

WATER INFRASTRUCTURE IMPROVEMENTS FOR THE NATION (WIIN) ACT

TITLE I – WATER RESOURCES DEVELOPMENT

SECTION 1101. YOUTH SERVICE AND CONSERVATION CORPS ORGANIZATIONS

This section directs the Corps to enter into cooperative agreements with youth service and conservation corps organizations for services related to projects under the jurisdiction of the Corps.

SECTION 1102. NAVIGATION SAFETY

This section directs the Corps to use the existing operation and maintenance authorities to carry out navigation safety activities at those projects eligible for operation and maintenance under Section 204(f) of the Water Resources Development Act of 1986. This section clarifies the Corps' authority to use operation and maintenance authority for bend easing activities.

SECTION 1103. EMERGING HARBORS

This section makes the 10% set aside from the Harbor Maintenance Trust Fund for emerging harbors permanent. Also requires that at least 10 percent of priority funds be used for emerging harbors.

SECTION 1104. FEDERAL BREAKWATERS AND JETTIES

This section directs the Corps to compile and report to Congress with an inventory of all federal breakwaters and jetties protecting harbors and inland harbors, including information on location, the general structural condition of each breakwater or jetty, potential risks to navigational safety, the impact of the periodic maintenance dredging needs of protected harbors and inland harbors, and the costs to restore or maintain each breakwater or jetty.

SECTION. 1105. REMOTE AND SUBSISTENCE HARBORS

This section amends the Water Resources Development Act of 2007 to direct the Corps to give consideration to regions that rely on remote and subsistence harbors when conducting a study of harbor and navigation improvements.

SECTION 1106. ALTERNATIVE PROJECTS TO MAINTENANCE DREDGING

This section allows the Corps to assume the operation and maintenance costs of alternative projects to maintenance dredging for a channel if the alternative project would lower the overall costs of maintaining the channel.

SECTION 1107. GREAT LAKES NAVIGATION SYSTEM

This section makes permanent the use of priority funds from the Harbor Maintenance Trust Fund for projects that are located in the Great Lakes Navigation System.

SECