project under the jurisdiction of another Federal agency to carry out corrective or remedial actions in response to an inspection under this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000, to remain available until expended.
SEC. 1022. EXPEDITING REPAIRS AND RECOVERY FROM FLOODING.

(a) In General.—During the 5-year period beginning on the date of enactment of this Act, the Secretary shall prioritize and expedite the processing of applications for permits under section 10 of the Act of March 3, 1899 (commonly known as the “Rivers and Harbors Act of 1899”) (30 Stat. 1151, chapter 425; 33 U.S.C. 403), and 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 (commonly known as the “Rivers and Harbors Act of 1899”) (30 Stat. 1152, chapter 425; 33 U.S.C. 408), to complete repairs, reconstruction (including improvements), and upgrades to flood control infrastructure damaged by flooding events during calendar years 2017 through 2020, including flooding events caused by ice jams.

(b) Public Interest.—An activity described in subsection (a) shall be considered to be in the public interest, unless the activity would induce flooding in another location.

(c) Savings Provision.—Nothing in this section affects, preempts, or interferes with any obligation to comply with the provisions of any Federal environmental law, including—
(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);
(2) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and
(3) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 1023. UPPER SNAKE RIVER LEVEES.

(a) IN GENERAL.—The Secretary shall prioritize and expedite, in coordination with State and local authorities, the completion of maintenance and repair activities to levee systems that are—

(1) operated and maintained by the Secretary; and

(2) in the Upper Snake River Basin.

(b) SAVINGS PROVISION.—Nothing in this section modifies or waives the responsibility of the Secretary to comply with any applicable Federal law in carrying out this section.

SEC. 1024. UNIFORMITY OF NOTIFICATION SYSTEMS.

(a) INVENTORY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete an inventory of all communication and notification systems used by the Corps of Engineers with respect to projects, initiatives, and facilities of the Corps of Engineers.
(b) Uniform Plan.—

(1) In general.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop a plan for the uniformity of communication and notification systems for projects, initiatives, and facilities of the Corps of Engineers.

(2) Inclusions.—The plan under paragraph (1) shall—

(A) provide access to information in all forms practicable, including email, text messages, news programs and websites, radio, and other forms of notification;

(B) establish a notification system for any projects, initiatives, or facilities of the Corps of Engineers that do not have a notification system;

(C) streamline existing communication and notification systems to improve the strength and uniformity of those systems; and

(D) emphasize the necessity of timeliness in notification systems and ensure that the methods of notification can transmit information in a timely manner.

(3) Implementation.—
(A) IN GENERAL.—Except as provided in subparagraph (B), not later than 2 years after the date of enactment of this Act, the Secretary shall complete the implementation of the plan under paragraph (1).

(B) EMERGENCY MANAGEMENT NOTIFICATION.—Not later than 18 months after the date of enactment of this Act, the Secretary shall implement the provisions of the plan relating to emergency management notifications.

(4) SAVINGS PROVISION.—Nothing in this section authorizes the elimination of any existing communication or notification system used by the Corps of Engineers.

SEC. 1025. SUSQUEHANNA, DELAWARE, AND POTOMAC RIVER BASIN COMMISSIONS.

Section 5019 of the Water Resources Development Act of 2007 (121 Stat. 1201; 128 Stat. 1307) is amended—

(1) in subsection (a)(3), by inserting ‘‘, who may be the Administrator of the Environmental Protection Agency (referred to in this section as the ‘Administrator’) (or a designee),’’ after ‘‘member’’; and

(2) in subsection (b)—
(A) in paragraph (1), by striking “The Secretary” and inserting “Subject to the availability of appropriations, the Administrator”;

(B) in paragraph (2), by striking “For each fiscal year, the Secretary” and inserting “Subject to the availability of appropriations, for each fiscal year, the Administrator”; and

(C) in paragraph (3), by striking “Secretary” each place it appears and inserting “Administrator”.

SEC. 1026. WILMINGTON HARBOR SOUTH DISPOSAL AREA, DELAWARE.

(a) SEDIMENT FILL HEIGHT.—Sediment fill in the Wilmington Harbor South Disposal Area confined disposal facility, Delaware, shall not be more than 45 feet.

(b) USE.—Until the conveyance under subsection (c) is completed, the Wilmington Harbor South Disposal Area confined disposal facility, Delaware, shall be used for the purposes of—

(1) a dredge disposal facility for the Port of Edgemoor; and

(2) other uses, as determined by the State of Delaware.

(c) CONVEYANCE.—As soon as practicable after sediment fill in the Wilmington Harbor South Disposal Area
confined disposal facility, Delaware, reaches 45 feet, the Secretary shall complete the conveyance of nonusable land at the Wilmington Harbor South Disposal Area confined disposal facility, Delaware, to the State of Delaware for fair market value.

SEC. 1027. CONVEYANCE OF WILMINGTON HARBOR NORTH DISPOSAL AREA, DELAWARE.

As soon as practicable, the Secretary shall complete the conveyance of the Wilmington Harbor North Disposal Area confined disposal facility, Delaware, to the State of Delaware.

SEC. 1028. COASTAL STORM DAMAGE REDUCTION CONTRACTS.

For any project for coastal storm damage reduction, the Secretary shall seek input from the community or communities where the project is located that may be impacted due to the timing of the coastal storm damage reduction activities under the project to minimize, to the maximum extent practicable, any negative impacts to the local economy due to the timing of those activities.

SEC. 1029. CORPS FLOOD POLICY WITHIN URBAN AREAS.

The Secretary shall expedite the completion of the report required under section 1211 of the America’s Water Infrastructure Act of 2018 (132 Stat. 3808) relating to flooding within urban floodplains and Federal policy con-
constraints on the ability of the Corps of Engineers to address urban flooding.

SEC. 1030. REPORTING ON OVER BUDGET AND BEHIND SCHEDULE CORPS PROJECTS.

Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes each water resources project of the Secretary for which—

(1) the total budget of the project exceeds the total estimated budget of the project by not less than $100,000,000; or

(2) the anticipated completion date of the project exceeds the estimated completion date of the project by not less than 5 years.

SEC. 1031. DAM REMEDIATION FOR ECOSYSTEM RESTORATION.

Section 542(b)(2) of the Water Resources Development Act of 2000 (114 Stat. 2671; 121 Stat. 1150) is amended—

(1) in subparagraph (F), by striking “or” at the end;

(2) by redesignating subparagraph (G) as subparagraph (H); and
(3) by inserting after subparagraph (F) the following:

“(G) measures to restore, protect, and preserve an ecosystem affected by a dam (which may include construction of a dam)—

“(i) that has been constructed, in whole or in part, by the Corps of Engineers for flood control purposes;

“(ii) for which construction was completed before 1940;

“(iii) that is classified as ‘high hazard potential’ by the State dam safety agency of the State in which the dam is located; and

“(iv) that is operated by a non-Federal entity; or”.

SEC. 1032. CONVEYANCE OF CERTAIN FEDERAL LAND TO THE CITY OF MONTGOMERY, ALABAMA.

(a) DEFINITIONS.—In this section:

(1) City.—The term “City” means the city of Montgomery, Alabama.

(2) Federal land.—The term “Federal land” means the 62.38 acres of land and water under the primary jurisdiction of the Secretary 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.

(b) CONVEYANCE AUTHORIZED.—To the extent practicable, not later than 180 days after the date of enactment of this Act, the Secretary shall, on request of the City, convey to the City all right, title, and interest of the United States in and to the Federal land.

c) CONVEYANCE OF FEDERAL LAND FOR USE AS HISTORIC MONUMENT.—If the Secretary of the Interior determines that any portion of the Federal land is suitable and desirable for use as a historic monument, the Secretary may convey such portion of the Federal land to the City, without monetary consideration, in accordance with section 550(h) of title 40, United States Code.

d) CONVEYANCE OF FEDERAL LAND NOT SUITABLE FOR USE AS HISTORIC MONUMENT.—The Secretary shall convey any portion of the Federal land not conveyed under subsection (c)—

(1) by quitclaim deed; and

(2) subject to terms and conditions that are mutually satisfactory to the Secretary and the City, including such additional terms and conditions as the Secretary considers appropriate—
(A) to protect the interests of the United States, such as any required easements;

(B) to protect and maintain the National Historic Site described in subsection (a)(2), in accordance with applicable law; and

(C) to preserve public access to the Federal land.

(e) CONSIDERATION REQUIRED.—As consideration for a conveyance under subsection (d), the City shall pay to the Secretary an amount that is not less than the fair market value of the Federal land, as determined by the Secretary.

(f) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the City to pay the costs incurred by the Secretary after the date of enactment of this Act relating to any conveyance of the Federal land under this section, including—

(A) survey costs;

(B) costs relating to environmental documentation; and

(C) any other administrative costs relating to the conveyance.

(2) REFUND OF EXCESS AMOUNTS.—If the Secretary collects amounts from the City under para-
graph (1) before the costs are actually incurred and those amounts exceed the costs actually incurred by the Secretary in carrying out the conveyance, the Secretary shall refund the excess amounts to the City.

(3) TREATMENT OF AMOUNTS RECEIVED.—

Amounts received by the Secretary as reimbursement under paragraph (1) shall be—

(A) credited to, and merged with amounts in, the fund or account that was used to cover the costs incurred by the Secretary; and

(B) available for the same purposes, and subject to the same conditions and limitations, as amounts in the fund or account to which the amounts are credited under subparagraph (A).

(g) LIABILITY.—The City shall hold the United States harmless from any liability with respect to activities carried out on the Federal land on or after the date of conveyance of the Federal land.

SEC. 1033. MAINTENANCE OF HIGH RISK FLOOD CONTROL PROJECTS.

In any case in which the Secretary has assumed, as of the date of enactment of this Act, responsibility for the maintenance of a project classified as class III or higher urgency under the Dam Safety Action Classification of the
Corps of Engineers, the Secretary shall continue to be re-
sponsible for the maintenance of that project until the ear-
lier 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; and

(2) the date that is 15 years after the date of
enactment of this Act.

SEC. 1034. PROJECTS TO ACCOMMODATE IRREGULAR
DREDGING.

(a) In General.—Not later than 2 years after the
date of enactment of this Act, pursuant to the continuing
authority program under section 107 of the River and
Harbor Act of 1960 (33 U.S.C. 577), the Secretary shall,
to the maximum extent practicable, carry out not less than
1 project to improve a harbor to accommodate an eligible
event described in subsection (b).

(b) Eligible Event Described.—An eligible event
referred to in subsection (a) is a special event that—

(1) is hosted by a government entity;

(2) is open to the public; and

(3) would have significant educational and re-
gional economic development benefits.
(c) **JUSTIFICATION.**—The Secretary shall not require national economic development benefits to exceed costs for any project carried out under this section if—

(1) dredging or other harbor improvements are necessary to accommodate 1 or more eligible events; and

(2) the eligible event or events produce significant regional economic development benefits.

(d) **COST-SHARING REQUIREMENT.**—

(1) **IN GENERAL.**—The Federal share of the cost of initial construction and operation and maintenance of a project under this section—

(A) shall be not more than 50 percent; and

(B) may not exceed the limit under section 107(b) of the River and Harbor Act of 1960 (33 U.S.C. 577(b)).

(2) **FORM OF NON-FEDERAL SHARE.**—The non-Federal share of the cost of activities carried out under this section may be in the form of in-kind contributions.

(3) **OPERATION AND MAINTENANCE.**—The non-Federal interest shall be responsible for 100 percent of the cost to operate and maintain a project under this section after the limit under section 107(b) of
the River and Harbor Act of 1960 (33 U.S.C. 577(b)) has been met.

SEC. 1035. CHESAPEAKE BAY ENVIRONMENTAL RESTORATION AND PROTECTION PROGRAM.

(a) In General.—Section 510 of the Water Resources Development Act of 1996 (110 Stat. 3761; 121 Stat. 1202; 128 Stat. 1318) is amended—

(1) by redesignating subsection (h) as subsection (i);

(2) by inserting after subsection (g) the following:

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''(h) PROJECT CAP.—A project carried out under this section may not have a total cost of more than $15,000,000.''
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(3) in subsection (i) (as so redesignated), by striking ``$40,000,000'' and inserting ``$90,000,000''.

(b) Outreach and Training.—

(1) In General.—The Secretary shall conduct public outreach and workshops for non-Federal interests to provide information on the Chesapeake Bay environmental restoration and protection program under section 510 of the Water Resources Development Act of 1996 (110 Stat. 3761; 121 Stat.
71
1 1202; 128 Stat. 1318), including how to participate
2 in the program.
3
4 (2) Authorization of Appropriations.—
5 There is authorized to be appropriated to carry out
6 this subsection $2,500,000 for each of fiscal years
7 2021 and 2022.
8
9 SEC. 1036. IMPLEMENTATION GUIDANCE; REPORTS; AND
10 BRIEFINGS.
11
12 (a) Report on Status of Implementation Guidance and Reports.—Not later than 150 days after the
13 date of enactment of this Act, the Secretary shall provide
14 to the Committee on Environment and Public Works of
15 the Senate and the Committee on Transportation and In-
16 frastructure of the House of Representatives a briefing on
17 the status of implementation guidance and reports re-
18 quired under this Act or an amendment made by this Act.
19
20 (b) Use of Existing Data.—To the maximum ex-
21 tent practicable, the Secretary shall use existing data in
22 completing any report required under—
23
24 (1) the Water Resources Reform and Develop-
26 1193);
27
28 (2) the Water Infrastructure Improvements for
29 the Nation Act (Public Law 114–322; 130 Stat.
30 1628);
(3) the America’s Water Infrastructure Act of 2018 (Public Law 115–270; 132 Stat. 3765);

(4) this Act; and

(5) any amendments made by an Act described in paragraphs (1) through (4).

(c) Briefings.—

(1) In general.—Not less frequently than quarterly, the Secretary shall provide to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the status of the implementation of each provision of law under—

(A) the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1193);

(B) the Water Infrastructure Improvements for the Nation Act (Public Law 114–322; 130 Stat. 1628);

(C) the America’s Water Infrastructure Act of 2018 (Public Law 115–270; 132 Stat. 3765);

(D) this Act; and

(E) any amendments made by an Act described in subparagraphs (A) through (D).
(2) TERMINATION.—This subsection shall terminate on the date that the Secretary completes the implementation of each provision of law referred to in paragraph (1).

SEC. 1037. INTERAGENCY TASK FORCE ON SMALL DAMS AND FISH PASSAGES.

(a) IN GENERAL.—The Secretary shall establish an interagency task force (referred to in this section as the “task force”) to study small dams and fish passages.

(b) MEMBERSHIP.—The task force shall be composed of—

(1) the Assistant Secretary of the Army for Civil Works;

(2) the Director of the United States Fish and Wildlife Service;

(3) the Administrator of the Environmental Protection Agency;

(4) the Administrator of the Federal Emergency Management Agency;

(5) the Chief of the Natural Resources Conservation Service;

(6) the Chairman of the Federal Energy Regulatory Commission;

(7) the Commissioner of Reclamation;
(8) the Assistant Secretary for Indian Affairs;

and

(9) the Director of the United States Geological Survey.

(c) MEETINGS.—The task force shall meet quarterly and make available public summaries of the meetings.

(d) REPORT.—Not later than December 31, 2021, the task force shall submit to Congress a report that includes—

(1) recommendations for interagency cooperation, including shared grant programs or other coordinated funding sources, to support monitoring, tracking, and efforts to remove or refurbish small dams to improve those structures and alleviate concerns related to public safety, flood risk, fish passage, wildlife conservation, water quality, and ecosystem and environmental health;

(2) an analysis of the quality of existing data and need for additional surveys or other studies, to be conducted by Federal agencies in coordination with States, to determine—

(A) the locations and conditions of small dams in the United States;

(B) the risk, if any, posed by those dams to public safety, flood risk, fish passage, wildlife
conservation, water quality, and ecosystem and environmental health; and

(C) ownership and rights to access small dams; and

(3) a national strategy for identifying, prioritizing, and successfully removing or refurbishing small dams of concern by not later than 2030.

SEC. 1038. PROJECT COMPLETION.

Section 1157(a)(2) of the Water Infrastructure Improvements for the Nation Act (130 Stat. 1666) is amended by striking “2021” and inserting “2024”.

SEC. 1039. LEVEE ACCREDITATION PROCESS; LEVEE CERTIFICATIONS.

(a) Sense of Congress.—It is the sense of Congress that the process developed by the Flood Protection Structure Accreditation Task Force established under section 100226 of Public Law 112–141 (42 U.S.C. 4101 note; 126 Stat. 942) should not be limited to levee systems in the inspection of completed works program of the Corps of Engineers, but should apply equally to federally owned levee systems operated by the Secretary, including federally owned levee systems operated by the Secretary as part of a reservoir project.
(b) LEVEE CERTIFICATIONS.—Section 3014 of the Water Resources Reform and Development Act of 2014 (42 U.S.C. 4131) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “under the inspection of completed works program” and inserting “for levee systems under the levee safety and dam safety programs”; and

(ii) by striking “and” at the end;

(B) in paragraph (2)—

(i) by striking “activities under the inspection of completed works program of the Corps of Engineers” and inserting “the activities referred to in paragraph (1)”;

(ii) by striking “chapter 1” and inserting “chapter I”; and

(iii) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(3) in the case of a levee system that is operated and maintained by the Corps of Engineers, to the maximum extent practicable, cooperate with local governments seeking a levee accreditation deci-
sion for the levee to provide information necessary to
support the accreditation decision in a timely man-
ner.”; and

(2) in paragraph (b)(3), by adding at the end
the following:

“(C) CONTRIBUTED FUNDS.—Notwith-
standing subparagraph (B), a non-Federal in-
terest may fund up to 100 percent of the cost
of any activity carried out under this sub-
section.”.

SEC. 1040. REHABILITATION OF FLOOD CONTROL PUMP
STATIONS AFFECTING CORPS OF ENGINEERS
FLOOD RISK MANAGEMENT PROJECTS.

(a) DEFINITIONS.—In this section:

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

(A) that—

(i) has been constructed, in whole or
in part, by the Corps of Engineers for
flood risk management purposes; or

(ii) that has been constructed by non-
Federal interests; and

(B) the failure of which would impair the
function of a flood risk management project
constructed by the Corps of Engineers.
(2) Rehabilitate.—

(A) In General.—The term “rehabilitate”, with respect to an eligible pump station, means to address a major deficiency of the eligible pump station caused by long-term degradation of the foundation, construction materials, or engineering systems or components of the eligible pump station.

(B) Inclusions.—The term “rehabilitate”, with respect to an eligible pump station, includes—

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

(I) current design standards;

(II) efficiency improvements; and

(III) associated drainage; and

(ii) increasing the capacity of the eligible pump station, subject to the condition that the increase shall—

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

(II) decrease total lifecycle rehabilitation costs for the eligible pump station.
(b) Authorization.—The Secretary may carry out rehabilitation of an eligible pump station, if the Secretary determines that the rehabilitation is feasible.

(c) Cost Sharing.—

(1) Federal Projects.—The non-Federal share of the cost of rehabilitation carried out pursuant to this section at an eligible pump station constructed by the Corps of Engineers shall be the equal to the non-Federal share that was applicable to construction of the eligible pump station.

(2) Non-Federal Projects.—A non-Federal interest shall provide—

(A) an amount equal to 35 percent of the cost of any rehabilitation carried out pursuant to this section for a locally constructed eligible pump station; and

(B) all land, easements, rights-of-way, and necessary relocations associated with the rehabilitation described in subparagraph (A), at no cost to the Federal Government.

(d) Agreement Required.—The rehabilitation of an eligible pump station pursuant to this section shall be initiated only after a non-Federal interest has entered into a binding agreement with the Secretary—
(1) to pay the non-Federal share of the costs of rehabilitation under subsection (e); and

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

(e) TREATMENT.—The rehabilitation of an eligible pump station pursuant to this section shall not be considered to be a separable element of the associated flood risk management project constructed by the Corps of Engineers.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $75,000,000, to remain available until expended.

SEC. 1041. BRANDON ROAD STUDY.

Section 3061(d)(2) of the Water Resources Development Act of 2007 (121 Stat. 1121; 132 Stat. 3785) is amended by striking the paragraph designation and heading and all that follows through “any project” and inserting the following:

“(2) COST SHARE.—

“(A) CONSTRUCTION.—The Federal share of the cost of construction of any project authorized to be carried out pursuant to the feasi-
bility study identified in paragraph (1) shall be 75 percent.

“(B) OPERATION AND MAINTENANCE.—
Operation and maintenance of any project”.

SEC. 1042. CREDIT OR REIMBURSEMENT.

(a) CREDIT OR REIMBURSEMENT FOR CONTRIBUTION OF MATERIALS OR SERVICES.—Section 1024 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2325a) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “Subject to subsection (b), the” and inserting “The”;

(2) by striking subsection (b);

(3) by redesignating subsections (c) and (d) as subsections (b) and (h), respectively;

(4) in subsection (b) (as so redesignated), by adding at the end the following:

“(3) INTEGRAL TO PROJECT.—The Secretary may provide reimbursement under subsection (c) only if the Secretary determines that the materials or services provided are integral to the project.

“(4) TIMELINESS.—The Secretary shall ensure that a reimbursement under subsection (c) is provided in a timely manner.”; and
(5) by inserting after subsection (b) (as so redesignated) the following:

“(c) COST LIMITATIONS.—Except as provided in this section and subject to subsection (g), a non-Federal interest that contributes materials or services under subsection (a) shall be eligible for reimbursement, not to exceed an amount that is equal to the estimated Federal cost for the performance of those materials or services.

“(d) AGREEMENT.—Before contributing materials or services under subsection (a), a non-Federal interest shall enter into an agreement with the Secretary that specifies, with respect to the use of those materials and services, the terms and conditions that are acceptable to the non-Federal interest and the Secretary.

“(e) REQUIREMENT.—As part of an agreement under subsection (a), a non-Federal interest shall hold and save the United States free from any and all damage that arises from the use of any materials or services of the non-Federal interest, except for damage due to the fault or negligence of a contractor of the Federal Government.

“(f) USE OF EMERGENCY AUTHORITIES.—The Secretary may use existing emergency authorities of the Secretary following a flood or storm event to accept materials, services, or funds under this section if those materials, services, or funds are being used for the purpose of—
“(1) restoring an authorized navigation or flood risk management project up to authorized dimensions;

“(2) repairing or reconstructing any authorized navigation or flood risk management project, including other authorized associated features; or

“(3) any other activities the Secretary determines to be in the public interest as a result of the emergency.

“(g) LIMITATIONS.—A reimbursement under subsection (c) shall be—

“(1) subject to the availability of appropriations; and

“(2) subject to the compliance of the non-Federal interest with all Federal laws and regulations that would apply to the use of materials or services described in that subsection if provided by the Secretary.”.

(b) DETERMINING THE VALUE OF IN-KIND CONTRIBUTIONS.—Section 221(a)(4) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by inserting “, as determined by the Secretary,” after “value”;
(B) in clause (ii), by striking “and” at the end;

(C) in clause (iii), by striking the period at the end and inserting “; and”;

(D) by adding at the end the following:

“(iv) the value of materials and services contributed by non-Federal third parties, without charge, to the non-Federal interest for—

“(I) planning carried out after execution of a feasibility cost-sharing agreement; or

“(II) construction carried out after execution of a partnership agreement or in accordance with subparagraph (C).”;

(2) in subparagraph (D)—

(A) in clause (ii), by inserting “and” after the semicolon at the end;

(B) in clause (iii), by striking “; and” and inserting a period; and

(C) by striking clause (iv);

(3) by redesignating subparagraph (H) as subparagraph (I); and
(4) by inserting after subparagraph (G) the following:

“(H) Timeliness.—The Secretary shall ensure that a credit under subparagraph (A) is provided in a timely manner.”.

(c) Timeliness.—Section 1022 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2225) is amended by adding at the end the following:

“(d) Timeliness.—The Secretary shall ensure that a reimbursement described in this section is provided in a timely manner.”.

SEC. 1043. EMERGENCY CONTRACTING.

(a) In general.—In carrying out emergency work in an area with respect to which the President has declared a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), the Secretary shall, in competitive acquisitions, maximize use of tradeoff procedures that place approximately equal or greater importance on schedule and other non-price factors relative to cost or price.

(b) Savings provision.—Nothing in this section limits or otherwise affects authority provided to the Secretary under any other statute or regulation to select procedures permitting other than full and open competition when carrying out work described in subsection (a).
SEC. 1044. PROJECT PARTNERSHIP AGREEMENT.

Section 103(j)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(j)(1)) is amended—

(1) by striking “Any project” and inserting the following:

“(A) IN GENERAL.—Any project”; and

(2) by adding at the end the following:

“(B) INCLUSION.—An agreement under subparagraph (A) shall include a brief description of and estimated 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.

The Secretary may accept and expend funds contributed by a State or other non-Federal interest—

(1) to dredge a non-Federal harbor or channel;

or

(2) 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.

The Secretary shall submit to Congress a report on the extent to which the program under section 5 of the
Act of August 18, 1941 (commonly known as 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.**

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

“(d) IDENTIFICATION OF DEFICIENCIES.—

“(1) IN GENERAL.—For each levee identified in the national levee database under subsection (a), the Secretary shall—

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

“(B) describe the recommended remedies to correct each deficiency identified under subparagraph (A) and the associated costs of those remedies.

“(2) CONSULTATION.—In identifying deficiencies and describing remedies for a levee under paragraph (1), the Secretary shall consult with relevant non-Federal interests, including by providing
an opportunity for comment by those non-Federal interests.”.

SEC. 1048. REPLACEMENT CAPACITY.

Section 217(a) of the Water Resources Development Act of 1996 (33 U.S.C. 2326a(a)) is amended—

(1) in the subsection heading, by inserting “OR REPLACEMENT CAPACITY” after “ADDITIONAL CAPACITY”;

(2) by striking paragraph (1) and inserting the following:

“(1) PROVIDED BY SECRETARY.—

“(A) IN GENERAL.—Subject to subparagraph (B), at the request of a non-Federal interest with respect to a project, the Secretary may—

“(i) provide additional capacity at a dredged material disposal facility constructed by the Secretary beyond the capacity that would be required for project purposes; or

“(ii) permit the use of dredged material disposal facility capacity required for project purposes by the non-Federal interest if the Secretary determines that replacement capacity can be constructed at
the facility or another facility or site before such capacity is needed for project purposes.

“(B) AGREEMENT.—Before the Secretary takes an action under subparagraph (A), the non-Federal interest shall agree to pay—

“(i) all costs associated with the construction of the additional capacity or replacement capacity in advance of construction of such capacity; and

“(ii) in the case of use by a non-Federal interest of dredged material disposal capacity required for project purposes under subparagraph (A)(ii), any increase in the cost of operation and maintenance of the project that the Secretary determines results from the use of the project capacity by the non-Federal interest in advance of each cycle of dredging.

“(C) CREDIT.—In the event the Secretary determines that the cost to operate or maintain the project decreases as a result of use by the non-Federal interest of dredged material disposal capacity required for project purposes under subparagraph (A)(ii), the Secretary, at
the request of the non-Federal interest, shall credit the amount of the decrease toward any cash contribution of the non-Federal interest required thereafter for construction, operation, or maintenance of the project, or of another navigation project.”;

(3) in paragraph (2), in the first sentence, by inserting “under paragraph (1)(A)(i)” after “additional capacity”; and

(4) by adding at the end the following:

“(3) SPECIAL RULE FOR DESIGNATION OF REPLACEMENT CAPACITY FACILITY OR SITE.—

“(A) IN GENERAL.—Subject to such terms and conditions as the Secretary determines to be necessary or advisable, an agreement under paragraph (1)(B) for use permitted under paragraph (1)(A)(ii) shall reserve to the non-Federal interest—

“(i) the right to submit to the Secretary for approval at a later date an alternative to the facility or site designated in the agreement for construction of replacement capacity; and

“(ii) the right to construct the replacement capacity at the alternative facil-
ity or site at the expense of the non-Federal interest.

“(B) REQUIREMENT.—The Secretary shall not reject a site for the construction of replacement capacity under paragraph (1)(A)(ii) that is submitted by the non-Federal interest for approval by the Secretary before the date of execution of the agreement under paragraph (1)(B), or thereafter, unless the Secretary—

“(i) determines that the site is environmentally unacceptable or technically unsound; and

“(ii) provides a written basis for the determination under clause (i) to the non-Federal interest.”.

SEC. 1049. IMPLEMENTATION GUIDANCE FOR POST-FLOOD IMPROVEMENTS.

The Secretary shall expedite completion of implementation guidance for the amendments made by section 1176 of the Water Infrastructure Improvements for the Nation Act (130 Stat. 1673).

SEC. 1050. WILLAMETTE VALLEY PROJECT WATER REALLOCATION.

(a) IN GENERAL.—The Secretary shall assist the State of Oregon in the implementation of the reallocation
of water within the Willamette Basin, including the development of instream flow targets and facilitation of the conversion of Willamette Valley Project stored water to instream water rights 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.

(b) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $2,000,000, to remain available until expended.

SEC. 1051. CENTRAL APPALACHIA WATER.

(a) In General.—The Secretary shall establish a program for providing environmental assistance to non-Federal interests in Central and North Central Appalachia (as defined by the Appalachian Regional Commission).

(b) Form of Assistance.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in Central and North Central Appalachia (as defined by the Appalachian Regional Commission), including projects for wastewater treatment and related facilities, water supply and related facilities, and surface water resource protection and development.
(c) **Public Ownership.**—The Secretary may pro-
vide assistance for a project under this section only if the
project is publicly owned.

(d) **Local Cooperation Agreements.**—

(1) **In General.**—Before providing assistance
under this section, the Secretary shall enter into a
local cooperation agreement with the non-Federal in-
terest to provide for design and construction of the
project to be carried out with the assistance.

(2) **Requirements.**—Each local cooperation
agreement entered into under this subsection shall
provide for the following:

(A) **Plan.**—Development by the Secretary,
in consultation with appropriate Federal and
State officials, of a facilities or resource protec-
tion and development plan, including appro-
priate engineering plans and specifications.

(B) **Legal and Institutional Structures.**—Establishment of any legal and insti-
tutional structures as are necessary to ensure
the effective long-term operation of the project
by the non-Federal interest.

(3) **Cost Sharing.**—
(A) IN GENERAL.—The Federal share of the cost of a project carried out with assistance under this section shall be 75 percent.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit toward the non-Federal share 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.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of a project carried out with assistance under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the cost of the project.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit toward the non-Federal share for land, easements, rights-of-way, and relocations (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), not to exceed 25 percent of the total cost of the project.
(E) Operation and Maintenance.—The non-Federal share of operation and maintenance costs for a project carried out with assistance under this section shall be 100 percent.

(e) Applicability of Other Federal and State Laws.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance under this section.

(f) Nonprofit Entities.—For the purposes of this section, a non-Federal interest may include a nonprofit entity with the consent of the affected local government.

(g) Administrative Costs.—Not more than 10 percent of the amounts made available to carry out this section may be used by the district offices of the Corps of Engineers for the administrative costs of carrying out this section.

(h) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $120,000,000, to remain available until expended.

SEC. 1052. REVIEWING HYDROPOWER AT CORPS OF ENGINEERS FACILITIES.

Section 1008 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2321b) is amended by adding at the end the following:
“(c) Reviewing Hydropower at Corps of Engineers Facilities.—

“(1) Definition of Eligible Non-Federal Interest.—In this subsection, the term ‘eligible non-Federal interest’ means a non-Federal interest that owns or operates an existing non-Federal hydropower facility at a Corps of Engineers project.

“(2) Evaluation.—

“(A) In General.—On the written request of an eligible non-Federal interest, the Secretary shall conduct an evaluation to consider operational changes at the applicable project to facilitate production of non-Federal hydropower, consistent with authorized project purposes.

“(B) Deadline.—Not later than 180 days after the date on which the Secretary receives a written request under subparagraph (A), the Secretary shall provide to the non-Federal interest a written response to inform the non-Federal interest—

“(i) that the Secretary has approved the request to conduct an evaluation; or
“(ii) of any additional information necessary for the Secretary to approve the request to conduct an evaluation.

“(3) Operational Changes.—An operational change referred to in paragraph (2)(A) may include—

“(A) changes to seasonal pool levels;

“(B) modifying releases from the project;

and

“(C) other changes included in the written request submitted under that paragraph that enhance the usage of the project to facilitate production of non-Federal hydropower, consistent with authorized project purposes.

“(4) Cost-Share.—The eligible non-Federal interest shall pay 100 percent of the costs associated with an evaluation under this subsection, including the costs to prepare the report under paragraph (6).

“(5) Deadline.—The Secretary shall complete an evaluation under this subsection by the date that is not later than 1 year after the date on which the Secretary begins the evaluation.

“(6) Report.—On completion of an evaluation under this subsection, the Secretary shall submit to the Committee on Environment and Public Works of
the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the effects of the operational changes proposed by the non-Federal interest and examined in the evaluation on the authorized purposes of the project, including a description of any negative impacts of the proposed operational changes on the authorized purposes of the project.

“(7) SAVINGS PROVISION.—Nothing in this subsection—

“(A) affects, modifies, or changes the authorized purposes of a Corps of Engineers project; or

“(B) affects existing authorities of the Corps of Engineers, including authorities with respect to navigation, flood damage reduction, environmental protection and restoration, and other related purposes.”.

SEC. 1053. ESTABLISHING PERMANENT FEATURES FROM EMERGENCY RESPONSE MEASURES.

(a) DEFINITIONS.—In this section:

(1) IMPACTED COMMUNITY.—The term “impacted community” means an entity that has received emergency flood fighting assistance under section 5 of the Act of August 18, 1941 (commonly
known as the “Flood Control Act of 1941”) (55 Stat. 650, chapter 377; 33 U.S.C. 701n), that involved the construction of a temporary structure.

(2) **PERMANENT FEATURE.**—The term “permanent feature” means a structural or nonstructural measure typical in a flood control project.

(3) **SMALL OR DISADVANTAGED COMMUNITY.**—The term “small or disadvantaged community” means a community—

(A) with a population of less than 10,000; or

(B) that is—

(i) an economically distressed area (as defined in section 1083(a)); or

(ii) at risk from repeat flooding events.

(b) **EVALUATION OF TEMPORARY STRUCTURES.**—On request of an impacted community, the Secretary shall evaluate whether the temporary structure warrants consideration for a permanent feature, in accordance with subsection (c).

(c) **CONSIDERATIONS.**—In evaluating a temporary structure under subsection (b), the Secretary shall consider—
(1) the likelihood that a similar structure will need to be constructed in the area in the future if the temporary structure, or a similar structure, is not made permanent;

(2) the extent to which similar structures have been constructed in the area previously and removed;

(3) the economic, safety, and environmental benefits and impacts of establishing a permanent feature in the watershed of the impacted community;

(4) the extent of the modifications necessary to make the temporary structure a permanent feature; and

(5) the costs of the modifications described in paragraph (4).

(d) CONVERSION OF TEMPORARY STRUCTURES.—

(1) IN GENERAL.—After the Secretary completes an evaluation under subsection (b), if the Secretary determines that the temporary structure should become a permanent feature, or that a permanent feature would prevent damage similar to damage prevented by the temporary structure, and subject to paragraph (2), the Secretary shall begin the planning and design of the permanent feature in accordance with all applicable design and construc-
tion standards and legal requirements of the Secretary, including all applicable environmental laws.

(2) Project cost.—

(A) In general.—The Secretary may carry out the planning, design, and construction of a project described in paragraph (1) if the total construction cost of the project is not expected to exceed $17,500,000.

(B) Large Projects.—If the total construction cost of a project described in paragraph (1) is expected to be greater than $17,500,000, the Secretary—

(i) shall submit to Congress a request to carry out the project in a manner similar to a Chief’s Report; and

(ii) may not carry out the project until Congress authorizes the construction of the project.

(C) Demolition.—Demolition of a temporary structure under this section shall be subject to the cost-share requirement under paragraph (3), but the costs of that demolition shall not be included in the total construction cost of the project under subparagraphs (A) and (B).

(3) Cost-share.—
(A) IN GENERAL.—Except as provided in subparagraph (B), the non-Federal share of the cost of carrying out a project under this section shall be not more than 35 percent.

(B) WAIVER FOR SMALL OR DISADVANTAGED COMMUNITIES.—In carrying out a project under this section in partnership with a small or disadvantaged community, if the Secretary determines that the life safety or economic viability of the community would be threatened without the project, the Secretary shall reduce the non-Federal cost share applicable to the project through a mutual agreement between the Corps of Engineers and the non-Federal interest, in an amount that is—

(i) not less than 10 percent of the total project cost; and

(ii) up to 100 percent of the non-Federal cost share applicable to the project.

SEC. 1054. STUDIES OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

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

(1) in subsection (a)—
(A) in paragraph (1), by inserting “or con-
duct a feasibility study on modifications or im-
provements to a project constructed by the
Corps of Engineers” after “water resources de-
velopment project”; and

(B) in paragraph (2), by striking “for fea-
sibility studies” and all that follows through the
period at the end and inserting “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 re-
lated to reviews and assistance under subsection
(e).”; and

(2) in subsection (e)(2)—

(A) by striking “At the request” and in-
serting the following:

“(A) IN GENERAL.—At the request”; and

(B) by adding at the end the following:

“(B) INCLUSION.—Technical assistance
under subparagraph (A) may include any as-
sistance that does not conflict with any other
Federal law (including regulations).”.

SEC. 1055. SUBSURFACE DRAIN SYSTEMS RESEARCH AND DEVELOPMENT.

(a) In General.—Subject to the availability of appropriations, the Secretary, acting through the Director of the Engineer Research and Development Center, shall carry out research and development activities relating to the use of subsurface drain systems as—

(1) a flood risk-reduction measure; or

(2) a coastal storm risk-reduction measure.

(b) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $5,000,000, to remain available until expended.

SEC. 1056. LIMITATION ON CONTRACT EXECUTION IN THE ARKANSAS RIVER BASIN.

(a) Definition of Covered Contract.—In this section, the term “covered contract” means a contract between any local governmental entity and the Secretary for water supply storage in a hydropower lake within the Arkansas River Basin.

(b) Limitation.—For any new covered contract for a hydropower lake that is entered into during the period beginning on the date of enactment of this Act and ending on December 31, 2022, 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.

In carrying out a project for ecosystem restoration, the Secretary is authorized to formulate and carry out 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 of Engineers.

SEC. 1058. REPORT ON BARRIERS TO INFRASTRUCTURE DEVELOPMENT AT UNITED STATES PORTS.

Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the heads of all relevant Federal agencies, shall submit to Congress a report on—

(1) the barriers to infrastructure and capital improvement projects faced by ports and port authorities;

(2) the impact those barriers have on the strategic competitiveness of ports of the United States; and

(3) recommendations to reduce those barriers.
SEC. 1059. RYE HARBOR, NEW HAMPSHIRE, NAVIGATION IMPROVEMENT PROJECT.

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

SEC. 1060. CAPE ARUNDEL DISPOSAL SITE, MAINE.

Section 1312 of the America’s Water Infrastructure Act of 2018 (132 Stat. 3821) is amended by striking “December 31, 2021” and inserting “September 30, 2024”.

SEC. 1061. RIO GRANDE ENVIRONMENTAL MANAGEMENT PROGRAM, COLORADO, NEW MEXICO, AND TEXAS.

Section 5056(f) of the Water Resources Development Act of 2007 (121 Stat. 1214; 128 Stat. 1315) is amended by striking “2019” and inserting “2024”.

SEC. 1062. RESTORATION OF ABANDONED SITES.

Section 560(f) of the Water Resources Development Act of 1999 (33 U.S.C. 2336(f)) is amended by striking “$20,000,000” and inserting “$30,000,000, to remain available until expended”.

SEC. 1063. RURAL WESTERN WATER.

(a) In general.—Section 595(i) of the Water Resources Development Act of 1999 (113 Stat. 383; 128
(b) PROGRAM MANAGER.—The Secretary shall ap-
point a headquarters employee of the Corps of Engineers
as a Program Manager, who shall be responsible for man-
aging the environmental infrastructure program under
section 595 of the Water Resources Development Act of

SEC. 1064. THAD COCHRAN LOCK AND DAM.

(a) SENSE OF CONGRESS.—It is the sense of Con-
gress that Thad Cochran, whose selfless determination
and tireless work, while serving as a congressman and
United States Senator from Mississippi for 45 years, con-
tributed greatly to the realization and success of the Ten-
nessee-Tombigbee Waterway.

(b) DESIGNATION.—The lock and dam located at
mile 371 on the Tennessee-Tombigbee Waterway, Mis-
issippi, shall be known and designated as the “Thad
Cochran Lock and Dam”.

(c) REFERENCES.—Any reference in a law, map, reg-
ulation, document, paper, or other record of the United
States to the lock and dam referred to in subsection (b)
shall be deemed to be a reference to the “Thad Cochran
Lock and Dam”.

1 Stat. 1613; 130 Stat. 1681) is amended by striking
“$435,000,000” and inserting “$500,000,000”.

SEC. 1064. THAD COCHRAN LOCK AND DAM.
SEC. 1065. REPORT ON CORPS OF ENGINEERS FACILITIES IN APPALACHIA.

Not later than 180 days after the date of enactment of this Act, the Secretary, in collaboration with the Appalachian Regional Commission established by section 14301(a) of title 40, United States Code, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that identifies each Corps of Engineers facility that—

(1) is 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), with an emphasis on counties that have experienced job loss in the mining, textiles, or timber industry; and

(2) could be improved for purposes of economic development, recreation, or other uses.

SEC. 1066. REPORT ON CORPS OF ENGINEERS HYDROPOWER FACILITIES IN APPALACHIA.

(a) In General.—The Secretary, in collaboration with the Appalachian Regional Commission established by section 14301(a) of title 40, United States Code, the Secretary of Energy, and the Federal Energy Regulatory Commission, shall conduct a study—
(1) to determine the potential, at Corps of Engineers facilities that are located within a county that is identified by the Appalachian Regional Commission as a distressed county or an at-risk county under subparagraph (A) or (B) of section 14526(a)(1) of title 40, United States Code, for—
(A) testing, evaluating, piloting, demonstrating, or deploying hydropower or energy storage technologies; and
(B) powering non-powered dams; and
(2) to identify previously proposed dam sites in distressed counties (as designated by the Appalachian Regional Commission pursuant to section 14526(a)(1)(A) of title 40, United States Code) that may be suitable for activities described in subparagraphs (A) and (B) of paragraph (1).

(b) COORDINATION.—In carrying out the study under subsection (a), the Secretary shall coordinate with any relevant National Laboratories.

c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary, in collaboration with the Appalachian Regional Commission established by section 14301(a) of title 40, United States Code, the Secretary of Energy, and the Federal Energy Regulatory
Commission, shall submit a report on the results of the study under subsection (a) to—

(1) the Committee on Environment and Public Works of the Senate;

(2) the Committee on Transportation and Infrastructure of the House of Representatives;

(3) the Committee on Energy and Natural Resources of the Senate; and

(4) the Committee on Energy and Commerce of the House of Representatives.

**SEC. 1067. HARRIS COUNTY, TEXAS.**


**SEC. 1068. IDENTIFICATION OF NONPOWERED DAMS FOR HYDROPOWER DEVELOPMENT.**

The Secretary shall expedite completion of the list required under section 1206 of the America’s Water Infrastructure Act of 2018 (132 Stat. 3806).

**SEC. 1069. INLAND WATERWAY TRANSPORTATION.**

Section 102 of the Water Resources Development Act of 1986 (33 U.S.C. 2212) is amended by striking subsection (a) and inserting the following:

“(a) CONSTRUCTION.—
“(1) Definition of Construction.—In this subsection, the term ‘construction’ includes—

“(A) planning, design, engineering, and surveying;

“(B) the acquisition of all land, easements, and rights-of-way necessary for the project, including land for disposal of dredged material; and

“(C) relocations necessary for the project.

“(2) Cost-Share.—Except as provided in paragraph (3), with respect to the cost of construction or major rehabilitation of a project for navigation on an inland waterway—

“(A) 65 percent shall be paid from amounts appropriated from the general fund of the Treasury; and

“(B) 35 percent shall be paid from amounts appropriated from the Inland Waterways Trust Fund.

“(3) Certain Projects.—

“(A) In General.—With respect to the cost of construction or major rehabilitation of a project described in subparagraph (B)—
“(i) 50 percent shall be paid from amounts appropriated from the general fund of the Treasury; and

“(ii) 50 percent shall be paid from amounts appropriated from the Inland Waterways Trust Fund.

“(B) PROJECTS DESCRIBED.—A project referred to in subparagraph (A) is—

“(i) a project authorized by title III;

“(ii) a project authorized by section 652(j); and

“(iii) a project authorized by section 844, with respect to the construction costs allocated to inland navigation.

“(4) APPLICATION.—

“(A) IN GENERAL.—This subsection shall apply to the construction or major rehabilitation of a project for navigation on an inland waterway—

“(i) that was authorized on or after the date of enactment of this Act; and

“(ii) for which the construction or major rehabilitation has not been initiated or completed by the date of enactment of
the America’s Water Infrastructure Act of
2020.

“(B) OTHER PROJECTS.—Construction or
major rehabilitation of a project for navigation
on the inland waterways that was authorized
before the date of enactment of this Act, and
for which construction was completed prior to
the date of enactment of the America’s Water
Infrastructure Act of 2020, shall be subject to
this subsection as it was in effect on the day
before the date of enactment of the America’s
Water Infrastructure Act of 2020.”.

SEC. 1070. FEDERAL INTEREST DETERMINATION.

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

“(b) FEDERAL INTEREST DETERMINATION.—

“(1) IN GENERAL.—Before initiating a study
under subsection (a), the Secretary shall determine
the Federal interest in carrying out the study and
the projects that may be proposed in the study.

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

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

“(B) shall not exceed $100,000.
“(3) **Deadline.**—

“(A) **In General.**—A determination under paragraph (1) shall be completed by not later than 120 days after the date on which funds are made available to the Secretary for the determination.

“(B) **Treatment.**—

“(i) **Timing.**—The period during which the determination is being completed under paragraph (1) for a study shall not be included for purposes of the deadline to complete a final feasibility report under section 1001(a)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c(a)(1)).

“(ii) **Cost.**—The cost of a determination under paragraph (1) shall not be included for purposes of the maximum Federal cost under section 1001(a)(2) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c(a)(2)).”.

**SEC. 1071. REPORT ON SINGLE LEVEE STANDARD.**

Not later than 180 days after the date of enactment of this Act, the Secretary, in coordination with the Administrator of the Federal Emergency Management Agency,
shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—

(1) the differences between the levee standards of the Corps of Engineers and levee standards of the Federal Emergency Management Agency; and

(2) whether those differences create uncertainty for levee management purposes.

SEC. 1072. SOUTH ATLANTIC COASTAL STUDY.

Section 1204 of the Water Infrastructure Improvements for the Nation Act (130 Stat. 1685) is amended—

(1) by redesignating subsection (c) as subsection (e);

(2) by inserting after subsection (b) the following:

"(c) ANNUAL BRIEFINGS.—The Secretary shall provide to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an annual progress briefing on the status of the study under subsection (a), on a State-by-State basis, including information on the engagement of the Corps of Engineers with non-Federal interests, including detailed lists of all meet-
ings and decision outcomes associated with those engage-
ments.

“(d) ANNUAL REPORTS.—Not less frequently than
annually and not later than 180 days after the annual
briefing under subsection (c), the Secretary shall submit
to the Committee on Environment and Public Works of
the Senate and the Committee on Transportation and In-
frastructure of the House of Representatives a report on
the status of the study under subsection (a), on a State-
by-State basis, including information on the engagement
of the Corps of Engineers with non-Federal interests, in-
cluding detailed lists of all meetings and decision outcomes
associated with those engagements.”; and

(3) in subsection (e) (as so redesignated), in the
heading, by inserting “FINAL” before “REPORT”.

SEC. 1073. COMPLETION OF REPORTS.

(a) IN GENERAL.—There is authorized to be appro-
priated to the Secretary $50,000,000, to remain available
until expended, for the completion of any report—

(1) required under a provision described in sub-
section (b); and

(2) for which appropriations were not or are
not otherwise provided.

(b) PROVISIONS DESCRIBED.—A provision referred
to in subsection (a)(1) is any of the following:

(2) The Water Infrastructure Improvements for the Nation Act (Public Law 114–322; 130 Stat. 1628).


(4) This Act.

(5) Any amendments made by an Act described in paragraphs (1) through (4).

SEC. 1074. DELEGATION OF WORK FOR COMPREHENSIVE EVERGLADES RESTORATION PLAN PROJECTS.

Section 601(e) of the Water Resources Development Act of 2000 (114 Stat. 2684) is amended by adding at the end the following:

“(6) Delegation of work; transfer of funds.—

“(A) In general.—On a determination by the Secretary that the non-Federal sponsor for a project authorized by subsection (b), (c), or (d) is capable of and willing to carry out the project, or a separable element of the project, the Secretary is authorized to enter into a
an agreement, with the non-Federal sponsor that provides for—

“(i) the non-Federal sponsor to construct, or design and construct, the project or separable element in accordance with the construction plans and specifications approved by the Division Commander; and

“(ii) the Secretary to transfer to the non-Federal sponsor funds up to an amount equal to the Federal share under paragraph (1) of the cost of carrying out the project or separable element.

“(B) TECHNICAL ASSISTANCE.—The Secretary is authorized—

“(i) to provide to the non-Federal sponsor technical assistance, including any technical assistance necessary for the project to achieve compliance with statutory, regulatory, and program requirements; and

“(ii) to fund the costs of providing the technical assistance described in clause (i) using amounts made available for the project or separable element, subject to the
condition that the total amount authorized for transfer to the non-Federal sponsor under subparagraph (A)(ii) is reduced by such amount.

“(C) REQUIREMENT.—A non-Federal sponsor carrying out work under a partnership agreement described in subparagraph (A) shall comply with—

“(i) all Federal environmental laws and regulations that would be applicable to the project or separable element if carried out by the Secretary;

“(ii) subchapter IV of chapter 31 of title 40, United States Code;

“(iii) chapter 37 of title 40, United States Code; and

“(iv) any other terms and conditions that the Division Commander determines to be advisable, as determined in consultation with the non-Federal sponsor and in accordance with existing Federal regulations.”.

SEC. 1075. MATERIAL BREACHES OF CONTRACT.

In a case in which the Armed Services Board of Contract Appeals or other court of competent jurisdiction has
rendered a decision during the period beginning on December 1, 2017, and ending on December 31, 2022, awarding damages to a contractor relating to the adjudication of claims arising from the construction of general navigation features of an authorized project, notwithstanding the terms of the Project Partnership Agreement, the Secretary shall waive payment of the share of the non-Federal interest of those damages, including attorney’s fees, if—

(1) the contracting officer was instructed by the Corps of Engineers to modify the terms of the contract or terminate the contract; and

(2) the Armed Services Board of Contract Appeals or a court of competent jurisdiction determined that the failure of the contracting officer to timely take the action described in paragraph (1) was a material breach of the contract that resulted in damages to the contractor awarded by the Armed Services Board of Contract Appeals or the court, as applicable.

SEC. 1076. REPAIR AND RESTORATION OF EMBANKMENTS.

The Secretary is authorized 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 ad-
versely affected a roadway that the Secretary has relo-
cated for construction of the reservoir, notwithstanding—

(1) the cause of the damage to, or the failure
of, the embankment;

(2) ownership of the embankment; or

(3) any obligation of a non-Federal interest to
operate and maintain the roadway under a reloca-
tion agreement with the Secretary.

SEC. 1077. NON-FEDERAL INTEREST REPAYMENT OBLIGA-
TIONS.

Section 103 of the Water Resources Development Act
of 1986 (33 U.S.C. 2213) is amended by adding at the
end the following:

“(o) Non-Federal Interest Repayment Obliga-
tions.—

“(1) Definition of covered project.—In
this subsection, the term ‘covered project’ means any
project of the Corps of Engineers—

“(A) initiated on or after September 8,
2005; and

“(B) for which there is a delay of 5 or
more years beyond the completion date estab-
lished in the project partnership agreement for
the project.
“(2) INTEREST DURING CONSTRUCTION DELAYS.—

“(A) IN GENERAL.—Notwithstanding the second sentence of subsection (k), on request of the non-Federal interest for a covered project, the Secretary and the non-Federal interest may renegotiate the repayment terms and conditions, including—

“(i) recalculation of the interest rate; 

“(ii) forgiveness of construction interest accrued during a project delay; and 

“(iii) a credit against construction interest for a non-Federal investment that benefits the covered project.

“(B) TEMPORARY FREEZE.—In the case of a non-Federal interest that makes a request under subparagraph (A) for a covered project, the Secretary shall not impose any payment for the covered project during the period—

“(i) beginning on the date on which the non-Federal interest makes the request; and 

“(ii) ending on the date on which the terms and conditions for the repayment of construction interest are finalized.
“(3) Credit for non-Federal contribution.—The Secretary is authorized to credit any costs incurred by the non-Federal interest (including in-kind contributions) to remedy a design or construction deficiency of a covered project toward the non-Federal share of the cost of the covered project, if the Secretary determines the remedy to be integral to the completion of the covered project.”.

SEC. 1078. GREAT LAKES CONFINED DISPOSAL FACILITIES.

(a) Mitigation.—The Secretary shall, to the maximum extent practicable, 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 of Engineers is placed, if the Administrator of the Federal Aviation Administration regulates access to the confined disposal facility under title 14, Code of Federal Regulations.

(b) Cost-share.—The cost to relocate access to a confined disposal facility under subsection (a) shall 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.

(c) Termination.—The authority provided under this section shall terminate on December 31, 2024.
SEC. 1079. COASTAL MAPPING.

Section 516 of the Water Resources Development Act of 1996 (33 U.S.C. 2326b) is amended—

(1) by redesignating subsection (g) as subsection (h);

(2) by inserting after subsection (f) the following:

“(g) COASTAL MAPPING.—The Secretary shall develop and carry out a plan for the recurring mapping of coastlines that are experiencing rapid change, including, at a minimum, such coastlines in—

“(1) Alaska;

“(2) Hawaii; and

“(3) any territory or possession of the United States.”; and

(3) in subsection (h) (as so redesignated), by adding at the end the following:

“(3) COASTAL MAPPING.—In addition to amounts made available under paragraph (1), there is authorized to be appropriated to carry out subsection (g) with respect to Alaska, Hawaii, and the territories and possessions of the United States, $10,000,000, to remain available until expended.”.

SEC. 1080. DISPOSAL OF DREDGED MATERIALS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall 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 of Engineers shall consider—

(1) the suitability of the material to be dredged for a full range of beneficial uses; and

(2) the economic and environmental benefits and impacts, and feasibility, of using the material for those beneficial uses.

(b) SAVINGS PROVISION.—Nothing in this section affects, preempts, or interferes with any obligation to comply with the provisions of any Federal environmental law, including—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(2) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(3) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 1081. UPPER MISSOURI RIVER BASIN MAINSTEM DAM FISH LOSS RESEARCH.

(a) IN GENERAL.—As part of the program under section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16), the Secretary shall conduct re-
search on the management of fish losses through the mainstem dams of the Missouri River Basin during periods of high flow.

(b) CONTENTS.—The research under subsection (a) shall include an examination of—

(1) the effects of high flow rates through Upper Missouri River Basin mainstem dam outlet works on fish passage;

(2) options used by other Corps of Engineers district offices to mitigate fish losses through dams;

and

(3) the feasibility of implementing fish loss mitigation options in the Upper Missouri River Basin mainstem dams based on similar ongoing studies.

(e) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report recommending a plan to address fish losses through mainstem dams in the Upper Missouri River Basin.
SEC. 1082. BRIEFINGS ON DISSEMINATION OF INFORMATION.

Section 1104(b) of the America’s Water Infrastructure Act of 2018 (33 U.S.C. 2282d note; Public Law 115–270) is amended—

(1) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and indenting appropriately;

(2) in the matter preceding subparagraph (A) (as so redesignated), by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(3) by adding at the end the following:

“(2) BRIEFINGS.—Not less frequently than annually, the Secretary shall provide to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the progress of the implementation of paragraph (1), including a description of each action the Secretary is taking to implement that paragraph.

“(3) GUIDANCE; COMPLIANCE.—The Secretary shall—

“(A) issue guidance on the uniform implementation of the process under section 7001 of the Water Resources Reform and Development
Act of 2014 (33 U.S.C. 2282d) by each district of the Corps of Engineers; and “(B) each year, ensure compliance with the guidance under subparagraph (A).”.

SEC. 1083. CORPS OF ENGINEERS PROJECTS IN UNDERSERVED COMMUNITIES, ECONOMICALLY DISTRESSED AREAS, OR RURAL AREAS.

(a) DEFINITIONS.—In this section:

(1) ECONOMICALLY DISTRESSED AREA.—The term “economically distressed area” means an area that has—

(A) a per capita income of 80 percent or less of the national per capita income; or

(B) an unemployment rate that is, for the most recent 24-month period for which data is available, at least 1 percent greater than the national average unemployment rate.

(2) RURAL AREA.—The term “rural area” means an area not included in an urbanized area or urban cluster, as determined by the Director of the Census Bureau.

(3) UNSERVED COMMUNITY.—The term “underserved community” means a city, town, or other incorporated or unincorporated political sub-
division of a State that provides general local government for a population of less than 100,000.

(b) RECOMMENDATION OF PROJECTS.—The Secretary may recommend a project without the need to demonstrate that the project is justified by national economic development benefits if the Secretary determines that—

(1) the community to be served by the project is an underserved community, is in an economically distressed area, or is in a rural area;

(2) the long-term life safety, economic viability, and environmental sustainability of the community would be threatened without the project; and

(3) in the case of a project in an underserved community, the benefits of the project are typically more local or regional in nature.

(e) ECONOMIC CONSIDERATION.—The economic evaluation of a project under subsection (b) shall include—

(1) monetary benefits; and

(2) nonmonetary benefits.

(d) PRIORITIZATION.—A project recommended by the Secretary under subsection (b) shall be given equivalent budget consideration and priority as projects recommended by national economic development benefits.

(e) LIMITATIONS.—Nothing in this section affects, preempts, or interferes with any obligation to comply with
130  
1 the provisions of any Federal environmental law, includ-
2 ing—
3    (1) the National Environmental Policy Act of  
4  1969 (42 U.S.C. 4321 et seq.);  
5    (2) the Federal Water Pollution Control Act  
6  (33 U.S.C. 1251 et seq.); and  
7    (3) the Endangered Species Act of 1973 (16  
8  U.S.C. 1531 et seq.).  
9 SEC. 1084. INTERIM RISK REDUCTION MEASURES.  
10    (a) IN GENERAL.—In the case of any interim risk  
11 reduction measure for dam safety purposes that was eval-
12 uated in a final environmental assessment completed dur-
13 ing the period beginning on March 18, 2019, and ending  
14 on the date of enactment of this Act, the Secretary shall  
15 carry out a reevaluation of the measure in a timely man-
16 ner if the final environmental assessment did not consider  
17 in detail at least—
18    (1) 1 operational water control plan change al-
19 ternative;  
20    (2) 1 action alternative other than an oper-
21 ational water control plan change; and  
22    (3) the no action alternative.  
23    (b) COORDINATION.—The alternatives described in  
24 subsection (a) shall be developed in coordination with Fed-
25 eral agencies, States, units of local government, and other
non-Federal interests that have existing water obligations that would be directly affected by implementation of an interim risk reduction measure referred to in that subsection.

(c) IMPLEMENTATION PRIOR TO REEVALUATION.—Nothing in this section prohibits the Secretary from implementing an interim risk reduction measure evaluated in a final environmental assessment during the period beginning on March 18, 2019, and ending on the date of enactment of this Act prior to the completion of the reevaluation under subsection (a).

SEC. 1085. MAINTENANCE DREDGING PERMITS.

(a) IN GENERAL.—The Secretary shall prioritize the reissuance of any regional general permit for maintenance dredging that expires prior to May 1, 2021, and shall use best efforts to ensure the reissuance prior to expiration of such a regional general permit for maintenance dredging.

(b) SAVINGS PROVISION.—Nothing in this section affects, preempts, or interferes with any obligation to comply with the provisions of any Federal or State environmental law, including—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);
(2) the Federal Water Pollution Control Act
(33 U.S.C. 1251 et seq.); and
(3) the Endangered Species Act of 1973 (16
U.S.C. 1531 et seq.).

SEC. 1086. TECHNICAL CORRECTION.

The project for navigation, Theodore Ship Channel,
Mobile Harbor, Alabama, authorized by section 112 of the
2923) is revised to correct a technical error and to des-
ignate the 40 foot deep, 300 foot wide, and 1,200 foot
long anchorage basin located adjacent to the main ship
channel near the bay shoreline as a 40 foot deep, 1,320
foot wide, and approximately 1,468.5 foot long access
channel extending north from stations 257+25 and
273+25 from the Theodore Channel to serve the public
terminal as obligated under that Act.

SEC. 1087. ANNUAL DEBRIS REMOVAL.

(a) IN GENERAL.—Not later than December 31 of
each year, the Secretary shall submit to the Committee
on Environment and Public Works of the Senate and the
Committee on Transportation and Infrastructure of the
House of Representatives a report that identifies the ac-
tivities the Secretary plans to start, continue, or complete
during the upcoming year pursuant to authority provided
to the Secretary 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.

(b) INCLUSIONS.—The report under subsection (a) shall include—

(1) a list of debris removal activities to be started, continued, or completed during the upcoming fiscal year within the boundaries of the North Atlantic Division of the Corps of Engineers;

(2) the authority under which the debris removal activity is to be carried out;

(3) estimated total costs and completion dates for each activity; and

(4) the non-Federal partner for each activity.

SEC. 1088. ENHANCED DEVELOPMENT DEMONSTRATION PROGRAM.

(a) IN GENERAL.—The Secretary is directed to review the master plan and shoreline management plan for any lake described in section 3134 of the Water Resources Development Act of 2007 (121 Stat. 1142; 130 Stat. 1671) for the purpose of identifying areas suitable for enhanced development if—

(1) the master plan and shoreline management plan of the lake have been updated since January 1, 2013; and
the district office of the Corps of Engineers
has received a written request for such a review.

(b) Definition of Enhanced Development.—In
this section, the term “enhanced development” means
structures or other improvements used for non-water-de-
pendent commercial or hospitality industry purposes or for
residential or recreational purposes.

(c) Lease Authority.—The Secretary is authorized
to lease Federal land under the jurisdiction of the Sec-
retary pursuant to this section for such terms as the Sec-
retary determines to be advisable to permit enhanced de-
velopment in areas approved for such uses under sub-
section (a).

(d) Use of Competitive Procedures.—The Sec-
retary shall require use of competitive procedures for
leases authorized under subsection (c).

(e) Considerations.—For leases authorized under
subsection (c), the Secretary shall—

(1) require payment of at least fair market
value, up to 50 percent of which amount may be
provided in-kind at the discretion of the Secretary;

(2) enter into a partnership agreement with a
private entity;

(3) consider lease durations of up to 100 years;

and
(4) consider regional economic impacts.

(f) TYPES OF IN-KIND CONSIDERATION.—The Secretary is authorized to accept as in-kind consideration under subsection (e)(1)—

(1) the maintenance, protection, alteration, repair, improvement, or restoration of public recreation facilities under the control of the Secretary; and

(2) construction of new public recreation facilities.

(g) DISPOSITION OF PROCEEDS.—Notwithstanding section 7 of the Act of August 18, 1941 (55 Stat. 650, chapter 377; 33 U.S.C. 701c–3), all proceeds received from issuance of leases authorized under subsection (e) shall be deposited in a special account in the Treasury established for the Secretary and shall be available for the following activities at the lake specified in a lease entered into under this section:

(1) Natural resource and recreation management.

(2) The investigation, planning, construction, operation, and maintenance of public recreation facilities.

(h) PAYMENT OF ADMINISTRATIVE EXPENSES.—The Secretary shall recover the administrative expenses associ-
SEC. 1089. REPORT ON BENEFITS CALCULATION FOR FLOOD CONTROL STRUCTURES.

Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the extent to which flood insurance premium reductions that result from implementation of a structural flood risk management project are included in the calculation of the benefits of the project by the Corps of Engineers.

SEC. 1090. HIGH WATER-LOW WATER PREPAREDNESS.

(a) DEFINITION OF BYPASS.—In this section, the term “bypass” means an alternate water route adjacent to a lock and dam that can be used for commercial navigation during high water conditions.

(b) EMERGENCY DETERMINATION.—

(1) IN GENERAL.—The Secretary, in consultation with the District Commanders responsible for maintaining any affected waterway, the Inland Waterway Users Board, and the Coast Guard, may make a determination that an emergency condition described in paragraph (2) exists, or is anticipated
to exist, on an inland navigable waterway or a bypass.

(2) EMERGENCY CONDITIONS.—An emergency condition includes not less than 1 of the following:

(A) Unsafe conditions on an inland navigable waterway or a bypass that prevents the operation of commercial vessels as a result of a major change in water level or flows.

(B) An obstruction in an inland navigable waterway or a bypass, including silt, sediment, rock formation, or a shallow channel.

(C) An impaired or inoperable Federal lock and dam.

(e) EMERGENCY MITIGATION PROJECT.—

(1) IN GENERAL.—Subject to paragraph (2) and the availability of appropriations and in accordance with all applicable Federal requirements, the Secretary may carry out an emergency mitigation project on an inland navigable waterway or a bypass for which the Secretary has determined that an emergency condition exists, or is anticipated to exist, under subsection (b)(1) to remedy or prevent that emergency condition.

(2) DEADLINE.—An emergency mitigation project under paragraph (1) shall—
(A) be initiated by not later than 60 days after the date on which the Secretary makes a determination under subsection (b)(1) with respect to the inland navigable waterway or by-pass on which the project will be carried out; and

(B) be completed by not later than 1 year after the date on which the Secretary makes a determination under subsection (b)(1) with respect to the inland navigable waterway or by-pass on which the project will be carried out.

(d) Authorization of Appropriations.—There is authorized to be appropriated to the Secretary to carry out this section $25,000,000 for each of fiscal years 2022 through 2024, to remain available until expended.

SEC. 1091. EAST ROCKAWAY INLET TO ROCKAWAY INLET AND JAMAICA BAY REFORMULATION, NEW YORK.

(a) In general.—The Secretary is authorized to carry out the project for hurricane and storm damage reduction, East Rockaway Inlet to Rockaway Inlet and Jamaica Bay Reformulation, Atlantic Coast of New York, substantially in accordance with terms and conditions described in the report of the Chief of Engineers, dated August 22, 2019, and subsection (b).
(b) Treatment and Cost-share.—For the project described in subsection (a)—

(1) the project shall be considered to be a continuation of the interim response to the authorization under House Report 105–90 of the 105th Congress, and under the heading “CONSTRUCTION” under the heading “CORPS OF ENGINEERS–CIVIL” under chapter 4 of title X of the Disaster Relief Appropriations Act, 2013 (127 Stat. 24); and

(2) for renourishment and adaptive management activities for the project, the total estimated periodic renourishment cost shall be $379,526,000, to be shared 50 percent Federal and 50 percent non-Federal.

SEC. 1092. REPORT ON ANTECEDENT HYDROLOGIC CONDITIONS.

(a) Report.—

(1) In general.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the use by the Corps of Engineers since 2010 of data relating to antecedent hydrologic conditions in the Missouri River Basin
(including soil moisture conditions, frost depths, snowpack, and streamflow conditions) in—

(A) conducting Missouri River mainstem reservoir operations under the Missouri River Master Manual;

(B) developing related annual operating plans; and

(C) performing seasonal, monthly, and daily operations.

(2) INCLUSIONS.—The report under paragraph (1) shall include—

(A) a review of—

(i) the approach of the Corps of Engineers to forecasting basin runoff in developing annual operating plans of the Corps of Engineers;

(ii) the assessment of existing and alternative algorithms that could improve forecasting;

(iii) the approach of the Corps of Engineers for reservoir releases in the winter, spring, summer, and fall, based on runoff forecasts;
(iv) the February 2017 technical report of the Corps of Engineers on long-range forecasting;

(v) the use by the Corps of Engineers of data from Federal and State entities in runoff forecasts; and

(vi) the use by the Corps of Engineers of advanced data collection, including through the use of unmanned aerial systems, forecasting, and modeling; and

(B) findings and recommendations on how to best incorporate antecedent basin conditions in annual operating plans and Missouri River mainstem reservoir operations.

(b) PEER REVIEW.—

(1) IN GENERAL.—The Secretary shall seek to enter into an agreement with the National Academy of Sciences or a similar independent scientific and technical advisory organization to establish a panel of experts to conduct a peer review of the report under subsection (a).

(2) REPORT.—Not later than 180 days after the date on which the Secretary receives the results of the peer review under paragraph (1), the Secretary shall submit to the Committee on Environ-
ment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the results of the peer review under paragraph (1).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary—

(1) $5,000,000 for the report under subsection (a); and

(2) $5,000,000 for the peer review under subsection (b).

SEC. 1093. HARMFUL ALGAL BLOOMS DEMONSTRATION PROGRAM.

(a) IN GENERAL.—The Secretary is authorized to carry out a demonstration program to determine the causes of, and how to effectively treat and eliminate, harmful algal blooms within the Great Lakes and Lake Okeechobee, Florida, and applicable tributaries.

(b) CONSULTATION; USE OF EXISTING DATA.—

(1) CONSULTATION.—In carrying out the demonstration program under subsection (a), the Secretary shall consult with appropriate Federal and State agencies.

(2) USE OF DATA.—In carrying out the demonstration program under subsection (a), the Secretary shall make maximum use of data in existence
on the date of enactment of this Act and ongoing programs and efforts of Federal agencies and States.

(c) Cost Sharing.—An activity carried out under the demonstration program under subsection (a) shall be at full Federal expense.

(d) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $25,000,000, to remain available until expended.

SEC. 1094. SENSE OF CONGRESS RELATING TO ANNUAL MAINTENANCE DREDGING.

It is the sense of Congress that the Corps of Engineers should maintain the annual maintenance dredging for Wilmington Harbor, Delaware.

SEC. 1095. SELECTION OF DREDGED MATERIAL DISPOSAL METHOD FOR CERTAIN PURPOSES.

Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended—

(1) in subsection (d)(1) —

(A) in the matter preceding subparagraph (A), by striking “In developing” and all that follows through “the non-Federal interest,” and inserting “At the request of the non-Federal interest for a project involving the disposal of dredged material, the Secretary, using funds
appropriated for construction or operation and
maintenance of the project, may select”; and

(B) in subparagraph (B), by striking
“flood and storm damage and flood reduction
benefits” and inserting “hurricane and storm or
flood risk reduction benefits”; and

(2) in subsection (g) (as amended by section
1017(b)(5)(B))—

(A) in paragraph (1), in the matter pre-
ceeding subparagraph (A), by striking “There
are” and inserting “Except as provided in para-
graph (3), there are”;

(B) by redesignating paragraph (3) as
paragraph (4); and

(C) by inserting after paragraph (2) the
following:

“(3) SELECTION OF DREDGED MATERIAL DIS-
POSAL METHOD FOR CERTAIN PURPOSES.—Activities
carried out under subsection (d)—

“(A) shall be carried out using amounts
appropriated for construction or operation and
maintenance of the project involving the dis-
posal of the dredged material; and

“(B) shall not carried out using amounts
made available under paragraph (1).”.”
SEC. 1096. INCREASING ACCESS FOR RECREATION AT CORPS OF ENGINEERS PROJECTS.

(a) In General.—The Secretary, in coordination with relevant non-Federal sponsors and State and local recreation organizations, shall develop recommendations to maximize public access and public use of projects owned or operated by the Corps of Engineers.

(b) Inventory and Plan.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report that includes—

(1) an inventory of projects owned or operated by the Corps of Engineers that are publicly accessible; and

(2) recommendations to increase access for recreation as described in subsection (a).

SEC. 1097. EXTINGUISHMENT OF FLOWAGE EASEMENTS, ROUGH RIVER LAKE, KENTUCKY.

(a) In General.—Subject to the availability of appropriations and on request of the landowner, the Secretary shall extinguish any flowage easement or portion of a flowage easement held by the United States on developed land of the landowner at Rough River Lake, Kentucky—
(1) that is above 534 feet mean sea level; and
(2) for which the Secretary determines the flowage easement or portion of the flowage easement is not required to address backwater effects.

(b) No Liability.—The United States shall not be liable for any damages to property or injuries to persons from flooding that may be attributable to the operation and maintenance of Rough River Dam, Kentucky, on land that was encumbered by a flowage easement extinguished under subsection (a).

(c) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $10,000,000, to remain available until expended.

SEC. 1098. SMALL FLOOD CONTROL PROJECTS.

Subsection (a)(1) of section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) (as amended by section 1017(b)(6)) is amended by inserting “and projects that use natural features or nature-based features (as those terms are defined in section 1184(a) of the Water Infrastructure Improvements for the Nation Act (33 U.S.C. 2289a(a)))” after “nonstructural projects”.

21
SEC. 1099. COMPREHENSIVE STUDY OF MISSISSIPPI RIVER SYSTEM FROM OLD RIVER CONTROL STRUCTURE TO GULF OF MEXICO.

(a) DEVELOPMENT.—The Secretary, in collaboration with the heads of other relevant Federal agencies, shall conduct, and submit to Congress a comprehensive study of the lower Mississippi River, and the tributaries and distributaries of the Mississippi River, from the Old River Control Structure near Point Breeze, Louisiana, to the Gulf of Mexico, including an examination of—

(1) hurricane and storm damage reduction, flood risk management, structural and nonstructural flood control, and floodplain management strategies, including the consideration of natural features or nature-based features (as those terms are defined in section 1184(a) of the Water Infrastructure Improvements for the Nation Act (33 U.S.C. 2289a(a)));

(2) structural and operational modifications to completed water resources development projects within the study area;

(3) fish and wildlife habitat resources, including in the Mississippi Sound Estuary, the Lake Pontchartrain Basin, the Breton Sound, the Barataria Basin, the Terrebonne Basin, the Atchafalaya Basin,
the Vermilion–Teche Basin, and other outlets of the Mississippi River and Tributaries Project;

(4) mitigation of adverse impacts from operations of flood control structures to the Mississippi Sound Estuary, the Lake Pontchartrain Basin, the Breton Sound, the Barataria Basin, the Atchafalaya Basin, and other outlets of the Mississippi River and Tributaries Project, including on water quality;

(5) recreation needs;

(6) navigation needs;

(7) ecosystem restoration needs;

(8) monitoring requirements, including as near-real time monitoring as practicable, and adaptive management measures to respond to changing conditions over time;

(9) the division of responsibilities of the Federal Government and non-Federal interests with respect to flood risk management and hurricane and storm damage reduction; and

(10) the roles and responsibilities of Federal agencies with respect to flood risk management.

(b) CONTENTS.—The study under subsection (a) shall—
(1) include recommendations on management plans and actions to be carried out by responsible Federal agencies;

(2) address whether changes are necessary to the Mississippi River and Tributaries Project authorized by the first section of the Act of May 15, 1928 (commonly known as the “Flood Control Act of 1928”) (45 Stat. 534, chapter 569; 33 U.S.C. 702a) within the study area;

(3) recognize the interest and rights of States in maximum effective river resource use and control; and

(4) include recommendations for—

(A) Federal and non-Federal action, where appropriate;

(B) construction of new water resource projects to improve the maximum effective river resource use and control within the study area; and

(C) follow-up studies and data collection and monitoring to be carried out by the relevant Federal or State agency.

(e) FURTHER ANALYSIS.—

(1) IN GENERAL.—As part of the study under subsection (a), the Secretary shall carry out activi-
ties that warrant additional analysis by the Corps of Engineers, including feasibility studies.

(2) TREATMENT.—A feasibility study carried out under paragraph (1) shall be considered to be a continuation of the study under subsection (a).

(d) CONSULTATION; USE OF EXISTING DATA.—

(1) CONSULTATION.—In conducting the study under subsection (a), the Secretary shall consult with appropriate Federal and State agencies.

(2) USE OF DATA.—In conducting the study under subsection (a), the Secretary shall make maximum use of data in existence on the date of enactment of this Act and ongoing programs and efforts of Federal agencies, States, universities, and non-profit entities, including multi-State monitoring programs.

(e) COST SHARING.—The study conducted under subsection (a) shall be at full Federal expense.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $25,000,000, to remain available until expended.

SEC. 1100. MISSOURI RIVER.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act and biannually thereafter for a period of 10 years, the Secretary shall submit to the Com-
mittee on Transportation and Infrastructure of the House
of Representatives and the Committee on Environment
and Public Works of the Senate a report on the changes
to impacts of interception-rearing complex (referred to in
this section as “IRC”) on—

(1) flood control, navigation, and other authorized purposes set forth in the Missouri River Master
Manual; and

(2) the population status of the pallid sturgeon,
including population trends.

(b) FUTURE IRC CONSTRUCTION.—

(1) COMMENTS.—The Secretary shall solicit
comments from the public and the Governor of each
affected State on proposals to construct additional
IRCs.

(2) RESEARCH AND DEVELOPMENT.—The Sec-
retary shall conduct further research on IRC design,
including any impacts on existing flows and all au-
thorized purposes set forth in the Missouri River
Master Manual, to ensure that any construction of
IRCs incorporates the best available science.

(3) PERIOD.—The public comment period
under paragraph (1) shall be not less than 90 days
for each future IRC project.
(4) REPAIRS.—Subject to the availability of appropriations, the Secretary shall use all existing authorities—

(A) to repair dikes and revetments that are impacting flood risk and bank erosion; and

(B) to repair or improve water control structures at the headworks of constructed shallow water habitat side channels.

(e) AUTHORIZED PURPOSES.—

(1) IN GENERAL.—If the Secretary determines that IRCs have an adverse impact on an authorized purpose set forth in the Missouri River Master Manual, the Secretary shall take corrective action to address any such adverse impacts.

(2) NO ADVERSE IMPACT ON TONNAGE.—To the maximum extent practicable, the Secretary shall ensure that IRCs do not have an adverse impact on tonnage of materials transported on the Missouri River.

SEC. 1101. FLEXIBILITY FOR PROJECTS.

(a) GOAL.—For each feasibility study initiated by the Secretary on or after the date of enactment of this Act under section 905(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(a)), the Secretary shall—
(1) establish a goal of completing the feasibility study by not later than 2 years after the date of initiation; and

(2) to the maximum extent practicable, attempt to comply with the goal under paragraph (1).

(b) Authority.—In carrying out a feasibility study described in subsection (a), the Secretary shall—

(1) exercise all existing flexibilities under and exceptions to any requirement administered by the Secretary, in whole or in part; and

(2) otherwise provide additional flexibility or expedited processing with respect to the requirements described in paragraph (1) to meet the goal described in subsection (a)(1).

(c) Maintaining Protections.—Nothing in this section—

(1) supersedes, amends, or modifies—

(A) section 1001(a)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c(a)(1)); or

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or any other Federal environmental law; or
(2) affects the responsibility of any Federal officer to comply with or enforce any law or requirement described in this subsection.

SEC. 1102. DEVELOPMENT OF CATEGORICAL EXCLUSIONS.

(a) In general.—Not later than 60 days after the date of enactment of this Act, the Secretary shall—

(1) in consultation with the agencies described in subsection (b), identify the categorical exclusions described in section 230.9 of title 33, Code of Federal Regulations (or successor regulations), that would accelerate delivery of a project if those categorical exclusions were available to those agencies;

(2) collect existing documentation and substantiating information on the categorical exclusions identified under paragraph (1); and

(3) provide to each agency described in subsection (b)—

(A) a list of the categorical exclusions identified under paragraph (1); and

(B) the documentation and substantiating information collected under paragraph (2).

(b) Agencies described.—The agencies referred to in subsection (a) are—

(1) the Department of the Interior;

(2) the Department of Transportation;
(3) the Department of Commerce;
(4) the Department of Agriculture;
(5) the Department of Energy;
(6) the Department of Defense; and
(7) any other Federal agency that has participated in an environmental review process for a project, as determined by the Secretary.

(c) Adoption of Categorical Exclusions.—

(1) In general.—Not later than 1 year after the date on which the Secretary provides the list required under subsection (a)(3)(A), an agency described in subsection (b) shall publish a notice of proposed rulemaking to propose any categorical exclusions from the list applicable to the agency, subject to the condition that the categorical exclusion identified under subsection (a)(1) meets the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (or successor regulations).

(2) Public comment.—In a notice of proposed rulemaking under paragraph (1), the applicable agency may solicit comments on whether any of the proposed new categorical exclusions meet the criteria for a categorical exclusion under section 1508.4 of
title 40, Code of Federal Regulations (or successor regulations).

SEC. 1103. PUBLICATION OF FEE SCHEDULES.

The Secretary shall make available, at the request of any person and on each public-facing website of a district office of the Corps of Engineers, a schedule of administrative fees charged by the Secretary for covered transactions associated with water resources development project land.

SEC. 1104. FLOOD PROTECTION PROJECTS.

Section 73(a) of the Water Resources Development Act of 1974 (33 U.S.C. 701b–11(a)) is amended by striking “including” and all that follows through the period at the end and inserting the following: “, with a view toward formulating the most economically, socially, and environmentally acceptable means of reducing or preventing flood damage, including—

“(1) floodproofing of structures, including elevation;

“(2) floodplain regulation;

“(3) acquisition of floodplain land for recreational, fish and wildlife, and other public purposes;

“(4) relocation; and
“(5) the use of a feature described in section 1184(a) of the Water Infrastructure Improvements for the Nation Act (33 U.S.C. 2289a(a)).”.

SEC. 1105. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

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

(1) by striking paragraph (10);

(2) by redesignating paragraphs (11) and (16) as paragraphs (10) and (17), respectively;

(3) in paragraph (4)—

(A) in subparagraph (A)—

(i) in clause (iii)—

(I) by striking “and” at the end and inserting “or”;

(II) by striking the clause designation and inserting “(iii)(I)”;

(III) by adding at the end the following:

“(II) if the dam is in a State that by law requires an emergency action plan to comply with FEMA guidelines and to be approved by an authorized State agency, the dam—
“(aa) was identified as having an emergency action plan in the inventory of dams maintained under section 6 before the State required the emergency action plan to comply with FEMA guidelines and to be approved by an authorized State agency; and

“(bb) as of the date on which, for each fiscal year, funds for assistance under section 8A are distributed under subsection (g)(2) of that section, has an updated emergency action plan that—

“(AA) is in conformance with State law; and

“(BB) is pending approval by the authorized State agency; and”

(ii) in clause (iv)(II), by inserting before the period at the end “, as determined by the Administrator, in consultation with the Board”; and

(B) in subparagraph (B)(i), by striking “dam;” and inserting “dam under a hydro-
power project with an authorized installed capacity of greater than 1.5 megawatts;”;

(4) by inserting after paragraph (10) (as so redesignated) the following:

“(11) RECIPIENT.—The term ‘recipient’ means the entity applying for, receiving, and distributing to subrecipients the assistance under section 8A.”; and

(5) by inserting after paragraph (15) the following:

“(16) SUBRECIPIENT.—The term ‘subrecipient’, with respect to a project at a dam for which the assistance under section 8A is sought, means an entity that—

“(A) receives the assistance for the project from a recipient; and

“(B)(i) if the owner of the dam is a governmental organization or a nonprofit organization, is the owner; or

“(ii) if the owner of the dam is not a governmental organization or a nonprofit organization, is a governmental organization or nonprofit organization seeking the assistance on behalf of the owner.”.
(b) REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.—Section 8A of the National Dam Safety Program Act (33 U.S.C. 467f–2) is amended—

(1) in subsection (a), by striking “non-Federal sponsors” and inserting “recipients”;

(2) in subsection (c)—

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

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “non-Federal sponsor” and inserting “recipient”; and

(ii) in subparagraph (B)—

(I) in the subparagraph heading, by striking “PROJECT GRANT” and inserting “GRANT”; 

(II) by striking “a project grant agreement with the non-Federal sponsor” and inserting “a grant agreement with the recipient”; and

(III) by inserting “for which the grant is provided” after “the project”;

(iii) by striking subparagraph (C) and inserting the following:
“(C) Grant Assurance.—As part of a grant agreement under subparagraph (B), the Administrator shall require that each sub-recipient for the applicable project provides an assurance that the subrecipient will carry out a plan for maintenance of the dam to be rehabilitated under the grant agreement during the expected life of the dam.”; and

(iv) in subparagraph (D), in the matter preceding clause (i), by striking “A grant provided under this section shall not exceed the lesser” and inserting “A sub-recipient that receives assistance from a grant provided under this section shall not receive, for any 1 dam, assistance that exceeds the lesser”;

(3) in subsection (d)—

(A) in paragraph (2)—

(i) in the paragraph heading, by striking “Non-Federal Sponsor” and inserting “Subrecipient”;

(ii) in the matter preceding subparagraph (A), by striking “To receive” and all that follows through “shall” and inserting
“To receive assistance, a subrecipient shall”;

(iii) in subparagraph (A), by striking “participate in, and comply with,” and inserting “demonstrate that the community in which the dam is located participates in, and complies with,”;

(iv) in subparagraph (B), in the matter preceding clause (i), by striking “have” and inserting “not later than 2 years after the development of criteria for such a plan by the Administrator, in consultation with the Board, under paragraph (3), demonstrate that the applicable local or Tribal government has”; and

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

(B) by adding at the end the following:

“(3) HAZARD MITIGATION PLAN CRITERIA.—The Administrator shall develop criteria for hazard mitigation plans under paragraph (2)(B).

“(4) RECOVERY OF FUNDS.—In the event that a grant is awarded under this section for which required activities may be completed after the date on
which the grant is awarded, the Administrator may
seek to recoup the amounts awarded under the grant
if those activities are not completed within the appli-
cable time period.”;

(4) in subsection (e)—

(A) in paragraph (1)—

(i) in the matter preceding subpara-

graph (A), by striking “non-Federal spon-
sor” and inserting “subrecipient”; and

(ii) in subparagraph (B), by striking

“1 year” each place it appears and insert-
ing “2 years”; and

(B) in paragraph (3)—

(i) in the paragraph heading, by strik-
ing “TECHNICAL” and inserting “PLAN
CRITERIA AND TECHNICAL”; and

(ii) by striking “The Administrator
may provide” and inserting “The Adminis-
trator, in consultation with the Board,
shall provide criteria and may provide”;

and

(5) in subsection (i)(1), in the matter preceding

subparagraph (A), by striking “non-Federal spon-
sor” and inserting “subrecipient”.

(163)
Subtitle B—Studies and Reports

SEC. 1201. AUTHORIZATION OF PROPOSED FEASIBILITY STUDIES AND MODIFICATIONS.

The Secretary is authorized to conduct a feasibility study or initiate project modifications for the following projects for water resources development and conservation and other purposes, as identified in the report entitled “Report to Congress on Future Water Resources Development” submitted to Congress on or after June 3, 2019, pursuant to section 7001 of the Water Resources Reform and Development Act of 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.

The Secretary shall expedite the completion, review, or validation of the applicable decision document for the following projects and studies:

(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 navigation, St. George Harbor, Alaska.

(4) The project for navigation, Kentucky Lock and Dam, Tennessee River, Kentucky.


(7) The project for navigation, Wilmington Harbor, North Carolina.

(8) The project for hurricane and storm damage risk reduction, Carolina Beach, North Carolina.

(9) The project for hurricane and storm damage risk reduction, Wrightsville Beach, North Carolina.

(10) The project for flood risk management, Raymondville Drain Project, Lower Rio Grande Basin, Texas.

(11) The project for navigation, Port of Corpus Christi, Texas.

(12) The project for flood risk management, Westminster and East Garden Grove, California.
(13) The project for flood risk management, Prado Basin, California.
(14) The project for ecosystem restoration, Malibu Creek watershed, California.
(15) The project for flood risk management, San Francisquito Creek, California.
(16) The project for navigation, Georgetown Harbor, South Carolina.
(17) The project for coastal storm risk management, Myrtle Beach, South Carolina.
(18) The project for flood risk management, Dorchester County, South Carolina.
(19) The project for navigation, Florence, Alabama.
(20) The project for navigation, North Landing Bridge, Atlantic Intracoastal Waterway, Virginia.
(21) The project for flood risk management, Upper Barataria, Louisiana.
(22) The project for navigation, Port Fourchon, Belle Pass, Louisiana.
(23) The project for ecosystem restoration, Lake Okeechobee, Florida.
(24) The project for ecosystem restoration, Western Everglades, Florida.
(25) The project for ecosystem restoration, Canal 111, South Dade, Florida.

(26) The project for ecosystem restoration, Caloosahatchee River C–43, West Basin Storage Reservoir, Florida.

(27) The project for flood risk management, Hanapepe River, Kaua’i, Hawaii.

(28) The project for flood risk management, Waihue Stream, Oahu, Hawaii.

(29) The project for flood risk management, Lower Santa Cruz watershed, Arizona.

(30) The project for navigation, Upper St. Anthony Falls Lock and Dam, Minnesota.

(31) The project for flood risk management, Westchester County streams, New York.

(32) The project for hurricane and storm damage risk reduction, Fire Island to Montauk Point Reformulation, New York.

(33) The project for flood risk management, Savan Gut Phase II, St. Thomas, United States Virgin Islands.

(34) The project for flood risk management, Rio Culebrinas, Puerto Rico.
(35) The project for flood risk management, Turpentine Run, St. Thomas, United States Virgin Islands.

(36) The project for flood risk management, Rio Guayanilla, Puerto Rico.

(37) The project for hurricane and storm damage risk reduction, Highlands, New Jersey.

(38) The project for navigation, Seattle Harbor, Washington.

(39) The project for flood risk management, metropolitan Louisville, Kentucky.


(41) The project for ecosystem restoration, Hudson River Habitat Restoration, New York.

(42) The project for navigation, Lake Montauk Harbor, New York.


(44) An economic reevaluation report for the navigation and sustainability program under title

(45) The project for water supply, Willamette River Basin Review Reallocation, Oregon.

(46) 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.

The Secretary shall complete the review of each of the following submissions for consideration for inclusion in the report submitted under section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d):

(2) Modification of the types of activities authorized under the environmental infrastructure project, Jackson County, Mississippi, under section 331 of the Water Resources Development Act of 1999 (113 Stat. 305; 121 Stat. 1134).


(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.

(a) IN GENERAL.—The Corps of Engineers shall provide assistance to the non-Federal interest of a project proposal described in subsection (b) during the Corps of Engineers outreach required under section 7001(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d(b)).
(b) **PROJECT PROPOSALS DESCRIBED.**—A project proposal referred to in subsection (a) is any of the following:


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

(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 the Water Resources Development Act of 2000 (114 Stat. 2656), and deauthorized pursuant to section 6001 of the Water Resources Reform and Development Act of 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 the Water Resources Development Act of 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 of Engineers 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 the Water Resources Development Act of 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 re-
store lost habitat within the Escatawpa River Basin, Mississippi and Alabama.


(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 the Water Resources Development Act of 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 infra-


(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,


(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.


(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.


(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,
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1     Calaveras County, California, under section
2     219(f)(86) of the Water Resources Development Act
4     1259).
5
6     (46) Modification of the project for navigation, River Rouge, Michigan.
7
8     (47) A feasibility study for dredge disposal
9     management activities, Port of Florence, Alabama.
10
11     (48) A feasibility study for the project for navi-
12     gation, Port of Oswego, New York.
13
14     (49) A project for repairs to the West Pier and
15     West Barrier Bar, Little Sodus Bay Harbor, Cayuga
16     County, New York.
17
18     (50) A project for repair of sheet pile wall and
19     east breakwater, Great Sodus Bay, New York.
20
21     (51) A study of the resiliency of the Allegheny
22     Reservoir, in consultation with the Seneca Nation.
23
24     (52) A feasibility study for potential projects
25     for the rehabilitation of the Glenn Falls Feeder
26     Canal, which begins at the Feeder Dam intersection
27     with the Hudson River in Queensbury, New York,
28     and runs to the confluence of the Old Champlain
29     Canal in Kingsbury, New York.
30
31     (53) A feasibility study for the rehabilitation of
32     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, such as—

(A) improvements to the hydraulic efficiency of the gate systems;

(B) improvements to the concrete foundation and gate support structures; and

(C) any other improvements the Secretary determines to be necessary.


(55) The project for flood protection, Bloomington, Indiana.

(56) The project for flood protection, Gary, Indiana.


(58) Modification of the environmental infrastructure project, Blaine, Tennessee, authorized by section 219(f)(255) of the Water Resources Develop-
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ment Act of 1992 (106 Stat. 4835; 113 Stat. 335;
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121 Stat. 1267).

(59) Modification of the environmental infra-
structure project, Claiborne County, Tennessee, au-
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thorized by section 219(f)(256) of the Water Re-
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sources Development Act of 1992 (106 Stat. 4835;
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113 Stat. 335; 121 Stat. 1267).

(60) Modification of the environmental infra-
structure project, Giles County, Tennessee, author-
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ized by section 219(f)(257) of the Water Resources
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Development Act of 1992 (106 Stat. 4835; 113
183

(61) Modification of the environmental infra-
structure project, Grainger County, Tennessee, au-
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thorized by section 219(f)(258) of the Water Re-
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sources Development Act of 1992 (106 Stat. 4835;
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113 Stat. 335; 121 Stat. 1267).

(62) Modification of the environmental infra-
structure project, Hamilton County, Tennessee, au-
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thorized by section 219(f)(259) of the Water Re-
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sources Development Act of 1992 (106 Stat. 4835;
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113 Stat. 335; 121 Stat. 1267).

(63) Modification of the environmental infra-
structure project, Harrogate, Tennessee, authorized
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by section 219(f)(260) of the Water Resources De-


Modification of the environmental infrastructure project, Oak Ridge, Tennessee, authorized
by section 219(f)(265) of the Water Resources De-
335; 121 Stat. 1268).

(69) Modification of the environmental infra-
structure project, Plateau Utility District, Morgan
County, Tennessee, authorized by section
219(f)(266) of the Water Resources Development
Act of 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 of Engineers to replace a sewer pipe that
floods when the Corps of Engineers mitigates flood-
ing upstream as authorized by section 219(f)(263)
of the Water Resources Development Act of 1992

(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 FEASI-
BILITY STUDY, NEW JERSEY.

The Secretary shall—
nullify the determination of the North Atlantic Division of the Corps of Engineers that further study of the feasibility study for flood risk management, Rahway, New Jersey, is not warranted;

(2) identify an acceptable alternative to the project described in paragraph (1) that could receive Federal support; and

(3) expedite the completion of a feasibility study for the acceptable alternative identified under paragraph (2).

SEC. 1206. ARCTIC DEEP DRAFT PORT.

(a) FINDINGS.—Congress finds the following:

(1) The strategic importance of the Arctic continues to increase as the United States and other countries recognize the economic and military significance of the sea lanes and choke points within the region and understand the potential for power projection from the Arctic into multiple regions.

(2) On January 19, 2018, Secretary of Defense James Mattis released the “2018 National Defense Strategy of the United States of America” in which the Secretary outlined the reemergence of long-term, strategic competition by countries such as China and Russia.
(3) Russia and China have conducted military exercises together in the Arctic, have agreed to connect the Northern Sea Route, claimed by Russia, with the Maritime Silk Road of China, and are working together in developing natural gas resources in the Arctic.

(4) The Government of the Russian Federation has prioritized the development of Arctic capabilities and has made significant investments in military infrastructure in the Arctic, including the creation of a new Arctic Command and the construction or refurbishment of 16 deepwater ports and 14 airfields in the region.

(5) The Government of the People’s Republic of China—

(A) released, in January 2018, its new Arctic Strategy, the Polar Silk Road, in which it declares itself as a “near-Arctic state”; and

(B) has publicly stated that it seeks to expand its “Belt and Road Initiative” to the Arctic region, including current investment in the natural gas fields in the Yamal Peninsula in Russia, rare-earth element mines in Greenland, and the real estate, alternative energy, and fisheries in Iceland.
The significance of the Arctic continues to grow as countries around the globe begin to understand the magnitude of the natural resources in the Arctic, including, at a minimum, oil, natural gas, rare earth minerals, gold, diamonds, and abundant fisheries.

The Bering Strait is experiencing significant increases in international traffic from vessels transiting the Northern Sea Route, increases that are projected to continue if decreases in sea ice coverage continue.

Increases in human, maritime, and resource development activity in the Arctic region create additional mission requirements for Federal agencies, given—

(A) the strategic focus of the Government of the Russian Federation and the Government of the People’s Republic of China on the Arctic;

(B) overlapping territorial claims; and

(C) the potential for maritime accidents, oil spills, and illegal fishing near the exclusive economic zone of the United States.

The increasing role of the United States in the Arctic has been highlighted in each of the last 4 National Defense Authorization Acts.
The United States Coast Guard Arctic Strategic Outlook released in April 2019 states that “[d]emonstrating commitment to operational presence, Canada, Denmark, and Norway have made strategic investments in ice-capable patrol ships charged with national or homeland security missions. [The United States] is the only country with an Arctic presence that has not made similar investments in ice-capable surface maritime security assets. This limits the ability of the Coast Guard, and the Nation, to credibly uphold sovereignty or respond to contingencies in the Arctic”.

On December 6, 2018, Secretary of the Navy Richard Spencer stated that “[w]e need to have a strategic Arctic port up in Alaska”.

Meanwhile, the 2 closest strategic sea-ports, as designated by the Department of Defense, to the Arctic Circle are the Port of Anchorage and the Port of Tacoma, located approximately 1,500 nautical miles and 2,400 nautical miles away, respectively, and approximately 1,900 nautical miles and 2,800 nautical miles, respectively, from Barrow, Alaska.

(b) DEFINITION OF ARCTIC.—In this section, the term “Arctic” has the meaning given the term in section

(c) Sense of Congress.—It is the sense of Congress that—

(1) the Arctic is a region of strategic importance to the national security interests of the United States;

(2) there is a compelling national, regional, Alaska Native, and private sector need for permanent maritime and other infrastructure development and for a presence in the Arctic region by the United States to support and facilitate search and rescue, shipping safety, economic development, oil spill prevention and response, protection of subsistence and commercial fishing, port of refuge, Arctic research, and maritime law enforcement on the Bering Sea, the Chukchi Sea, and the Arctic Ocean; and

(3) it is in the national interest to enhance existing and develop maritime and other infrastructure in the Arctic that would allow the Coast Guard and the Navy each to perform their respective statutory duties and functions on a more permanent basis with minimal mission interruption.

(d) United States Arctic Deep Draft Port.—

The Secretary shall expedite the completion of the applica-
1 ble decision document for the project for navigation, Arctic
2 Deep Draft Port, Nome, Alaska.
3
4 **SEC. 1207. NASSAU COUNTY BACK BAYS COASTAL STORM**
5 **RISK MANAGEMENT.**
6 Section 1001(a) of the Water Resources Reform and
7 Development Act of 2014 (33 U.S.C. 2282c(a)) shall not
8 apply to the Nassau County Back Bays Costal Storm Risk
9 Management feasibility study, authorized by the first sec-
10 tion of the Act of June 15, 1955 (69 Stat. 132, chapter
11 140).
12
13 **Subtitle C—Deauthorizations,**
14 **Modifications, and Related Pro-
15 visions**
16
17 **SEC. 1301. DEAUTHORIZATION OF WATCH HILL COVE,**
18 **RHODE ISLAND AND CONNECTICUT.**
19 The portion of the project for navigation, Pawcatuck
20 River, Rhode Island and Connecticut, authorized by sec-
21 tion 2 of the Act of March 2, 1945 (commonly known as
22 the “River and Harbor Act of 1945”) (59 Stat. 13), con-
23 sisting of a 10-foot deep, 16-acre anchorage area in Watch
24 Hill Cove is no longer authorized beginning on the date
25 of enactment of this Act.
SEC. 1302. RUSH RIVER AND LOWER RUSH RIVER, NORTH DAKOTA.

(a) In General.—The portion of the comprehensive plan 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), consisting of clearing and rectification of the channel from mile 28.3 near Amenia to the mouth of the Rush River, known as Cass County Drain No. 12, is no longer authorized beginning on the date of enactment of this Act.

(b) Lower Branch Rush River.—The project for flood control, Lower Branch Rush River, North Dakota, carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), known as Cass County Drain No. 2, is no longer authorized beginning on the date of enactment of this Act.

SEC. 1303. WILLAMETTE FALLS LOCKS, WILLAMETTE RIVER, OREGON.

(a) In General.—The Secretary is authorized 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 the conditions described in this section 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.

(b) REPAIRS.—Before the disposal under subsection (a), the Secretary shall carry out repairs to address primary seismic and safety risks in accordance with the recommendations approved in the report referred to in that subsection.

(c) DEAUTHORIZATION.—On the completion of the repairs under subsection (b) and the requirements under subsection (d)(5), Willamette Falls Locks project shall no longer be authorized as a Federal project.

(d) CONVEYANCE.—

(1) IN GENERAL.—Subject to the requirements of this subsection, the Secretary is authorized to convey to an entity to be named by the Willamette Falls Locks Commission or the State of Oregon, all right, title, and interest of the United States in and to any land in which the Federal Government has a property interest for the Willamette Falls Locks project, together with any improvements on the land.

(2) QUITCLAIM DEED.—The Secretary shall convey the property and improvements described in paragraph (1) by quitclaim deed to the transferee
identified under that paragraph under such terms and conditions as the Secretary determines to be appropriate to protect the interests of the United States, in accordance with applicable Federal and State law.

(3) Applicability of real property screening requirements.—Section 2696 of title 10, United States Code, shall not apply to the conveyance under paragraph (1).

(4) Subject to existing easements and other interests.—The conveyance of property and improvements under paragraph (1) shall be subject to all existing deed reservations, easements, rights-of-way, and leases that are in effect as of the date of the conveyance.

(5) Requirements before conveyance.—

(A) Perpetual road easement.—Before a conveyance under paragraph (1), the Secretary shall acquire a perpetual road easement from the adjacent property owner for use of the access road.

(B) Environmental compliance.—Before a conveyance under paragraph (1)—

(i) in accordance with the real estate report in Appendix A of the report referred
to in subsection (a), the Secretary shall complete a Phase 1 Environmental Site Assessment pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(ii) the Secretary shall satisfy all conditions set forth in the Phase 1 Site Assessment for the Willamette Falls Locks project, including a Phase 2 Site Assessment, and any needed property restoration.

(C) HISTORIC PRESERVATION.—Before a conveyance under paragraph (1), the Secretary shall comply with obligations of the Secretary under the Memorandum of Agreement with the Oregon State Historic Preservation Office and the Advisory Council on Historic Preservation and dated September 2016.

(e) SAVINGS CLAUSE.—If the transferee under subsection (d)(1) 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.

(a) In General.—The portions of the project for navigation, Camden Harbor, Maine, described in subsection (b) are no longer authorized beginning on the date of enactment of this Act.

(b) Portions Described.—The portions referred to in subsection (a) are the following:

(1) The portion of the 10-foot deep inner harbor area, authorized by the first section of the Act of March 3, 1873 (17 Stat. 565, chapter 233), and the first section of the Act of August 11, 1888 (25 Stat. 400, chapter 860), approximately 50,621.75 square feet in area—

(A) starting at a point with coordinates N197,640.07, E837,851.71;

(B) thence running S84°43’ 23.94”W about 381.51 feet to a point with coordinates N197,604.98, E837,471.82;

(C) thence running N43°47’51.43”W about 270.26 feet to a point with coordinates N197,800.05, E837,284.77;

(D) thence running S59°02’ 26.62”E about 219.18 feet to a point with coordinates N197,687.30, E837,472.72;
(E) thence running S81°50' 09.76"E about 144.70 feet to a point with coordinates N197,666.75, E837,615.96;

(F) thence running N57°27' 07.42"E about 317.32 feet to a point with coordinates N197,866.52, E837,928.96; and

(G) thence running S18°50' 04.48"W about 239.27 feet to the point described in sub-
paragraph (A).

(2) The portion of the 14-foot deep outer harbor area, authorized by the first section of the Act of August 11, 1888 (25 Stat. 400, chapter 860), and the first section of the Act of June 13, 1902 (32 Stat. 331, chapter 1079), approximately 222,015.94 square feet in area——

(A) starting at a point with coordinates N197,640.07, E837,851.71;

(B) thence running N18°50'04.48"E about 239.27 feet to a point with coordinates N197,866.53, E837,928.96;

(C) thence running N58°28' 51.05"E about 308.48 feet to a point with coordinates N198,027.79, E838,191.93;
(D) thence running N84°20’ 01.88”E about 370.06 feet to a point with coordinates N198,064.33, E838,560.18;

(E) thence running S05°32’ 03.42”E about 357.31 feet to a point with coordinates N197,708.68, E838,594.64; and

(F) thence running S84°43’ 23.94”W about 746.08 feet to the point described in sub-paragraph (A).

SEC. 1305. DEAUTHORIZATION OF FLOOD CONTROL PROJECT FOR TAYLOR CREEK RESERVOIR AND LEVEE L–73, UPPER ST. JOHNS RIVER BASIN, CENTRAL AND SOUTHERN FLORIDA.

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

SEC. 1306. NEW LONDON HARBOR WATERFRONT CHANNEL, CONNECTICUT.

(a) In General.—The portion of the project for navigation, New London Harbor, Connecticut, 23-foot Waterfront Channel, authorized by the first section of the
1 Act of June 13, 1902 (32 Stat. 333, chapter 1079), described in subsection (b) is no longer authorized beginning on the date of enactment of this Act.

(b) AREA DESCRIBED.—The area referred to in subsection (a) is generally the portion between and around the 2 piers at State Pier New London, specifically the area—

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

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

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

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

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

SEC. 1307. NO DEAUTORIZATION OF CERTAIN PROJECTS.

Notwithstanding any other provision of law, during the period ending on September 30, 2024, an environmental infrastructure assistance project or program of the Corps of Engineers shall not be deauthorized.
SEC. 1308. COMPREHENSIVE EVERGLADES RESTORATION PLAN.

Notwithstanding any other provision of law, a project or separable element of a project under the Comprehensive Everglades Restoration Plan authorized by section 601 of the Water Resources Development Act of 2000 (114 Stat. 2680) shall not be deauthorized prior to December 31, 2030.

SEC. 1309. CAPE PORPOISE HARBOR, MAINE, ANCHORAGE AREA DESIGNATION.

(a) In General.—The project for navigation, Cape Porpoise Harbor, Kennebunkport, Maine, authorized by section 101 of the River and Harbor Act of 1948 (62 Stat. 1172, chapter 771), is modified to designate the portion of the project described in subsection (b) as a 6-foot deep anchorage.

(b) Portion Described.—The portion of the project referred to in subsection (a) is the approximately 192,235.63 square foot area consisting of the 100-foot wide and 6-foot deep channel located within the inner harbor—

(1) starting at a point with coordinates N 194,175.13, E 2,882,011.74;

(2) thence running N 33°46’08.14”W about 914.57 feet to a point with coordinates N 194,935.40, E 2,881,503.38;
(3) thence running N 12°41'09. 78"W about 1,026.40 feet to a point with coordinates N 195,936.74, E 2,881,277.97;

(4) thence running N 77°18'50.22"E about 100.00 feet to a point with coordinates N 195,958.70, E 2,881,375.53;

(5) thence running S 12°41'09. 78" E about 1,007.79 feet to a point with coordinates N 194,975.52, E 2,881,596.85;

(6) thence running S 33°46'08.14" E about 895.96 feet to a point with coordinates N 194,230.72, E 2,882,094.86;

(7) thence running S 56°13'51.86" W about 100.00 feet to the point described in paragraph (1).

Subtitle D—Water Resources Infrastructure

SEC. 1401. PROJECT AUTHORIZATIONS.

The following projects for water resources development and conservation and other purposes, as identified in the report entitled “Report to Congress on Future Water Resources Development” submitted to Congress on or after June 3, 2019, pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed by Congress, are authorized to be carried out by the Secretary substantially
1 in accordance with the plans, and subject to the condi-
2 tions, described in the respective reports designated in this
3 section:

(1) Ecosystem restoration.—

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report of Chief of Engineers or Director of Civil Works</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. MD</td>
<td>Anacostia River, Prince George's County</td>
<td>December 19, 2018</td>
<td>Federal: $23,171,000 Non-Federal: $12,476,000 Total: $35,647,000</td>
</tr>
<tr>
<td>2. IL</td>
<td>Great Lakes and Mississippi River Interbasin Study—Brandon Road, Will County</td>
<td>May 23, 2019</td>
<td>Federal: $647,478,000 Non-Federal: $215,826,000 Total: $863,304,000</td>
</tr>
<tr>
<td>4. MO</td>
<td>St. Louis Riverfront—Merrimack River Basin</td>
<td>November 1, 2019</td>
<td>Federal: $60,124,000 Non-Federal: $32,375,000 Total: $92,499,000</td>
</tr>
<tr>
<td>5. CA</td>
<td>Delta Islands and Levees</td>
<td>December 18, 2018</td>
<td>Federal: $16,746,395 Non-Federal: $9,016,736 Total: $25,763,131</td>
</tr>
<tr>
<td>6. CA</td>
<td>Yuba River</td>
<td>June 20, 2019</td>
<td>Federal: $65,014,326 Non-Federal: $35,008,268 Total: $100,022,594</td>
</tr>
<tr>
<td>7. NM</td>
<td>Sandia Pueblo to Isleta Pueblo</td>
<td>August 5, 2019</td>
<td>Federal: $16,163,000 Non-Federal: $8,703,000 Total: $24,866,000</td>
</tr>
<tr>
<td>A. State</td>
<td>B. Name</td>
<td>C. Date of Report of Chief of Engineers or Director of Civil Works</td>
<td>D. Estimated Costs</td>
</tr>
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</tbody>
</table>
| 8. TX    | Jefferson County | September 12, 2019 | Federal: $37,615,000  
Non-Federal: $20,254,000  
Total: $57,869,000 |
Non-Federal: $368,528,000  
Total: $740,760,000 |

(2) Flood Risk Management.—

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report of Chief of Engineers</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
</table>
Non-Federal: $31,253,250  
Total: $89,295,000 |
| 2. AZ    | Little Colorado River at Winslow, Navajo County | December 14, 2018 | Federal: $52,462,000  
Non-Federal: $28,249,000  
Total: $80,711,000 |
| 3. NM    | Middle Rio Grande floor protection, Bernalillo to Belen, New Mexico, at Albuquerque, New Mexico | March 13, 2020 | Federal: $190,538,000  
Non-Federal: $102,598,000  
Total: $293,136,000 |
| 4. OK    | Tulsa and West Tulsa Levee System | April 23, 2020 | Federal: $86,780,000  
Non-Federal: $46,728,000  
Total: $133,508,000 |
## Hurricane and Storm Damage Risk Reduction

<table>
<thead>
<tr>
<th>State</th>
<th>Name</th>
<th>Date of Report of Chief of Engineers</th>
<th>Estimated Costs</th>
</tr>
</thead>
</table>
| NY    | East Rockaway Inlet to Rockaway Inlet and Jamaica Bay Reformulation, Atlantic Coast | August 22, 2019 | Federal: $793,966,000  
Non-Federal: $189,763,000  
Total: $983,729,000 |
| RI    | Pawcatuck River | December 19, 2018 | Federal: $37,848,000  
Non-Federal: $20,379,000  
Total: $58,227,000 |
| VA    | Norfolk Coastal Storm Risk Management | February 5, 2019 | Federal: $909,040,000  
Non-Federal: $489,480,000  
Total: $1,398,520,000 |
| NY    | Hashanomuck Cove | December 9, 2019 | Initial Federal: $11,549,000  
Initial Non-Federal: $6,218,000  
Initial Total: $17,767,000  
Renourishment Federal: $23,481,500  
Renourishment Non-Federal: $23,481,500  
Renourishment Total: $46,963,000 |
<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report of Chief of Engineers</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
</table>
| DE       | Delaware River Dredged Material Utilization | March 6, 2020 | Initial Federal: $53,220,000  
Initial Non-Federal: $28,660,000  
Initial Total: $81,880,000  
Renourishment Federal: $116,380,000  
Renourishment Non-Federal: $116,380,000  
Renourishment Total: $232,760,000 |

1. **NAVIGATION.**—

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report of Chief of Engineers</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
</table>
| AK       | Unalaska, Dutch Harbor Channels | February 7, 2020 | Federal: $26,202,750  
Non-Federal: $8,734,000  
Total: $34,937,000 |
| TX       | Gulf Intracoastal Waterway, Brazos River Floodgates and Colorado River Locks | October 23, 2019 | Total: $409,777,000 (to be derived 65 percent from the general fund of the Treasury and 35 percent from the Inland Waterways Trust Fund) |
| TX       | Matagorda Ship Channel Improvement Project, Port Lavaca | November 15, 2019 | Federal: $138,660,000  
Non-Federal: $79,664,000  
Total: $218,324,000 |
| TX       | Houston Ship Channel Expansion Improvement Project | April 23, 2020 | Federal: $462,803,000  
Non-Federal: $414,045,000  
Total: $876,848,000 |
| NY, NJ   | New York and New Jersey Harbor Anchorages | April 23, 2020 | Federal: $18,940,000  
Non-Federal: $6,310,000  
Total: $25,250,000 |
(5) Coastal storm risk management.—

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report of Chief of Engineers</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. NJ, PA</td>
<td>New Jersey Dredged Material Utilization, Delaware River</td>
<td>April 8, 2020</td>
<td>Federal: $162,920,000 Non-Federal: $125,640,000 Total: $288,560,000</td>
</tr>
</tbody>
</table>

SEC. 1402. EXPEDITED COMPLETION OF CERTAIN PROJECTS.

The Secretary shall provide priority funding for and expedite the completion of the following projects:

(1) The project for ecosystem restoration, Caño Martín Peña, Puerto Rico, as authorized by section 5127 of the Water Resources Development Act of 2007 (121 Stat. 1242).


(3) The project for flood risk management, Río de Flag, Arizona.


(6) The project for navigation, Guilford Harbor and Sluice Channel, Connecticut.

(7) Phase 5 of the Bluestone Dam Project Remediation, West Virginia.


(10) The project for navigation, Tacoma Harbor, Washington.

(11) The project for water storage, Halligan Dam, Colorado.


(13) The replacement of the Bourne and Sagamore Bridges, Cape Cod, Massachusetts.

SEC. 1403. ADDITIONAL PROJECT AUTHORIZATIONS.

The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary as recommended in the
respective reports, designated in this section, that were prepared by non-Federal interests under section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231), with such modifications as the Secretary determines advisable, subject to preparation of a report by the Secretary to address the concerns, recommendations, and conditions, if any, identified by the Secretary in the review assessments designated in this section:

(1) Coastal storm risk management.—

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report</th>
<th>D. Date of Review Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. FL</td>
<td>St. Lucie County, Fort Pierce Shore Protection</td>
<td>June 2018</td>
<td>July 2018</td>
</tr>
</tbody>
</table>

(2) Navigation.—

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report</th>
<th>D. Date of Review Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. LA</td>
<td>Houma Navigation Canal Deepening</td>
<td>June 2018</td>
<td>July 2018</td>
</tr>
<tr>
<td>2. LA</td>
<td>Baptiste–Collette Bayou Navigation Channel Deepening</td>
<td>January 2017, amended April 2018</td>
<td>June 2018</td>
</tr>
</tbody>
</table>

(3) Flood risk management.—
Subtitle E—Water Supply and Storage

SEC. 1501. SMALL WATER STORAGE PROJECTS.

(a) In General.—The Secretary shall carry out a program to study and construct new, or enlarge existing, small water storage projects in rural States, in partnership with a non-Federal interest.

(b) Requirements.—To be eligible to participate in the program under this section, a water storage project shall—

(1) be located in a State with a population of less than 1,000,000;

(2) (A) 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

(B) 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;

(3) provide—

(A) flood risk management benefits; or
(B) ecological benefits; and

(4) be economically justified, environmentally acceptable, and technically feasible.

(c) EXPEDITED PROJECTS.—For the 10-year period beginning on the date of enactment of this Act, the Secretary shall expedite projects under this section for which applicable Federal permitting requirements have been completed.

(d) USE OF DATA.—

(1) IN GENERAL.—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.

(2) USE OF EXISTING MATERIALS.—

(A) STUDIES.—On the agreement of the Secretary and the non-Federal interest, the Secretary may use any applicable existing studies of the non-Federal interest.

(B) FEDERAL PERMITTING.—The Secretary may use Federal permitting that has been completed by other Federal agencies for the purpose of determining project eligibility.
with respect to the requirements described in subsection (b)(4).

(c) Cost-share.—

(1) Study.—The Federal share of the cost of a study conducted under this section shall be 75 percent.

(2) Construction.—The Federal share of the cost of a project constructed under this section shall be 80 percent.

(f) OMRRR Responsibility.—The costs of operation, maintenance, repair, replacement, and rehabilitation for a project constructed under this section shall be the responsibility of the non-Federal interest.

(g) Individual Project Limit.—Not more than $65,000,000 in Federal funds may be made available to a project under this section.

(h) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $130,000,000 for each fiscal year.

SEC. 1502. MISSOURI RIVER RESERVOIR SEDIMENT MANAGEMENT.

Section 1179(a) of the Water Infrastructure Improvements for the Nation Act (130 Stat. 1675; 132 Stat. 3782) is amended—

(1) in paragraph (3)—
(A) in subparagraph (B), by inserting "project purposes, including" before "storage capacity"; and

(B) in subparagraph (C), by striking "preliminary";

(2) by striking paragraph (9);

(3) by redesignating paragraphs (4) through (8) as paragraphs (6) through (10), respectively; and

(4) by inserting after paragraph (3) the following:

"(4) JUSTIFICATION.—In determining the economic justification of a sediment management plan under paragraph (2), the Secretary shall—

"(A) 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; and

"(B) include lifecycle costs and a 100-year period of analysis.

"(5) IMPLEMENTATION.—As part of a sediment management plan under paragraph (2), the Sec-
EDW20274

retary may 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 the Water Resources Develop-
ment Act of 1986 (100 Stat. 4148; 121 Stat. 1076)
as if those reservoirs were listed in subsection (a) of
that section.”.

SEC. 1503. PLANNING ASSISTANCE FOR STATES.
The Secretary shall ensure that the planning assist-
ance for States program under section 22 of the Water
16) provides equal priority for all authorized purposes, in-
cluding water supply and water conservation.

SEC. 1504. FORECAST-INFORMED RESERVOIR OPERATIONS.
(a) Working Group.—

(1) In general.—Not later than 180 days
after the date of enactment of this Act, the Sec-
retary, in conjunction with the Commissioner of Re-
lamation, shall establish a working group to advance
the science to support forecast-informed reservoir operations in the Upper Missouri River Basin.

(2) MEMBERS.—The working group established under paragraph (1) shall be composed of—

(A) the Secretary;

(B) the Commissioner of Reclamation;

(C) the Director of the United States Geological Survey;

(D) the Administrator of the National Oceanic and Atmospheric Administration; and

(E) representatives of affected State and local agencies.

(3) DUTIES.—The working group established under paragraph (1) shall develop recommendations to implement the use of forecast-informed reservoir operations in the Upper Missouri River Basin and submit to Congress a report on the findings and recommendations of the working group.

(b) VIABILITY ASSESSMENTS.—

(1) IN GENERAL.—On request of a non-Federal interest, the Secretary, the Commissioner of Reclamation, and the non-Federal interest shall jointly conduct a viability assessment on the use of forecast-informed reservoir operations at a reservoir—
(A) that is located within the Upper Missouri River Basin; and

(B) 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).

(2) COMPLETION DATE.—To the maximum extent practicable, a viability assessment under paragraph (1) shall be completed by not later than 1 year after the date on which the viability assessment begins.

(3) FEDERAL SHARE.—The Federal share of the cost of a viability assessment under paragraph (1) shall be 100 percent.

(e) PLAN FOR TEMPORARY DEVIATION.—If a viability assessment conducted under subsection (b)(1) indicates that forecast-informed reservoir operations are viable at a reservoir described in that subsection, the Secretary and the Commissioner of Reclamation shall develop and implement a pilot program to carry out forecast-informed reservoir operations at that reservoir.
SEC. 1505. STUDY ON DATA FOR WATER ALLOCATION, SUPPLY, AND DEMAND.

(a) IN GENERAL.—The Secretary shall offer to enter into an agreement with the National Academy of Sciences 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, including—

(1) any catalogs of data;

(2) definitions of any commonly used terms relating to water allocation, supply, and demand; and

(3) a description of any common standards used by those entities.

(b) REPORT.—If the National Academy of Sciences enters into the agreement under subsection (a), to the maximum extent practicable, not later than 1 year after the date of enactment of this Act, the National Academy of Sciences shall submit to Congress a report that includes—

(1) the results of the study under subsection (a);

(2) recommendations for ways to streamline and make cost-effective methods for Federal agencies to coordinate interstate sharing of data, includ-
ing recommendations for the development of a publicly accessible, internet-based platform that can allow entities described in subsection (a) to communicate and coordinate ongoing data collection efforts relating to water allocation, supply, and demand, and share best practices relating to those efforts; and

(3) a recommendation as to an appropriate Federal entity that should—

(A) serve as the lead coordinator for data relating to water allocation, supply, and demand; and

(B) host and manage the internet-based platform described in paragraph (2).

(c) FUNDING.—Out of funds made available to the Secretary for operations and maintenance activities of the Corps of Engineers that are not otherwise obligated, the Secretary may use to carry out this section $3,900,000.

SEC. 1506. GAO REPORT ON CERTAIN FEDERAL DAMS AND RESERVOIRS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that includes—
(1) with respect to each Federal dam and reservoir in the United States located west of the 100th meridian—

(A) an identification of the water control manuals that were changed or updated by the Corps of Engineers during the previous 10 years; and

(B) an identification of any water storage reallocations approved by the Corps of Engineers during the previous 10 years;

(2) a summary of the process and policies used by the Corps of Engineers to establish and update flood control curves within water control manuals at the Federal dams and reservoirs described in paragraph (1); and

(3) recommendations for changes to the process and policies referred to in paragraph (2) to allow for increased water storage at the Federal dams and reservoirs described in paragraph (1).

SEC. 1507. AQUATIC ECOSYSTEM RESTORATION.

Section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) is amended—

(1) by redesignating subsection (f) as subsection (g); and
(2) by inserting after subsection (e) the follow-

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“(f) PRIORITY.—For the period of fiscal years 2021
through 2024, in carrying out this section, the Secretary
shall give priority to a project that—

“(1) is located in the South Platte River Basin;
“(2) 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;
“(3) has the potential to provide flood risk
management and recreational benefits in addition to
ecosystem restoration benefits; and
“(4) is located in a city with a population of
80,000 or less.”.
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SEC. 1508. IMPROVING REVIEWS FOR NON-FEDERAL HY-
DROPOWER AT EXISTING CORPS OF ENGI-
NEERS PROJECTS.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term “Commission”
means the Federal Energy Regulatory Commission.

(2) ENVIRONMENTAL REVIEW PROCESS.—The
term “environmental review process” means the
process of preparing an environmental impact state-
ment or environmental assessment under the Na-
Licensing Application.—

(A) In General.—The term “licensing application” means the process of seeking a license from the Commission to construct or operate a hydropower facility at a qualifying facility.

(B) Inclusion.—The term “licensing application” includes any prelicensing coordination conducted with the Commission prior to submission of a formal application.

Memorandum of Understanding.—The term “Memorandum of Understanding” means the Memorandum of Understanding between the Corps of Engineers and the Commission on Non-Federal Hydropower Projects, signed in July 2016.

Qualifying Facility.—The term “qualifying facility” means any dam, dike, embankment, or other barrier—

(A) the construction of which was completed on or before the date of enactment of this section; and

(B) that is operated, owned, or constructed by the Corps of Engineers.
(b) APPLICABILITY.—This section shall apply to each licensing application for a qualifying facility—

(1) for which prelicensing coordination described in subsection (a)(3)(B) is initiated on or after the date of enactment of this section; or

(2) that is submitted on or after the date of enactment of this section.

(c) ENVIRONMENTAL REVIEW PROCESS.—

(1) IN GENERAL.—Except as provided under paragraph (2) and consistent with the Memorandum of Understanding, the Commission and the Secretary shall develop and implement an environmental review process for a licensing application at a qualifying facility, which shall include conducting the Commission prelicensing process concurrently with the process of preparing an environmental impact statement or environmental assessment under the jurisdiction of the Secretary that may be required to construct or operate a hydropower facility at a qualifying facility.

(2) EXCEPTION.—The environmental review process shall not include a licensing application in which the proposed activity qualifies for a general permit under section 10 of the Act of March 3, 1899 (commonly known as the “Rivers and Harbors Act

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(3) LENGTH OF PROCESS.—To the maximum extent practicable, and without affecting the obligations or requirements of any Federal environmental law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the Commission and the Secretary shall ensure that the environmental review process described in paragraph (1) is completed in a timely manner so that the Commission is able to make a final decision on an application for a license by not later than 2 years after the date on which the Commission receives a completed licensing application.

(4) PURPOSE AND NEED.—Notwithstanding the authority of the Secretary in determining overall project purposes under part 230 of title 33, Code of
Federal Regulations (or successor regulations), the Secretary, consistent with the Memorandum of Understanding, shall coordinate with the Commission to define the purpose and need for an environmental impact statement or environmental assessment as part of the environmental review process described in paragraph (1).

(d) CERTIFICATION.—No hydropower facility planned under this section shall be approved by the Commission or the Secretary unless the Secretary certifies in writing that the proposed hydropower facility will not adversely affect or undermine—

(1) the structural integrity of the qualifying facility; and

(2) the ability of the qualifying facility—

(A) to achieve the congressionally authorized purposes of the facility; and

(B) to comply with applicable laws and policies, including the national water resources planning policy under section 2031(a) of the Water Resources Development Act of 2007 (42 U.S.C. 1962–3(a)).

(e) SAVINGS CLAUSE.—Nothing in this section waives or affects the obligations or requirements of any Federal environmental laws, including—
(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);
(2) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and
(3) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 1509. SURPLUS WATER CONTRACTS AND WATER STORAGE AGREEMENTS.

Section 1046(c) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1254; 132 Stat. 3784) is amended—
(1) by striking paragraph (3); and
(2) by redesignating paragraph (4) as paragraph (3).

SEC. 1510. REDUCED PRICING FOR CERTAIN WATER SUPPLY STORAGE.

Section 322 of the Water Resources Development Act of 1990 (33 U.S.C. 2324) is amended—
(1) in subsection (b), by striking “2,000,000” and inserting “3,000,000”; and
(2) in subsection (g)—
(A) by striking the period at the end and inserting “; or”;
(B) by striking “means a community” and inserting the following: “means—
“(1) a community”; and

(C) by adding at the end the following:

“(2) a regional water system that serves a population of less than 100,000, for which the per capita income is less than the per capita income of not less than 50 percent of the counties in the United States.”.

Subtitle F—Invasive Species

SEC. 1601. DEFINITION OF INVASIVE SPECIES.

In this subtitle, the term “invasive species” has the meaning given the term in section 1 of Executive Order 13112 (64 Fed. Reg. 6183; relating to invasive species (February 8, 1999)) (as amended by section 2 of Executive Order 13751 (81 Fed. Reg. 88609; relating to safeguarding the Nation from the impacts of invasive species (December 5, 2016))).

SEC. 1602. INVASIVE SPECIES IN IMPAIRED WATERS.

(a) In general.—The Administrator of the Environmental Protection Agency (referred to in this section as the “Administrator”) may provide technical assistance to support efforts to eradicate invasive species from waterways of the United States to—

(1) States;

(2) Indian Tribes; and

(3) units of local government.
(b) No Cost.—The technical assistance under subsection (a) shall be provided at no cost to the entities described in that subsection.

(c) Prioritization.—In selecting efforts to which to provide technical assistance under subsection (a), the Administrator shall give priority to those efforts that target an invasive species in a waterway that is identified by the 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)).

(d) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $10,000,000, to remain available until expended.

SEC. 1603. AQUATIC INVASIVE SPECIES RESEARCH.

Section 1108 of the America’s Water Infrastructure Act of 2018 (33 U.S.C. 2263a) is amended—

(1) in subsection (a)—

(A) by striking “management” and inserting “prevention, management,”; and

(B) by inserting “, elodea, quagga mussels,” after “Asian carp”; and

(2) in subsection (b)—

(A) by inserting “or could be impacted in the future” after “impacted”; and

(B) by inserting “Arctic,” after “Pacific,”.
SEC. 1604. INVASIVE SPECIES MITIGATION AND REDUCTION.

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

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “this section $110,000,000” and inserting “this section (except for subsections (f) and (g)) $120,000,000”;

(ii) in subparagraph (B), by striking “and” at the end;

(iii) in subparagraph (C), by striking the period at the end and inserting “; and”;

(iv) by adding at the end the following:

“(D) $10,000,000 shall be made available to carry out subsection (d)(1)(A)(iv).”;

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

“(2) OTHER PROGRAMS.—
“(A) IN GENERAL.—There are authorized to be appropriated—

“(i) $10,000,000 for each of fiscal years 2021 through 2024 to carry out subsection (f); and

“(ii) $50,000,000 for each of fiscal years 2021 through 2024 to carry out subsection (g)(2).

“(B) INVASIVE PLANT SPECIES PILOT PROGRAM.—There is authorized to be appropriated to the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, $10,000,000 to carry out subsection (g)(3).”; and

(D) in paragraph (3) (as so redesignated), by inserting “or (2)(A)” after “paragraph (1)”; (2) in subsection (d)—

(A) in the subsection heading, by inserting “AND DECONTAMINATION” after “INSPECTION”;

(B) in paragraph (1)—

(i) in subparagraph (A)—

(I) in the subparagraph heading, by inserting “AND DECONTAMINATION” after “INSPECTION”;
(II) in clause (ii), by striking “and” at the end;

(III) in clause (iii), by striking the period at the end and inserting “; and”;

(IV) by adding at the end the following:

“(iv) to protect basins and watersheds that adjoin an international border between the United States and Canada.”;

and

(ii) by striking subparagraph (B) and inserting the following:

“(B) LOCATIONS.—The Secretary shall place watercraft inspection and decontamination stations under subparagraph (A) 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 consultation with the Governors and entities described in paragraph (3).”;}

(C) in paragraph (3)(A), by striking “(iii)” and inserting “(iv)”; and
(D) by striking “watercraft inspection stations” each place it appears and inserting “watercraft inspection and decontamination stations”; and

(3) by adding at the end the following:

“(f) INVASIVE SPECIES MANAGEMENT PILOT PROGRAM.—

“(1) DEFINITION OF INVASIVE SPECIES.—In this subsection, the term ‘invasive species’ has the meaning given the term in section 1 of Executive Order 13112 (64 Fed. Reg. 6183; relating to invasive species (February 8, 1999)) (as amended by section 2 of Executive Order 13751 (81 Fed. Reg. 88609; relating to safeguarding the Nation from the impacts of invasive species (December 5, 2016))).

“(2) DEVELOPMENT OF PLANS.—The Secretary shall carry out a pilot program under which the Secretary shall collaborate with States in the Upper Missouri River Basin in developing voluntary aquatic invasive species management plans to mitigate the effects of invasive species on public infrastructure facilities located on reservoirs of the Corps of Engineers in those States.

“(3) MANAGEMENT PLAN.—
“(A) IN GENERAL.—The Secretary, in consultation with the Governor of each State in the Upper Missouri River Basin that elects to participate in the pilot program, shall prepare a management plan for each participating State that identifies public infrastructure facilities located on reservoirs of the Corps of Engineers in those States that—

“(i) are affected by aquatic invasive species; and

“(ii) need financial and technical assistance in order to maintain operations.

“(B) USE OF EXISTING PLANS.—In developing a management plan under subparagraph (A), the Secretary shall consider a management plan submitted by a participating State under section 1204(a) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4724(a)).

“(4) TERMINATION OF AUTHORITY.—The authority provided under this subsection shall terminate on September 30, 2024.

“(g) INVASIVE SPECIES PREVENTION AND REDUCTION.—
“(1) Definition of invasive species.—In this subsection, the term ‘invasive species’ has the meaning given the term in section 1 of Executive Order 13112 (64 Fed. Reg. 6183; relating to invasive species (February 8, 1999)) (as amended by section 2 of Executive Order 13751 (81 Fed. Reg. 88609; relating to safeguarding the Nation from the impacts of invasive species (December 5, 2016))).

“(2) Invasive species partnerships.—

“(A) In general.—The Secretary may enter into partnerships with applicable States and other Federal agencies to carry out actions to reduce, to the maximum extent practicable, invasive species that adversely impact 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.

“(B) Prioritization.—In selecting actions to carry out under a partnership under subparagraph (A), the Secretary shall give priority to projects that are intended to control or manage the Russian olive (*Elaeagnus angustifolia*) or saltcedar (of the genus *Tamarix*).
“(3) INVASIVE PLANT SPECIES PILOT PROGRAM.—

“(A) DEFINITIONS.—In this paragraph:

“(i) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a partnership between or among 2 or more entities that—

“(I) includes—

“(aa) at least 1 flood control district; and

“(bb) at least 1 city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State or Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)); and

“(II) may include any other entity (such as a nonprofit organization or institution of higher education), as determined by the Secretary.

“(ii) INVASIVE PLANT SPECIES.—The term ‘invasive plant species’ means a plant that is nonnative to the ecosystem under consideration, the introduction of which
causes or is likely to cause economic harm or harm to human health.

“(iii) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

“(B) PILOT PROGRAM.—The Secretary shall establish a pilot program under which the Secretary shall work with eligible entities to carry out activities—

“(i) to remove invasive plant species in riparian areas that contribute to drought conditions in—

“(I) the Lower Colorado River Basin;

“(II) the Rio Grande River Basin;

“(III) the Texas Gulf Coast Basin; and

“(IV) the Arkansas-White-Red Basin;

“(ii) where appropriate, to replace the invasive plant species described in clause (i) with ecologically suitable native species; and
“(iii) to maintain and monitor riparian areas in which activities are carried out under clauses (i) and (ii).

“(C) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of this subsection, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the implementation of the pilot program.

“(D) TERMINATION OF AUTHORITY.—The authority provided under this paragraph shall terminate on September 30, 2024.

“(4) COST-SHARE.—The Federal share of an action carried out under a partnership under paragraph (2) or the pilot program under paragraph (3) shall not exceed 80 percent of the total cost of the action.”.

SEC. 1605. TERRESTRIAL NOXIOUS WEED CONTROL PILOT PROGRAM.

(a) IN GENERAL.—The Secretary shall 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.

(b) PARTNERSHIPS.—In carrying out the pilot pro-
gram under subsection (a), the Secretary shall act in part-
nership with such other individuals and entities as the
Secretary determines to be appropriate.

(e) COOPERATIVE AGREEMENTS.—The Secretary
may utilize cooperative agreements with county and State
agencies for the implementation of the pilot program
under subsection (a).

(d) REPORT TO CONGRESS.—Not later than 2 years
after the date of enactment of this Act, the Secretary shall
provide to the Committee on Environment and Public
Works of the Senate and the Committee on Transpor-
tation and Infrastructure of the House of Representatives
a report describing the new and improved strategies devel-
oped through the pilot program under subsection (a).

SEC. 1606. INVASIVE SPECIES RISK ASSESSMENT,
PRIORITIZATION, AND MANAGEMENT.

Section 528(f)(2) of the Water Resources Develop-
ment Act of 1996 (110 Stat. 3771) is amended—

(1) by redesignating subparagraphs (I) and (J)
as subparagraphs (J) and (K), respectively;

(2) by inserting after subparagraph (H) the fol-
lowing:
“(I) shall, using existing amounts appropriated to the Task Force, develop and update, as appropriate, a priority list of invasive species that—

“(i) reflects an assessment of ecological risk that the listed invasive species represent;

“(ii) includes populations of invasive plants and animals that—

“(I) are significantly impacting the structure and function of ecological communities, native species, or habitat within the South Florida ecosystem; or

“(II) demonstrate a strong potential to reduce, obscure, or otherwise alter key indicators used to measure Everglades restoration progress; and

“(iii) shall be used by the Task Force and agencies and entities represented on the Task Force to focus cooperative and collaborative efforts—

“(I) to guide applied research;
“(II) to develop innovative strategies and tools to facilitate improved management, control, or eradication of listed invasive species;

“(III) to implement specific management, control, or eradication activities at the appropriate periodicity and intensity necessary to reduce or neutralize the impacts of listed invasive species, including the use of qualified skilled volunteers when appropriate; and

“(IV) to develop innovative strategies and tools to prevent future introductions of nonnative species;”;

(3) in subparagraph (J) (as so redesignated), by striking “ecosystem” and inserting “ecosystem, including the activities described in subparagraph (I)”;

(4) in clause (i) of subparagraph (K) (as so redesignated), by inserting “, including the priority list under subparagraph (I) and the activities described in that subparagraph” after “Task Force”.
SEC. 1607. ASIAN CARP PREVENTION AND CONTROL PILOT PROGRAM.

(a) In General.—The Secretary shall carry out an Asian carp prevention and control pilot program (referred to in this section as the “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.

(b) Project Selection.—

(1) Location.—Each project under the pilot program shall be carried out in a river system or reservoir in which Asian carp populations are expanding or have been documented.

(2) Limitations.—

(A) In General.—Not later than September 30, 2024, the Secretary shall carry out and complete not more than 20 projects under the pilot program.

(B) Requirement.—Not fewer than 5 of the projects under subparagraph (A) shall be carried out at reservoirs of the Corps of Engineers or the Tennessee Valley Authority that are located in—

(i) the Cumberland River watershed;

or

(ii) the Tennessee River watershed.
(3) CONSULTATION.—In selecting projects to carry out under the pilot program, the Secretary shall consult with—

(A) the Director of the U.S. Army Engineer Research and Development Center;

(B) the Director of the United States Fish and Wildlife Service;

(C) the Director of the United States Geological Survey;

(D) other applicable Federal, State, and local agencies;

(E) the Mississippi Interstate Cooperative Resource Association and associated sub-basin partnerships of the Mississippi River;

(F) institutions of higher education; and

(G) relevant private organizations, including nonprofit organizations.

(c) TREATMENT OF UNSUCCESSFUL PROJECTS.—If the Secretary determines that a project carried out under this section does not achieve the goals of the pilot program described in subsection (a), the Secretary shall remove the project.

(d) COST-SHARE.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Federal share of the costs of a project
carried out under the pilot program shall be 80 percent.

(2) Operation, Maintenance, Rehabilitation, and Repair.—After the completion of a project under the pilot program, the Federal share of the costs for operation, maintenance, rehabilitation, and repair of the project shall be 100 percent.

(3) Federal Responsibility.—The Federal share of the costs of the removal of a project under subsection (c) shall be 100 percent.

(c) Report.—Not later than 2 years after the date of enactment of this Act, and 2 years thereafter, the Secretary shall submit to Congress a report describing the results of the pilot program, including an analysis of the effectiveness of the innovative technologies, methods, and measures used in projects of the pilot program at preventing the spread of, managing the spread of, reducing the population of, or eradicating Asian carp.

(f) Transfer.—The Secretary may transfer projects carried out under the pilot program at reservoirs of the Tennessee Valley Authority to the Tennessee Valley Authority.

(g) Authorization of Appropriations.—There is authorized to be appropriated to carry out the pilot program $35,000,000, to remain available until expended.
(h) TERMINATION OF AUTHORITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), the authority provided under the pilot program shall terminate on September 30, 2024.

(2) EXCEPTION.—The authority under subsection (f) does not terminate on the date described in paragraph (1).

SEC. 1608. AQUATIC INVASIVE SPECIES PREVENTION.

Section 1039(b) of the Water Resources Reform and Development Act of 2014 (16 U.S.C. 4701 note; Public Law 113–121) is amended—

(1) in paragraph (1)—

(A) in the paragraph heading, by striking “UPPER MISSISSIPPI AND OHIO RIVER BASINS AND TRIBUTARIES” and inserting “MISSISSIPPI RIVER AND TRIBUTARIES, INCLUDING SUB-BASINS”;

(B) in subparagraph (A), by striking “Upper Mississippi and Ohio River basins and tributaries” and inserting “Mississippi River and tributaries, including the 6 sub-basins of the River,”; and

(C) in subparagraph (B), by striking “and the document prepared” and all that follows through “February 2012.” and inserting “the
Mississippi River Basin Asian Carp Control Strategy Frameworks, and the Asian Carp Regional Coordinating Committee’s Asian Carp Action Plan.”; and

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking “December 31 of each year” and inserting “December 31, 2020, and biennially thereafter”; and

(ii) by striking “Upper Mississippi and Ohio River basins and tributaries” and inserting “Mississippi River and tributaries, including the 6 sub-basins of the River”; and

(B) in subparagraph (B)—

(i) in clause (i), by striking “Upper Mississippi and Ohio River basins and tributaries” and inserting “Mississippi River and tributaries, including the 6 sub-basins of the River,”; and

(ii) in clause (ii), by striking “Upper Mississippi and Ohio River basins and tributaries” and inserting “Mississippi River and tributaries, including the 6 sub-basins of the River”.
SEC. 1609. INVASIVE SPECIES IN ALPINE LAKES PILOT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, shall establish a pilot program (referred to in this section as the “pilot program”) to carry out measures necessary to prevent, reduce the number of, or eradicate aquatic invasive species in alpine lakes in areas in which the Secretary of the Interior is carrying out environmental projects.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the pilot program $25,000,000 for the period of fiscal years 2022 through 2024.

SEC. 1610. INVASIVE SPECIES IN NONCONTIGUOUS STATES AND TERRITORIES PILOT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, shall establish a pilot program to carry out measures necessary to prevent, reduce the number of, or eradicate invasive species in culturally significant forested watersheds in noncontiguous States and territories of the United States in which the Secretary is carrying out flood risk reduction projects.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the pilot pro-
gram under subsection (a) $25,000,000 for the period of fiscal years 2022 through 2024.

**TITLE II—CLEAN WATER**

**SEC. 2001. CLEAN WATER INFRASTRUCTURE RESILIENCY AND SUSTAINABILITY PROGRAM.**

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

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**SEC. 222. CLEAN WATER INFRASTRUCTURE RESILIENCY AND SUSTAINABILITY PROGRAM.**

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“(a) **DEFINITIONS.**—In this section:

“(1) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means—

“(A) a municipality; or

“(B) an intermunicipal, interstate, or State agency.

“(2) **NATURAL HAZARD.**—The term ‘natural hazard’ means a hazard caused by natural forces, including extreme weather events, sea-level rise, and extreme drought conditions.

“(3) **PROGRAM.**—The term ‘program’ means the clean water infrastructure resilience and sustainability program established under subsection (b).

“(b) **ESTABLISHMENT.**—Subject to the availability of appropriations, the Administrator shall establish a clean
water infrastructure resilience and sustainability program
under which the Administrator shall award grants to eligi-
ble entities for the purpose of increasing the resilience of
publicly owned treatment works to a natural hazard.

“(c) USE OF FUNDS.—An eligible entity that receives
a grant under the program shall use the grant funds for
planning, designing, or constructing projects (on a system-
wide or area-wide basis) that increase the resilience of a
publicly owned treatment works to a natural hazard
through—

“(1) the conservation of water;
“(2) the enhancement of water use efficiency;
“(3) the enhancement of wastewater and
stormwater management by increasing watershed
preservation and protection, including through the
use of—
“(A) natural and engineered green infra-
structure; and
“(B) reclamation and reuse of wastewater
and stormwater, such as aquifer recharge zones;
“(4) the modification or relocation of an exist-
ing publicly owned treatment works that is at risk
of being significantly impaired or damaged by a nat-
ural hazard;
“(5) the development and implementation of projects to increase the resilience of publicly owned treatment works to a natural hazard; or

“(6) the enhancement of energy efficiency or the use and generation of recovered or renewable energy in the management, treatment, or conveyance of wastewater or stormwater.

“(d) APPLICATION.—To be eligible to receive a grant under the program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

“(1) a proposal of the project to be planned, designed, or constructed using funds under the program;

“(2) an identification of the natural hazard risk to be addressed by the proposed project;

“(3) documentation prepared by a Federal, State, regional, or local government agency of the natural hazard risk of the area where the proposed project is to be located;

“(4) a description of any recent natural hazard events that have affected the publicly owned treatment works;
“(5) a description of how the proposed project would improve the performance of the publicly owned treatment works under an anticipated natural hazard; and

“(6) an explanation of how the proposed project is expected to enhance the resilience of the publicly owned treatment works to an anticipated natural hazard.

“(e) GRANT AMOUNT AND OTHER FEDERAL REQUIREMENTS.—

“(1) COST SHARE.—A grant under the program shall not exceed 75 percent of the total cost of the proposed project.

“(2) REQUIREMENTS.—The requirements of section 608 shall apply to a project funded with a grant under the program.

“(f) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2021 through 2024.

“(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”.
SEC. 2002. INCREASED FUNDING FOR TECHNICAL ASSISTANCE.

Section 104(u) of the Federal Water Pollution Control Act (33 U.S.C. 1254(u)) is amended—

(1) by striking “and (7)” and inserting “(7)”;

and

(2) in paragraph (7)—

(A) by striking “2023” and inserting “2020”; and

(B) by striking the period at the end and inserting “; and (8) not to exceed $75,000,000 for each of fiscal years 2021 through 2024 for carrying out subsections (b)(3), (b)(8), and (g), of which not less than $50,000,000 each year shall be used to carry out subsection (b)(8).”.

SEC. 2003. SMALL AND MEDIUM PUBLICLY OWNED TREATMENT WORKS CIRCUIT RIDER PROGRAM.

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) (as amended by section 2001) is amended by adding at the end the following:

“SEC. 223. SMALL AND MEDIUM PUBLICLY OWNED TREATMENT WORKS CIRCUIT RIDER PROGRAM.

“(a) ESTABLISHMENT.—Subject to the availability of appropriations, not later than 180 days after the date of enactment of this section, the Administrator shall establish a circuit rider program (referred to in this section as
the ‘circuit rider program’) under which the Administrator
shall award grants to qualified nonprofit entities, as deter-
mined by the Administrator, to provide assistance to own-
ers and operators of small and medium publicly owned
treatment works to carry out the activities described in
section 602(b)(13).

“(b) LIMITATION.—A grant provided under the cir-
cuit rider program shall be in an amount that is not more
than $75,000.

“(c) REPORT.—Not later than 180 days after the
date on which the Administrator establishes the circuit
rider program, and every 180 days thereafter, the Admin-
istrator shall submit to Congress a report describing—

“(1) each recipient of a grant under the circuit
rider program; and

“(2) a summary of the activities carried out
under the circuit rider program.

“(d) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be
appropriated to carry out this section $10,000,000
for the period of fiscal years 2021 through 2024.

“(2) LIMITATION ON USE OF FUNDS.—Of the
amounts made available for grants under paragraph
(1), not more than 2 percent may be used to pay the
administrative costs of the Administrator.”.
SEC. 2004. SMALL PUBLICLY OWNED TREATMENT WORKS

EFFICIENCY GRANT PROGRAM.

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) (as amended by section 2003) is amended by adding at the end the following:

“SEC. 224. SMALL PUBLICLY OWNED TREATMENT WORKS

EFFICIENCY GRANT PROGRAM.

“(a) ESTABLISHMENT.—Subject to the availability of appropriations, not later than 180 days after the date of enactment of this section, the Administrator shall establish an efficiency grant program (referred to in this section as the ‘efficiency grant program’) under which the Administrator shall award grants to eligible entities for the replacement or repair of equipment that improves water or energy efficiency of small publicly owned treatment works, as identified in an efficiency audit.

“(b) ELIGIBLE ENTITIES.—The Administrator may award a grant under the efficiency grant program to an owner or operator of a small publicly owned treatment works that serves—

“(1) a population of not more than 10,000 people; or

“(2) a disadvantaged community.

“(c) REPORT.—Not later than 180 days after the date on which the Administrator establishes the efficiency
grant program, and every 180 days thereafter, the Administrator shall submit to Congress a report describing—

“(1) each recipient of a grant under the efficiency grant program; and

“(2) a summary of the activities carried out under the efficiency grant program.

“(d) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2021 through 2024, to remain available until expended.

“(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”.

SEC. 2005. WASTEWATER EFFICIENCY GRANT PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) PILOT PROGRAM.—The term “pilot program” means the wastewater efficiency grant pilot program established under subsection (b).
(3) TREATMENT WORKS.—The term “treatment works” has the meaning given the term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).

(b) ESTABLISHMENT.—Subject to the availability of appropriations, the Administrator shall establish a wastewater efficiency grant pilot program to award grants to owners or operators of publicly owned treatment works to carry out projects that create or improve waste-to-energy systems.

(e) SELECTION.—

(1) APPLICATIONS.—To be eligible to receive a grant under the pilot program, an owner or operator of a treatment works shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(2) NUMBER OF RECIPIENTS.—The Administrator shall select not more than 15 recipients of grants under the pilot program from applications submitted under paragraph (1).

(d) USE OF FUNDS.—

(1) IN GENERAL.—Subject to paragraph (2), a recipient of a grant under the pilot program may use grant funds for—
(A) sludge collection;
(B) installation of anaerobic digesters;
(C) methane capture;
(D) methane transfer;
(E) facility upgrades and retrofits necessary to create or improve waste-to-energy systems; and
(F) other new and emerging, but proven, technologies that transform waste to energy.

(2) LIMITATION.—A grant to a recipient under the pilot program shall be not more than $4,000,000.

(e) REPORTS.—

(1) REPORT TO THE ADMINISTRATOR.—Not later than 1 year after receiving a grant under the pilot program and each year thereafter for which amounts are made available for the pilot program under subsection (f), the recipient of the grant shall submit to the Administrator a report describing the impact of that project on the communities within 3 miles of the treatment works.

(2) REPORT TO CONGRESS.—Not later than 1 year after first awarding grants under the pilot program and each year thereafter for which amounts are made available for the pilot program under sub-
section (f), the Administrator shall submit to Con-
gress a report describing—

(A) the applications received by the Ad-
ministrator for grants under the pilot program;
and

(B) the projects for which grants were
awarded under the pilot program.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be
appropriated to carry out the pilot program
$17,500,000 for each of fiscal years 2021 and 2022,
to remain available until expended.

(2) LIMITATION ON USE OF FUNDS.—Of the
amounts made available for grants under paragraph
(1), not more than 2 percent may be used to pay the
administrative costs of the Administrator.

SEC. 2006. PILOT PROGRAM FOR ALTERNATIVE WATER
SOURCE PROJECTS.

Section 220 of the Federal Water Pollution Control
Act (33 U.S.C. 1300) is amended—

(1) in subsection (b), in the heading, by strik-
ing “IN GENERAL” and inserting “ESTABLISH-
MENT”;

(2) in subsection (d)—

(A) by striking paragraph (2); and
(B) by redesignating paragraph (3) as paragraph (2);

(3) by striking subsection (e);

(4) in subsection (i)—

(A) in the matter preceding paragraph (1), by striking “, the following definitions apply”; and

(B) in paragraph (1), in the first sentence, by striking “water or wastewater or by treating wastewater” and inserting “water, wastewater, or stormwater or by treating wastewater or stormwater”;

(5) in subsection (j)—

(A) in the first sentence, by striking “There is” and inserting the following:

“(1) IN GENERAL.—There is”;

(B) in paragraph (1) (as so designated), by striking “a total of $75,000,000 for fiscal years 2002 through 2004. Such sums shall” and inserting “$25,000,000 for each of fiscal years 2022 through 2024, to”; and

(C) by adding at the end the following:

“(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph
(1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”; and

(6) by redesignating subsections (b), (e), (d), (i), and (j) as subsections (e), (d), (e), (b), and (i), respectively, and moving those subsections so as to appear in alphabetical order.

SEC. 2007. SEWER OVERFLOW AND STORMWATER REUSE MUNICIPAL GRANTS.

Section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) is amended—

(1) in subsection (a)(1) —

(A) in subparagraph (A), by striking “and” at the end;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

“(B) notification systems to inform the public of combined sewer or sanitary overflows that result in sewage being released into rivers and other waters; and”; and

(2) in subsection (f)—

(A) in paragraph (1)—

(i) by striking “There is” and inserting “There are”;

(ii) by striking “or” and inserting “and”;

(iii) by inserting “and” at the end;
(ii) by striking the period at the end and inserting “; and”;

(iii) by striking “this section $225,000,000” and inserting the following: “this section—

“(A) $225,000,000”; and

(iv) by adding at the end the following:

“(B) $250,000,000 for each of fiscal years 2021 and 2022.”; and

(B) in paragraph (2)—

(i) by striking “To the extent” and inserting the following:

“(A) GREEN INFRASTRUCTURE.—To the extent”; and

(ii) by adding at the end the following:

“(B) RURAL ALLOCATION.—

“(i) DEFINITION OF RURAL AREA.—

In this subparagraph, the term ‘rural area’ means a city, town, or unincorporated area that has a population of not more than 10,000 inhabitants.

“(ii) ALLOCATION.—To the extent there are sufficient eligible project applica-
tions, the Administrator shall ensure that a State uses not less than 15 percent of the amount of the grants made to the State under subsection (a) in a fiscal year to carry out projects in rural areas for the purpose of planning, design, and construction of—

“(I) treatment works to intercept, transport, control, treat, or reuse municipal sewer overflows, sanitary sewer overflows, or stormwater; or

“(II) any other measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water eligible for assistance under section 603(c).”.

SEC. 2008. WATER INFRASTRUCTURE AND WORKFORCE INVESTMENT.

Section 4304 of the America’s Water Infrastructure Act of 2018 (42 U.S.C. 300j–19e) is amended—

(1) in subsection (a)(3)(B), by inserting “and public works departments and agencies” after “organizations”; and

(2) in subsection (b)—
(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “institutions—” and inserting “institutions, or public works departments and agencies—”; and

(ii) in subparagraph (A)(ii), by inserting “for entities that are not public works departments and agencies,” before “working”; and

(B) in paragraph (4), by striking “$1,000,000 for each of fiscal years 2019 and 2020” and inserting “$2,000,000 for each of fiscal years 2021 through 2024”; and

(3) by redesignating subsections (a) and (b) as subsections (b) and (c), respectively; and

(4) by inserting before subsection (b) (as so redesignated) the following:

“(a) Definition of Public Works Department or Agency.—In this section, the term ‘public works department or agency’ means a political subdivision of a local, county, or regional government that designs, builds, operates, and maintains water infrastructure, sewage and refuse disposal systems, and other public water systems and facilities.”
1 SEC. 2009. WATER RESOURCES RESEARCH ACT AMENDMENTS.

   (a) CLARIFICATION OF RESEARCH ACTIVITIES.—Section 104(b)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(b)(1)) is amended—

      (1) in subparagraph (B)(ii), by striking “water-related phenomena” and inserting “water resources”; and

      (2) in subparagraph (D), by striking the period at the end and inserting “; and”.

   (b) COMPLIANCE REPORT.—Section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended by striking subsection (c) and inserting the following:

      “(c) GRANTS.—

      “(1) IN GENERAL.—From the sums appropriated pursuant to subsection (f) of this section, the Secretary shall make grants to each institute to be matched on a basis of no less than 1 non-Federal dollar for every 1 Federal dollar.

      “(2) REPORT.—Not later than December 31 of each fiscal year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate, the Committee on the Budget of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee
on the Budget of the House of Representatives a re-
port regarding the compliance of each funding re-
cipient with this subsection for the immediately pre-
ceeding fiscal year.”

(c) EVALUATION OF WATER RESOURCES RESEARCH
PROGRAM.—Section 104 of the Water Resources Research
Act of 1984 (42 U.S.C. 10303) is amended by striking
subsection (e) and inserting the following:

“(e) EVALUATION OF WATER RESOURCES RESEARCH
PROGRAM.—

“(1) IN GENERAL.—The Secretary shall con-
duct a careful and detailed evaluation of each insti-
tute at least once every 5 years to determine—

“(A) the quality and relevance of the water
resources research of the institute;

“(B) the effectiveness of the institute at
producing measured results and applied water
supply research; and

“(C) whether the effectiveness of the insti-
tute as an institution for planning, conducting,
and arranging for research warrants continued
support under this section.

“(2) PROHIBITION ON FURTHER SUPPORT.—If,
as a result of an evaluation under paragraph (1), the
Secretary determines that an institute does not qual-
ify for further support under this section, no further
grants to the institute may be provided until the
qualifications of the institute are reestablished to the
satisfaction of the Secretary.’’.

(d) Authorization of Appropriations.—Section
104(f)(1) of the Water Resources Research Act of 1984
(42 U.S.C. 10303(f)(1)) is amended by striking
‘‘$12,000,000 for each of fiscal years 2007 through 2011’’
and inserting ‘‘$8,250,000 for each of fiscal years 2021
through 2024’’.

(e) Additional Appropriations Where Re-
search Focused on Water Problems of Interstate
Nature.—Section 104(g)(1) of the Water Resources Re-
search Act of 1984 (42 U.S.C. 10303(g)(1)) is amended
in the first sentence by striking ‘‘$6,000,000 for each of
fiscal years 2007 through 2011’’ and inserting
‘‘$1,750,000 for each of fiscal years 2021 through 2024’’.

SEC. 2010. GRANTS FOR CONSTRUCTION, REFURBISHING,
AND SERVICING OF INDIVIDUAL HOUSEHOLD
DECENTRALIZED WASTEWATER SYSTEMS
FOR INDIVIDUALS WITH LOW OR MODERATE
INCOME.

Title II of the Federal Water Pollution Control Act
(33 U.S.C. 1281 et seq.) (as amended by section 2004)
is amended by adding at the end the following:
“SEC. 225. GRANTS FOR CONSTRUCTION, REFURBISHING, AND SERVICING OF INDIVIDUAL HOUSEHOLD DECENTRALIZED WASTEWATER SYSTEMS FOR INDIVIDUALS WITH LOW OR MODERATE INCOME.

“(a) DEFINITION OF ELIGIBLE INDIVIDUAL.—In this section, the term ‘eligible individual’ means a member of a household, the members of which have a combined income (for the most recent 12-month period for which information is available) equal to not more than 50 percent of the median nonmetropolitan household income for the State or territory in which the household is located, according to the most recent decennial census.

“(b) GRANT PROGRAM.—

“(1) IN GENERAL.—Subject to the availability of appropriations, the Administrator shall establish a program under which the Administrator shall provide grants to private nonprofit organizations for the purpose of providing assistance to eligible individuals—

“(A) for the construction, repair, or replacement of an individual household decentralized wastewater treatment system;

“(B) if the eligible individual resides in a household that could be cost-effectively connected to an available publicly owned treatment
works, for the connection of the household of
the eligible individual to the publicly owned
treatment works; or

“(C) for the installation of a larger decen-
tralized wastewater system designed to provide
treatment for 2 or more households in which el-
igible individuals reside, if—

“(i) site conditions at the households
are unsuitable for the installation of an in-
dividually owned decentralized wastewater
system;

“(ii) multiple examples of unsuitable
site conditions exist in close geographic
proximity to each other; and

“(iii) a larger decentralized waste-
water system could be cost-effectively in-
stalled.

“(2) APPLICATION.—To be eligible to receive a
grant under this subsection, a private nonprofit or-
ganization shall submit to the Administrator an ap-
plication at such time, in such manner, and con-
taining such information as the Administrator deter-
mines to be appropriate.

“(3) PRIORITY.—In awarding grants under this
subsection, the Administrator shall give priority to
applicants that have substantial expertise and experience in promoting the safe and effective use of individual household decentralized wastewater systems.

“(4) Administrative expenses.—A private nonprofit organization may use amounts provided under this subsection to pay the administrative expenses associated with the provision of the services described in paragraph (1), as the Administrator determines to be appropriate.

“(c) Assistance.—

“(1) In general.—Subject to paragraph (2), a private nonprofit organization shall use a grant provided under subsection (b) for the services described in paragraph (1) of that subsection.

“(2) Application.—To be eligible to receive the services described in subsection (b)(1), an eligible individual shall submit to the private nonprofit organization serving the area in which the individual household decentralized wastewater system of the eligible individuals is, or is proposed to be, located an application at such time, in such manner, and containing such information as the private nonprofit organization determines to be appropriate.

“(3) Priority.—In awarding assistance under this subsection, a private nonprofit organization
shall give priority to any eligible individual who does not have access to a sanitary sewage disposal system.

“(d) REPORT.—Not later than 2 years after the date of enactment of this section, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the recipients of grants under the program under this section and the results of the program under this section.

“(e) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to the Administrator to carry out this section $50,000,000 for each of fiscal years 2021 and 2022.

“(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”.

SEC. 2011. CONNECTION TO PUBLICLY OWNED TREATMENT WORKS.

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) (as amended by section 2010) is amended by adding at the end the following:
SEC. 226. CONNECTION TO PUBLICLY OWNED TREATMENT WORKS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

(A) an owner or operator of a publicly owned treatment works that assists or is seeking to assist individuals with connecting the household of the individual to the publicly owned treatment works; or

(B) a nonprofit entity that assists individuals with the costs associated with connecting the household of the individual to a publicly owned treatment works.

(2) PROGRAM.—The term ‘program’ means the competitive grant program established under subsection (b).

(3) QUALIFIED INDIVIDUAL.—The term ‘qualified individual’ has the meaning given the term ‘eligible individual’ in section 603(j).

(b) ESTABLISHMENT.—Subject to the availability of appropriations, the Administrator shall establish a competitive grant program under which the Administrator awards grants to eligible entities to provide funds to assist qualified individuals in covering the costs incurred by the
qualified individual in connecting the household of the qualified individual to a publicly owned treatment works.

“(c) Application.—

“(1) In General.—An eligible entity seeking a grant under the program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may by regulation require.

“(2) Requirement.—Not later than 90 days after the date on which the Administrator receives an application from an eligible entity under paragraph (1), the Administrator shall notify the eligible entity of whether the Administrator will award a grant to the eligible entity under the program.

“(d) Selection Criteria.—In selecting recipients of grants under the program, the Administrator shall use the following criteria:

“(1) Whether the eligible entity seeking a grant provides services to, or works directly with, qualified individuals.

“(2) Whether the eligible entity seeking a grant—

“(A) has an existing program to assist in covering the costs incurred in connecting a
household to a publicly owned treatment works;

or

“(B) seeks to create a program described in subparagraph (A).

“(e) REQUIREMENTS.—

“(1) VOLUNTARY CONNECTION.—Before provid-
ing funds to a qualified individual for the costs described in subsection (b), an eligible entity shall ensure that—

“(A) the qualified individual has connected to the publicly owned treatment works voluntarily; and

“(B) if the eligible entity is not the owner or operator of the publicly owned treatment works to which the qualified individual has connected, the publicly owned treatment works to which the qualified individual has connected has agreed to the connection.

“(2) REIMBURSEMENTS FROM PUBLICLY OWNED TREATMENT WORKS.—An eligible entity that is an owner or operator of a publicly owned treatment works may reimburse a qualified individual that has already incurred the costs described in sub-
section (b) by—
“(A) reducing the amount otherwise owed by the qualified individual to the owner or operator for wastewater or other services provided by the owner or operator; or

“(B) providing a direct payment to the qualified individual.

“(f) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out the program $40,000,000 for each of fiscal years 2021 and 2022.

“(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”.

SEC. 2012. USE OF CLEAN WATER STATE REVOLVING LOAN FUNDS.

(a) IN GENERAL.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(1) in subsection (d), in the matter preceding paragraph (1), by inserting “and provided in subsection (l)” after “State law”; and

(2) by adding at the end the following:

“(k) REQUIRED SUBSIDIES.—

“(1) IN GENERAL.—Notwithstanding any other provision of this title, to the extent that there are
sufficient applications from eligible recipients, and
subject to paragraph (3), a State shall use not less
than 10 percent of a capitalization grant to the
State under this title to provide the additional sub-
сидies described in paragraph (2) to eligible recipi-
ents under subsection (d) if the additional subsidies
described in that paragraph are used—

“(A) as initial financing for the eligible re-
cipient; or

“(B) to buy, refinance, restructure, or for-
give the debt obligations of the eligible recipi-
ent, if the debt obligation was incurred on or
after the date of enactment of this subsection.

“(2) ADDITIONAL SUBSIDIES DESCRIBED.—The
additional subsidies referred to in paragraph (1)
are—

“(A) forgiveness of principal of loans owed
to the State water pollution control revolving
fund of the State;

“(B) negative interest loans;

“(C) grants; or

“(D) a combination of the subsidies de-
scribed in subparagraphs (A) through (C).

“(3) APPLICABILITY.—The authority of a State
to provide additional subsidization under this sub-
section shall apply to amounts received by the State in capitalization grants under this title for fiscal years beginning after September 30, 2020.

“(l) ADDITIONAL USE OF FUNDS.—A State may use an additional 2 percent of the funds annually allotted to each State under this section for nonprofit organizations (as defined in section 104(w)) to provide technical assistance to rural, small, and tribal publicly owned treatment works (within the meaning of section 104(b)(8)(B)) in the State.”.

(b) TECHNICAL AMENDMENT.—Section 104(w) of the Federal Water Pollution Control Act (33 U.S.C. 1254(w)) is amended by striking “treatments works” and inserting “treatment works”.

SEC. 2013. WATER DATA SHARING PILOT PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Administrator of the Environmental Protection Agency (referred to in this section as the “Administrator”) shall establish a competitive grant pilot program (referred to in this section as the “pilot program”) under which the Administrator may award grants to eligible entities under subsection (b) to establish systems that improve the sharing of information concerning water quality,
water infrastructure needs, and water technology between States or among counties and other units of local government within a State, which may include—

(A) establishing a website or data hub to exchange water data, including data on water quality or water technology, including new and emerging, but proven, water technology; and

(B) intercounty communications initiatives related to water data.

(2) REQUIREMENTS.—

(A) DATA SHARING.—The Internet of Water principles developed by the Nicholas Institute for Environmental Policy Solutions shall, to the extent practicable, guide any water data sharing efforts under the pilot program.

(B) USE OF EXISTING DATA.—The recipient of a grant under the pilot program to establish a website or data hub described in paragraph (1)(A) shall, to the extent practicable, leverage existing data sharing infrastructure.

(b) ELIGIBLE ENTITIES.—An entity eligible for a grant under the pilot program is—

(1) a State, county, or other unit of local government that—
(A) has a coastal watershed with significant pollution levels;

(B) has a water system with significant pollution levels; or

(C) has significant individual water infrastructure deficits; or

(2) a regional consortium established under subsection (d).

(e) APPLICATIONS.—To be eligible to receive a grant under the pilot program, an eligible entity under subsection (b) shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(d) REGIONAL CONSORTIA.—

(1) ESTABLISHMENT.—States may establish regional consortia in accordance with this subsection.

(2) REQUIREMENTS.—A regional consortium established under paragraph (1) shall—

(A) include not fewer than 2 States that have entered into a memorandum of understanding—

(i) to exchange water data, including data on water quality; or

(ii) to share information, protocols, and procedures with respect to projects
that evaluate, demonstrate, or install new and emerging, but proven, water technology;
(B) carry out projects—
(i) to exchange water data, including data on water quality; or
(ii) that evaluate, demonstrate, or install new and emerging, but proven, water technology; and
(C) develop a regional intended use plan, in accordance with paragraph (3), to identify projects to carry out, including projects using grants received under this section.

(3) REGIONAL INTENDED USE PLAN.—A regional intended use plan of a regional consortium established under paragraph (1)—
(A) shall identify projects that the regional consortium intends to carry out, including projects that meet the requirements of paragraph (2)(B); and
(B) may include—
(i) projects included in an intended use plan of a State prepared under section 606(c) of the Federal Water Pollution
Control Act (33 U.S.C. 1386(c)) within the regional consortium; and

(ii) projects not included in an intended use plan of a State prepared under section 606(c) of the Federal Water Pollution Control Act (33 U.S.C. 1386(c)) within the regional consortium.

(c) Funding.—

(1) Authorization of Appropriations.— There is authorized to be appropriated to carry out the pilot program $15,000,000 for each of fiscal years 2022 through 2024, to remain available until expended.

(2) Requirement.—Of the funds made available under paragraph (1), not more than 35 percent may be used to provide grants to regional consortia established under subsection (d).

SEC. 2014. WATER INFRASTRUCTURE FINANCING REAUTHORIZATION.

Section 5033 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3912) is amended—

(1) in subsection (a), by adding at the end the following:
“(3) Fiscal years 2022 through 2024.—

There is authorized to be appropriated to the Administrator to carry out this subtitle $50,000,000 for each of fiscal years 2022 through 2024, to remain available until expended.”;

(2) in subsection (b)(2)—

(A) in the paragraph heading, by striking “2020 AND 2021” and inserting “AFTER 2019”;

and

(B) by striking “2020 and 2021” and inserting “2022 through 2024”; and

(3) in subsection (e)(1), by striking “2020 and 2021” and inserting “2022 through 2024”.

SEC. 2015. FINAL RATING OPINION LETTERS.

Section 5028(a)(1)(D)(ii) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907(a)(1)(D)(ii)) is amended by striking “final rating opinion letters from at least 2 rating agencies” and inserting “a final rating opinion letter from at least 1 rating agency”.

SEC. 2016. REAUTHORIZATION OF CLEAN WATER STATE REVOLVING FUNDS.

Section 607 of the Federal Water Pollution Control Act (33 U.S.C. 1387) is amended—
(1) in the matter preceding paragraph (1), by
striking “There is” and inserting “There are”; and

(2) by striking paragraphs (1) through (5) and
inserting the following:

“(1) $2,000,000,000 for fiscal year 2022;
“(2) $2,500,000,000 for fiscal year 2023; and
“(3) $3,000,000,000 for fiscal year 2024.”.

SEC. 2017. WASTEWATER INFRASTRUCTURE DISCRE-
(3) a State infrastructure financing authority;

and

(4) a publicly owned treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292)).

(c) ELIGIBLE PROJECTS.—

(1) IN GENERAL.—A project eligible to be carried out with funds under the program includes—

(A) 1 or more activities described in section 603(c) of the Federal Water Pollution Control Act (33 U.S.C. 1383(c)); and

(B) any other wastewater infrastructure project that the Administrator determines to appropriate.

(2) OTHER FEDERAL FUNDS.—Notwithstanding any other provision of law, a project otherwise eligible under paragraph (1) shall not be ineligible for funding because the project also received assistance—

(A) from a State drinking water treatment revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12);

(B) from a State water pollution control revolving fund established under title VI of the
Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.); or

(C) under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.).

(d) Application.—

(1) In general.—To be eligible to receive a grant under the program, an eligible entity shall submit to the Administrator an application in such manner and containing such information as the Administrator may require.

(2) Bundling of projects.—An eligible entity may include more than 1 project in a single application.

(3) Deadline.—An application shall be submitted to the Administrator not later than 180 days after the date on which the notice of funding opportunity and the selection criteria are issued under subsection (e)(1)(B).

(e) Selection.—

(1) Criteria.—

(A) In general.—The Administrator shall establish criteria in accordance with this subsection to use in selecting projects to receive a grant under the program.
(B) PUBLICATION.—Not later than 90 days after the date on which funds are made available to carry out the program for each fiscal year, the Administrator shall—

(i) issue a notice of funding opportunity for the program; and

(ii) include in the notice the selection criteria established under subparagraph (A).

(2) PRIORITY.—In selecting projects to receive a grant under the program, the Administrator shall give priority to projects—

(A) for which a Federal grant would assist in completing an overall financing package for the project; and

(B) that would help bring publicly owned treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292)) into compliance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

(3) GEOGRAPHICAL DISTRIBUTION.—For each fiscal year, in providing grants under the program, the Administrator shall ensure that the funds are distributed—
(A) on an equitable geographical basis; and
(B) in a manner that balances the needs of urban, suburban, and rural communities.

(4) DEADLINE.—Not later than 18 months after the date on which funds are made available to carry out the program for each fiscal year, the Administrator shall select projects to receive grants under the program.

(f) REQUIREMENTS.—

(1) TOTAL STATE LIMIT.—For each fiscal year, the total amount provided under the program for projects in a single State shall not exceed 20 percent of the total amount made available to carry out the program.

(2) FEDERAL SHARE.—

(A) IN GENERAL.—Subject to subparagraph (B), the Federal share of the cost of a project carried out with a grant under the program shall not exceed 80 percent.

(B) WAIVER.—The Administrator may waive the requirement of subparagraph (A).

(g) REGULATIONS.—The Administrator may promulgate such regulations as may be necessary to carry out this section.
(h) **Labor Standards.**—Notwithstanding any other provision of law, the Administrator may not provide a grant under the program for a project unless the project meets the requirements described in section 513 of the Federal Water Pollution Control Act (33 U.S.C. 1372).

(i) **Reports.**—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress and make publicly available a report on the implementation of the program.

(j) **Funding.**—

(1) **Authorization of Appropriations.**—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2022 through 2024.

(2) **Availability.**—Funds made available to carry out this section shall be available until expended.

(3) **Administrative Costs.**—Not more than 2 percent of the amount made available for a fiscal year under paragraph (1) may be used by the Administrator for the administrative costs of carrying out the program.
SEC. 2018. SMALL AND DISADVANTAGED COMMUNITY ANALYSIS.

(a) ANALYSIS.—Not later than 1 year after the date of enactment of this Act, using environmental justice data of the Environmental Protection Agency, including data from the environmental justice mapping and screen tool of the Environmental Protection Agency, the Administrator of the Environmental Protection Agency (referred to in this section as the “Administrator”) shall carry out an analysis under which the Administrator shall assess the programs under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) to identify historical distributions of funds to small and disadvantaged communities and new opportunities and methods to improve on the distribution of funds under those programs to low-income communities, rural communities, minority communities, and communities of indigenous peoples, in accordance with Executive Order 12898 (42 U.S.C. 4321 note; 60 Fed. Reg. 6381; relating to Federal actions to address environmental justice in minority populations and low-income populations)).

(b) REPORT.—On completion of the analysis under subsection (a), the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committees on Energy and Commerce and Trans-
portation and Infrastructure of the House of Representa-

tives a report describing—

(1) the results of the analysis; and

(2) the criteria the Administrator used in car-

ying out the analysis.

SEC. 2019. STORMWATER INFRASTRUCTURE TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Adminis-

trator” means the Administrator of the Environ-

mental Protection Agency.

(2) CENTER.—The term “center” means a cen-

ter of excellence for stormwater control infrastruc-

ture established under subsection (b)(1).

(3) ELIGIBLE ENTITY.—The term “eligible enti-

ty” means—

(A) a State, Tribal, or local government; or

(B) a local, regional, or other public entity

that manages stormwater or wastewater re-

sources or other related water infrastructure.

(4) ELIGIBLE INSTITUTION.—The term “eligi-

ble institution” means an institution of higher edu-

cation, a research institution, or a nonprofit organi-

zation that has demonstrated excellence in research-

ing and developing new and emerging stormwater

control infrastructure.
(b) Centers of Excellence for Stormwater Control Infrastructure.—

(1) Establishment of centers.—

(A) In general.—Subject to the availability of appropriations, the Administrator shall provide grants, on a competitive basis, to eligible institutions to establish and maintain not less than 3, and not more than 5, centers of excellence for new and emerging stormwater control infrastructure, to be located in various regions throughout the United States.

(B) General operation.—Each center shall—

(i) conduct research on new and emerging stormwater control infrastructure that is relevant to the geographical region in which the center is located, including stormwater and sewer overflow reduction, other approaches to water resource enhancement, alternative funding approaches, and other environmental, economic, and social benefits;

(ii) maintain a listing of—

(I) stormwater control infrastructure needs; and
(II) an analysis of new and emerging stormwater control infrastructure that is available;

(iii) analyze whether additional financial programs for the implementation of new and emerging, but proven, stormwater control infrastructure would be useful;

(iv) provide information regarding research conducted under clause (i) to the national electronic clearinghouse center for publication on the Internet website established under paragraph (3)(B)(i) to provide to the Federal Government and State, Tribal, and local governments and the private sector information regarding new and emerging, but proven, stormwater control infrastructure;

(v) provide technical assistance to State, Tribal, and local governments to assist with the construction, operation, and maintenance of stormwater control infrastructure projects;

(vi) collaborate with institutions of higher education and private and public organizations, including community-based
public-private partnerships, in the geographical region in which the center is located; and

(vii) coordinate with the other centers to avoid duplication of efforts.

(2) APPLICATION.—To be eligible to receive a grant under this subsection, an eligible institution shall prepare and submit to the Administrator an application at such time, in such form, and containing such information as the Administrator may require.

(3) NATIONAL ELECTRONIC CLEARINGHOUSE CENTER.—Of the centers established under paragraph (1)(A), 1 shall—

(A) be designated as the “national electronic clearinghouse center”; and

(B) in addition to the other functions of that center—

(i) develop, operate, and maintain an Internet website and a public database that contains information relating to new and emerging, but proven, stormwater control infrastructure; and

(ii) post to the website information from all centers.
(4) Authorization of Appropriations.—

(A) In General.—There is authorized to be appropriated to carry out this subsection $5,000,000 for each of fiscal years 2022 and 2023.

(B) Limitation on Use of Funds.—Of the amounts made available for grants under subparagraph (A), not more than 2 percent may be used to pay the administrative costs of the Administrator.

c) Stormwater Control Infrastructure Project Grants.—

(1) Grant Authority.—Subject to the availability of appropriations, the Administrator shall provide grants, on a competitive basis, to eligible entities to carry out stormwater control infrastructure projects that incorporate new and emerging, but proven, stormwater control technology in accordance with this subsection.

(2) Stormwater Control Infrastructure Projects.—

(A) Planning and Development Grants.—The Administrator may make planning and development grants under this subsection for the following projects:
(i) Planning and designing stormwater control infrastructure projects that incorporate new and emerging, but proven, stormwater control technology, including engineering surveys, landscape plans, maps, and implementation plans.

(ii) Identifying and developing standards necessary to accommodate stormwater control infrastructure projects, including those projects that incorporate new and emerging, but proven, stormwater control technology.

(iii) Identifying and developing fee structures to provide financial support for design, installation, and operations and maintenance of stormwater control infrastructure, including new and emerging, but proven, stormwater control infrastructure.

(iv) Developing approaches for community-based public-private partnerships for the financing and construction of stormwater control infrastructure, including feasibility studies, stakeholder outreach, and needs assessments.
(v) Developing training and educational materials regarding new and emerging, but proven, stormwater control infrastructure for distribution to—

(I) individuals and entities with applicable technical knowledge; and

(II) the public.

(B) IMPLEMENTATION GRANTS.—The Administrator may make implementation grants under this subsection for the following projects:

(i) Installing new and emerging, but proven, stormwater control infrastructure.

(ii) Protecting or restoring interconnected networks of natural areas that protect water quality.

(iii) Monitoring and evaluating the environmental, economic, or social benefits of stormwater control infrastructure that incorporate new and emerging, but proven, stormwater control technology.

(iv) Implementing a best practices standard for stormwater control infrastructure programs.

(3) APPLICATION.—Except as otherwise provided in this section, to be eligible to receive a grant
under this subsection, an eligible entity shall prepare and submit to the Administrator an application at such time, in such form, and containing such information as the Administrator may require, including, as applicable—

(A) a description of the stormwater control infrastructure project that incorporates new and emerging, but proven, technology;

(B) a plan for monitoring the impacts of the stormwater control infrastructure project on the water quality and quantity;

(C) an evaluation of other environmental, economic, and social benefits of the stormwater control infrastructure project; and

(D) a plan for the long-term operation and maintenance of the stormwater control infrastructure project and a tracking system, such as asset management practices.

(4) PRIORITY.—In making grants under this subsection, the Administrator shall give priority to applications submitted on behalf of—

(A) a community that—

(i) has combined storm and sanitary sewers in the collection system of the community; or
(ii) is a small, rural, or disadvantaged community, as determined by the Administrator; or

(B) an eligible entity that will use not less than 15 percent of the grant to provide service to a small, rural, or disadvantaged community, as determined by the Administrator.

(5) MAXIMUM AMOUNTS.—

(A) PLANNING AND DEVELOPMENT GRANTS.—

(i) SINGLE GRANT.—The amount of a single planning and development grant provided under this subsection shall be not more than $200,000.

(ii) AGGREGATE AMOUNT.—The total amount of all planning and development grants provided under this subsection for a fiscal year shall be not more than $2,000,000.

(B) IMPLEMENTATION GRANTS.—

(i) SINGLE GRANT.—The amount of a single implementation grant provided under this subsection shall be not more than $2,000,000.
(ii) AGGREGATE AMOUNT.—The total amount of all implementation grants provided under this subsection for a fiscal year shall be not more than \(\frac{2}{3}\) of the total amount made available to carry out this subsection.

(6) FEDERAL SHARE.—

(A) IN GENERAL.—Except as provided in subparagraph (C), the Federal share of a grant provided under this subsection shall not exceed 80 percent of the total project cost.

(B) CREDIT FOR IMPLEMENTATION GRANTS.—The Administrator shall credit toward the non-Federal share of the cost of an implementation project carried out under this subsection the cost of planning, design, and construction work completed for the project using funds other than funds provided under this section.

(C) EXCEPTION.—The Administrator may waive the Federal share limitation under subparagraph (A) for an eligible entity that has adequately demonstrated financial need.

(d) REPORT TO CONGRESS.—Not later than 1 year after the date on which the Administrator first awards a
grant under this section, the Administrator shall submit
to Congress a report that includes, with respect to the pe-
period covered by the report—

(1) a description of all grants provided under
this section;

(2) a detailed description of—

(A) the projects supported by those grants;

and

(B) the outcomes of those projects;

(3) a description of the improvements in tech-
nology, environmental benefits, resources conserved,
efficiencies, and other benefits of the projects funded
under this section;

(4) recommendations for improvements to pro-
mote and support new and emerging, but proven,
stormwater control infrastructure, including research
into new and emerging technologies, for the centers,
grants, and activities under this section; and

(5) a description of existing challenges con-
cerning the use of new and emerging, but proven,
stormwater control infrastructure.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be
appropriated to carry out this section (except for
subsection (b)) $10,000,000 for each of fiscal years 2022 and 2023.

(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.

SEC. 2020. GRANTS TO ALASKA TO IMPROVE SANITATION IN RURAL AND NATIVE VILLAGES.

Section 303(e) of the Safe Drinking Water Act Amendments of 1996 (33 U.S.C. 1263a(e)) is amended—

(1) by striking “There are” and inserting “There is”; and

(2) by striking “fiscal years 2001 through 2005” and inserting “fiscal years 2021 and 2022”.

SEC. 2021. WASTEWATER INFRASTRUCTURE GRANTS.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency may provide grants to units of local government, including units of local government that own treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292)), Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), and public water systems (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f)), as applicable, to support improvements in reducing
and removing plastic waste and post-consumer materials, including microplastics and microfibers, from wastewater.

(b) APPLICATIONS.—To be eligible to receive a grant under subsection (a), an applicant shall submit to the Administrator of the Environmental Protection Agency an application at such time, in such manner, and containing such information as the Administrator of the Environmental Protection Agency may require.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), there is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2021 through 2025.

(2) NO IMPACT ON OTHER FEDERAL FUNDS.—

(A) IN GENERAL.—No funds shall be made available under paragraph (1) to carry out this section in a fiscal year if the total amount made available to carry out the programs described in subparagraph (B) for that fiscal year is less than the total amount made available to carry out the programs described in subparagraph (B) for fiscal year 2019.

(B) PROGRAMS DESCRIBED.—The programs referred to in subparagraph (A) are—
(i) State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12);

(ii) programs for assistance for small and disadvantaged communities under subsections (a) through (j) of section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j–19a); and

(iii) State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.).

TITLE III—TRIBAL AND OTHER MATTERS

SEC. 3001. TRIBAL PARTNERSHIP PROGRAM.

Section 203(b)(4) of the Water Resources Development Act of 2000 (33 U.S.C. 2269(b)(4)) is amended by striking “$12,500,000” each place it appears and inserting “$22,500,000”.

SEC. 3002. COST SHARING PROVISIONS FOR TERRITORIES AND INDIAN TRIBES.

Section 1156(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2310(b)) is amended—
(1) by inserting “on an annual basis” after “inflation”; and

(2) by striking “the date of enactment of the Water Resources Development Act of 2018” and inserting “December 31, 2024”.

SEC. 3003. INCLUSION OF TRIBAL INTERESTS IN PROJECT CONSULTATIONS.

(a) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit the report required under section 1120(a)(3) of the Water Resources Development Act of 2016 (130 Stat. 1643).

(b) CONSULTATION.—The Secretary shall ensure—

(1) that all existing Tribal consultation policies, regulations, and guidance continue to be implemented; and

(2) that consultations with Federal and State agencies and Indian Tribes required for a water resources development project are carried out.

SEC. 3004. INDIAN IRRIGATION FUND REAUTHORIZATION.

(a) DEPOSITS TO FUNDS.—Section 3212(a) of the Water Infrastructure Improvements for the Nation Act (130 Stat. 1750; 132 Stat. 3892) is amended by striking “2028” and inserting “2030”.

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(b) **Expenditures From Fund.**—Section 3213(a) of the Water Infrastructure Improvements for the Nation Act (130 Stat. 1750; 132 Stat. 3892) is amended, in the matter preceding paragraph (1), by striking “2028” and inserting “2030”.

(c) **Termination.**—Section 3216 of the Water Infrastructure Improvements for the Nation Act (130 Stat. 1750; 132 Stat. 3892) is amended, in the matter preceding paragraph (1), by striking “2028” and inserting “2030”.

**SEC. 3005. REAUTHORIZATION OF REPAIR, REPLACEMENT, AND MAINTENANCE OF CERTAIN INDIAN IRRIGATION PROJECTS.**

(a) **In General.**—Section 3221(b) of the Water Infrastructure Improvements for the Nation Act (130 Stat. 1751; 132 Stat. 3892) is amended, in the matter preceding paragraph (1), by striking “2028” and inserting “2030”.

(b) **Status Report on Certain Projects.**—Section 3224(d) of the Water Infrastructure Improvements for the Nation Act (130 Stat. 1753; 132 Stat. 3892) is amended, in the matter preceding paragraph (1), by striking “2028” and inserting “2030”.
SEC. 3006. GRANTS TO PORTS TO REDUCE EMISSIONS FROM WATERBORNE VESSELS.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency shall establish a grant program under which the Administrator shall award grants for the purpose of reducing emissions at ports that result from waterborne vessels.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2021 and 2022.

SEC. 3007. MAPPING AND SCREENING TOOL.

The Administrator of the Environmental Protection Agency shall continue to update, on an annual basis, and make available to the public EJSCREEN or an equivalent environmental justice mapping and screening tool.
SEC. 3008. ASSESSMENT OF COASTAL WATER INFRASTRUCTURE VULNERABILITIES.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall submit to Congress a report that includes—

(1) an assessment of coastal water infrastructure vulnerabilities to sea level rise, storm surge, extreme weather, and other flood risks, including an identification of States and communities with the most immediate and severe risks; and

(2) recommendations for investments and other improvements to that infrastructure to ensure long-term survivability.

SEC. 3009. REPORT ON POTENTIAL FOR BLUE ENERGY AT COASTAL WASTEWATER TREATMENT PLANTS.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, in consultation with the Secretary of Energy, shall submit to Congress a report that evaluates the potential for using energy generation technologies based on harnessing the salinity differential between freshwater and saltwater at coastal wastewater treatment plants and other facilities.
SEC. 3010. GREAT LAKES RESTORATION INITIATIVE.

Section 118(c)(7)(J)(i) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)(7)(J)(i)) is amended—

(1) by striking “There is” and inserting “There are”;

(2) by striking the period at the end and inserting “; and”;

(3) by striking “this paragraph $300,000,000” and inserting the following: “this paragraph—

“(I) $300,000,000”; and

(4) by adding at the end the following:

“(II) $375,000,000 for fiscal year 2022.”.

SEC. 3011. SAN FRANCISCO BAY RESTORATION.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

“SEC. 124. SAN FRANCISCO BAY RESTORATION.

“(a) DEFINITIONS.—In this section:

“(1) ESTUARY PARTNERSHIP.—The term ‘Estuary Partnership’ means the San Francisco Estuary Partnership, designated as the management conference for the San Francisco Bay under section 320.
“(2) SAN FRANCISCO BAY PLAN.—The term ‘San Francisco Bay Plan’ means—

“(A) until the date of the completion of the plan developed by the Director under subsection (d), the comprehensive conservation and management plan approved under section 320 for the San Francisco Bay estuary; and

“(B) on and after the date of the completion of the plan developed by the Director under subsection (d), the plan developed by the Director under subsection (d).

“(b) PROGRAM OFFICE.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—Subject to the availability of appropriations, the Administrator shall establish in the Environmental Protection Agency a San Francisco Bay Program Office (referred to in this section as the ‘Office’).

“(B) LOCATION.—The Office shall be located at the headquarters of Region 9 of the Environmental Protection Agency.

“(2) APPOINTMENT OF DIRECTOR.—The Administrator shall appoint a Director of the Office (referred to in this section as the ‘Director’), who shall have management experience and technical ex-
pertise relating to the San Francisco Bay and be highly qualified to direct the development and implementation of projects, activities, and studies necessary to implement the San Francisco Bay Plan.

“(3) DELEGATION OF AUTHORITY; STAFFING.—

The Administrator shall delegate to the Director such authority and provide such staff as may be necessary to carry out this section.

“(e) ANNUAL PRIORITY LIST.—

“(1) IN GENERAL.—After providing public notice, the Director shall annually compile a priority list, consistent with the San Francisco Bay Plan, identifying and prioritizing the projects, activities, and studies to be carried out with amounts made available under subsection (e).

“(2) INCLUSIONS.—The annual priority list compiled under paragraph (1) shall include the following:

“(A) Projects, activities, and studies, including restoration projects and habitat improvement for fish, waterfowl, and wildlife, that advance the goals and objectives of the San Francisco Bay Plan, for—

“(i) water quality improvement, including the reduction of marine litter;
“(ii) wetland, riverine, and estuary restoration and protection;
“(iii) nearshore and endangered species recovery; and
“(iv) adaptation to extreme weather events.
“(B) Information on the projects, activities, and studies specified under subparagraph (A), including—
“(i) the identity of each entity receiving assistance pursuant to subsection (e); and
“(ii) a description of the communities to be served.
“(C) The criteria and methods established by the Director for identification of projects, activities, and studies to be included on the annual priority list.
“(3) CONSULTATION.—In compiling the annual priority list under paragraph (1), the Director shall consult with, and consider the recommendations of—
“(A) the Estuary Partnership;
“(B) the State of California and affected local governments in the San Francisco Bay estuary watershed;
“(C) the San Francisco Bay Restoration Authority; and

“(D) any other relevant stakeholder involved with the protection and restoration of the San Francisco Bay estuary that the Director determines to be appropriate.

“(d) SAN FRANCISCO BAY PLAN.—

“(1) IN GENERAL.—Not later than 5 years after the date of enactment of this section, the Director, in conjunction with the Estuary Partnership, shall review and revise the comprehensive conservation and management plan approved under section 320 for the San Francisco Bay estuary to develop a plan to guide the projects, activities, and studies of the Office to address the restoration and protection of the San Francisco Bay.

“(2) REVISION OF SAN FRANCISCO BAY PLAN.—Not less often than once every 5 years after the date of the completion of the plan described in paragraph (1), the Director shall review, and revise as appropriate, the San Francisco Bay Plan.

“(3) OUTREACH.—In carrying out this subsection, the Director shall consult with the Estuary Partnership and Indian tribes and solicit input from other non-Federal stakeholders.
“(e) Grant Program.—

“(1) In general.—The Director may provide funding through cooperative agreements, grants, or other means to State and local agencies, special districts, and public or nonprofit agencies, institutions, and organizations, including the Estuary Partnership, for projects, activities, and studies identified on the annual priority list compiled under subsection (e).

“(2) Maximum amount of grants; non-federal share.—

“(A) Maximum amount of grants.—Amounts provided to any entity under this section for a fiscal year shall not exceed an amount equal to 75 percent of the total cost of any projects, activities, and studies that are to be carried out using those amounts.

“(B) Non-federal share.—Not less than 25 percent of the cost of any project, activity, or study carried out using amounts provided under this section shall be provided from non-Federal sources.

“(f) Funding.—

“(1) Authorization of appropriations.—There is authorized to be appropriated to carry out
this section $25,000,000 for each of fiscal years 2022 and 2023.

“(2) ADMINISTRATIVE EXPENSES.—Of the amount made available to carry out this section for a fiscal year, the Director may not use more than 5 percent to pay administrative expenses incurred in carrying out this section.

“(3) PROHIBITION.—No amounts made available under this section may be used for the administration of a management conference under section 320.”.

SEC. 3012. LAKE TAHOE RESTORATION PROGRAM.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (as amended by section 3011) is amended by adding at the end the following:

“SEC. 125. LAKE TAHOE RESTORATION PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) DIRECTOR.—The term ‘Director’ means the Director of the Office appointed under subsection (b)(2).

“(2) ENVIRONMENTAL IMPROVEMENT PROGRAM.—The term ‘Environmental Improvement Program’ means the Environmental Improvement Program adopted by the Tahoe Regional Planning
Agency, including any amendments to the Environmental Improvement Program.

"(3) Office.—The term ‘Office’ means the Lake Tahoe Program Office established under subsection (b)(1)(A).

"(b) Lake Tahoe Program.—

"(1) Establishment.—

"(A) In General.—Subject to the availability of appropriations, the Administrator shall establish within the Environmental Protection Agency a Lake Tahoe Program Office.

"(B) Location.—The Office shall be located at—

"(i) the headquarters of region 9 of the Environmental Protection Agency; or

"(ii) another location geographically suitable for the purposes of carrying out the grant program under subsection (c).

"(2) Director.—

"(A) In General.—The Administrator shall appoint an employee of the Environmental Protection Agency who, by reason of management experience and technical expertise relating to Lake Tahoe, shall be highly qualified to support the development and implementation of
projects, programs, and studies necessary to
carry out the goals of the Environmental Im-
provement Program as Director of the Office.

“(B) DELEGATION OF AUTHORITY; STAFF-
ING.—The Administrator shall delegate to the
Director such authority and provide such re-
sources as may be necessary to carry out this
section.

“(c) GRANT PROGRAM.—

“(1) IN GENERAL.—The Director may provide
funding through cooperative agreements, contracts,
interagency agreements, grants, or other means to
Federal, State, and regional agencies, public and
nonprofit agencies, institutions, and organizations
for activities, studies, or projects identified in the
Environmental Improvement Program.

“(2) FEDERAL SHARE.—

“(A) IN GENERAL.—The Federal share of
the total cost of an eligible activity, study, or
project carried out using amounts provided
under this section shall be not greater than 75
percent.

“(B) SOURCE OF NON-FEDERAL SHARE.—
The non-Federal share of the total cost of an
eligible activity, study, or project carried out
under the program shall be provided from non-
Federal sources.

“(d) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—
There is authorized to be appropriated to the Direc-
tor to carry out this section $6,000,000 for each of
fiscal years 2021 through 2024.

“(2) ADMINISTRATIVE EXPENSES.—Of the
amounts made available to carry out this section for
a fiscal year under paragraph (1), the Director may
use not more than 5 percent to pay the administra-
tive expenses incurred in carrying out this section.

“(3) RELATIONSHIP TO OTHER FUNDING.—
Nothing in this section limits the eligibility of
projects identified in the Environmental Improve-
ment Program to receive funding under section 319.

“(4) PROHIBITION.—No amounts made avail-
able under paragraph (1) may be used for the ad-
ministration of a management conference under sec-
tion 320.”.

SEC. 3013. PUGET SOUND COORDINATED RECOVERY.

Title I of the Federal Water Pollution Control Act
(33 U.S.C. 1251 et seq.) (as amended by section 3012)
is amended by adding at the end the following:
“SEC. 126. PUGET SOUND COORDINATED RECOVERY.

“(a) DEFINITIONS.—In this section:

“(1) DIRECTOR.—The term ‘Director’ means the Director of the Program Office appointed under subsection (b)(2)(A).


“(3) INTERNATIONAL JOINT COMMISSION.—The term ‘International Joint Commission’ means the International Joint Commission established by the Treaty Relating to the Boundary Waters and Questions Arising Along the Boundary Between the United States and Canada, signed at Washington January 11, 1909 (36 Stat. 2448; TS 548) (commonly known as the ‘Boundary Waters Treaty of 1909’).

“(4) PACIFIC SALMON COMMISSION.—The term ‘Pacific Salmon Commission’ means the Pacific Salmon Commission established by the United States and Canada under the Treaty between the Government of the United States of America and the Government of Canada Concerning Pacific Salm-
on, signed at Ottawa, January 28, 1985 (TIAS 11091) (commonly known as the ‘Pacific Salmon Treaty’).

“(5) PROGRAM OFFICE.—The term ‘Program Office’ means the Puget Sound Recovery National Program Office established by subsection (b)(1).

“(6) PUGET SOUND ACTION AGENDA; ACTION AGENDA.—The terms ‘Puget Sound Action Agenda’ and ‘Action Agenda’ mean the most recent plan developed by the Puget Sound National Estuary Program Management Conference, in consultation with the Puget Sound Tribal Management Conference, and approved by the Administrator as the comprehensive conservation and management plan for Puget Sound under section 320 (including a plan developed after the date of enactment of this section).


“(8) PUGET SOUND NATIONAL ESTUARY PROGRAM MANAGEMENT CONFERENCE.—The term ‘Puget Sound National Estuary Program Manage-
“(9) Puget Sound Tribal Management Conference.—The term ‘Puget Sound Tribal Management Conference’ means the 20 treaty Indian tribes of western Washington and the Northwest Indian Fisheries Commission.

“(10) Salish Sea.—The term ‘Salish Sea’ means the network of coastal waterways on the west coast of North America that includes the Puget Sound, the Strait of Georgia, and the Strait of Juan de Fuca.

“(b) Puget Sound Recovery National Program Office.—

“(1) Establishment.—There is established in the Environmental Protection Agency an office, to be known as the ‘Puget Sound Recovery National Program Office’, which shall be located in the State of Washington.

“(2) Director.—

“(A) In general.—The Director of the Program Office shall be—

“(i) appointed by the Administrator; and
“(ii) a career reserved position (as defined in section 3132(a) of title 5, United States Code).

“(B) QUALIFICATIONS.—The Director shall have leadership and project management experience and shall be highly qualified—

“(i) to direct the integration of multiple project planning efforts and programs from different agencies and jurisdictions; and

“(ii) to align needs toward implementing a shared Action Agenda with visible and measurable outcomes.

“(3) DELEGATION OF AUTHORITY; STAFFING.—Using amounts made available under subsection (d), the Administrator shall delegate to the Director such authority and provide such staff as may be necessary to carry out this section.

“(4) DUTIES.—The Director shall—

“(A) coordinate and manage the timely execution of the requirements of this section;

“(B) coordinate activities related to the restoration and protection of Puget Sound across the Environmental Protection Agency;
“(C) coordinate and align the activities of the Administrator with the Action Agenda and the Federal Action Plan;

“(D) promote the efficient use of resources of the Environmental Protection Agency in pursuit of Puget Sound restoration and protection;

“(E) serve on the Puget Sound Federal Task Force and collaborate with, help coordinate, and carry out activities with other Federal agencies that have responsibilities involving Puget Sound restoration and protection;

“(F) provide or procure such other advice, technical assistance, research, assessments, monitoring, or other support as is determined by the Director to be necessary or prudent—

“(i) to most efficiently and effectively fulfill the objectives and priorities of the Action Agenda and the Federal Action Plan, consistent with the best available science; and

“(ii) to ensure the health of the Puget Sound ecosystem;

“(G) track the progress of the Environmental Protection Agency towards meeting the specified objectives and priorities of the Envi-
ronmental Protection Agency within the Action Agenda and the Federal Action Plan;

“(H) carry out the recommendations of the Comptroller General of the United States, as set forth in the report entitled ‘Puget Sound Restoration: Additional Actions Could Improve Assessments of Progress’ and dated July 19, 2018;

“(I) serve as liaison and coordinate activities for the restoration and protection of the Salish Sea with Canadian authorities, the Pacific Salmon Commission, and the International Joint Commission; and

“(J) carry out such additional duties as the Administrator determines to be necessary and appropriate.

“(c) CROSSCUT BUDGET REPORT.—

“(1) FINANCIAL REPORT.—Not later than 1 year after the date of enactment of this section, and every 5 years thereafter, the Director of the Office of Management and Budget, in consultation with the Puget Sound Federal Task Force, shall, in conjunction with the annual budget submission of the President to Congress for the year under section 1105(a) of title 31, United States Code, submit to Congress
and make available to the public, including on the internet, a financial report that is certified by the head of each agency represented on the Puget Sound Federal Task Force (referred to in this subsection as the ‘report’).

“(2) CONTENTS.—The report shall contain an interagency crosscut budget relating to Puget Sound restoration and protection activities that includes—

“(A) the proposed funding for any Federal restoration and protection activity to be carried out in the succeeding fiscal year, including any planned interagency or intra-agency transfer, for each of the Federal agencies that carry out restoration and protection activities;

“(B) the estimated expenditures for Federal restoration and protection activities from the preceding 2 fiscal years, the current fiscal year, and the succeeding fiscal year; and

“(C) the estimated expenditures for Federal environmental research and monitoring programs from the preceding 2 fiscal years, the current fiscal year, and the succeeding fiscal year.

“(3) INCLUDED RECOVERY ACTIVITIES.—With respect to activities described in the report, the re-
port shall only describe activities that have funding amounts of greater than $100,000.

“(4) SUBMISSION TO CONGRESS.—The Director of the Office of Management and Budget shall submit the report to—

“(A) the Committee on Appropriations, the Committee on Natural Resources, the Committee on Energy and Commerce, and the Committee on Transportation and Infrastructure of the House of Representatives; and

“(B) the Committee on Appropriations, the Committee on Environment and Public Works, and the Committee on Commerce, Science, and Transportation of the Senate.

“(d) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other funds authorized to be appropriated for activities related to Puget Sound, there is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2021 through 2025.

“(e) PRESERVATION OF TREATY OBLIGATIONS AND EXISTING FEDERAL STATUS.—

“(1) TRIBAL TREATY RIGHTS.—Nothing in this section affects, or is intended to affect, any right reserved by treaty between the United States and 1 or more Indian tribes.
“(2) OTHER FEDERAL LAW.—Nothing in this section affects the requirements and procedures of other Federal law.

“(f) CONSISTENCY.—Actions authorized or carried out under this section shall be consistent with other applicable Federal requirements.”.

SEC. 3014. REAUTHORIZATION OF THE DENALI COMMISSION.

Section 312(a) of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105–277) is amended by striking “2017 through 2021” and inserting “2021 through 2024”.

SEC. 3015. MUNICIPAL OMBUDSMAN.

Section 4 of the Water Infrastructure Improvement Act (42 U.S.C. 4370j) is amended—

(1) in subsection (b)(1), by inserting “(33 U.S.C. 1251 et seq.)” after “Control Act”;

(2) in subsection (c)—

(A) in paragraph (2), by striking “Act; and” and inserting “Act (33 U.S.C. 1251 et seq.);”;

(B) in paragraph (3), by striking “Act.” and inserting “Act (33 U.S.C. 1342(s)); and”; and

(C) by adding at the end the following:
“(4) establishing local funding sources, organization analyses, grant application assistance, and developing innovative funding strategies and mechanisms.”; and

(3) in subsection (d)(1)(D), by inserting “(33 U.S.C. 1342(s))” after “Control Act”.

SEC. 3016. NATIONAL ESTUARY PROGRAM.

Section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) is amended—

(1) in subsection (a)(2)(B), by striking “and Peconic Bay, New York” and inserting “Peconic Bay, New York; Casco Bay, Maine; Tampa Bay, Florida; Coastal Bend, Texas; San Juan Bay, Puerto Rico; Tillamook Bay, Oregon; Piscataqua Region, New Hampshire; Barnegat Bay, New Jersey; Maryland Coastal Bays, Maryland; Charlotte Harbor, Florida; Mobile Bay, Alabama; Morro Bay, California; and Lower Columbia River, Oregon and Washington”;

(2) in subsection (b)(4)—

(A) by striking “management plan that recommends” and inserting “management plan that—

“(A) recommends”; and

(B) by adding at the end the following:
“(B) addresses the effects of recurring extreme weather events on the estuary, including the identification and assessment of vulnerabilities in the estuary and the development and implementation of adaptation strategies; and

“(C) increases public education and awareness of the ecological health and water quality conditions of the estuary;”;

(3) in subsection (c)(5), by inserting “nonprofit organizations,” after “educational institutions,”;

(4) in subsection (g)(4)—

(A) in subparagraph (A), by striking “subsection (i)(2)(B)” and inserting “subsection (i)(3)(B)”;

(B) in subparagraph (C)—

(i) in the matter preceding clause (i), in the first sentence—

(I) by inserting “, emerging,” after “urgent”;

(II) by striking “coastal areas” and inserting “estuaries of national significance”;

(ii) in clause (vi), by inserting “, extreme weather,” after “sea level rise”;
(iii) by redesignating clauses (vi) and (vii) as clauses (ix) and (x), respectively; and

(iv) by inserting after clause (v) the following:

“(vi) stormwater runoff;
“(vii) accelerated land loss;
“(viii) problems resulting from urbanization and population growth, including—
“(I) increased demand for sewage treatment;
“(II) loss of forests and natural soil; and
“(III) increased amounts of impervious surfaces that affect water quality;”; and

(5) in subsection (i)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) in paragraph (1), in the matter preceding subparagraph (A), by striking “There is authorized to be appropriated to the Administrator $26,500,000 for each of fiscal years 2017 through 2021 for—” and inserting the following: “There are authorized to be appro-
priated to the Administrator for the purposes described in paragraph (2)—

“(A) $26,500,000 for each of fiscal years 2017 through 2020; and

“(B) $50,000,000 for each of fiscal years 2021 and 2022.

“(2) PURPOSES DESCRIBED.—The purposes referred to in paragraph (1) are—”.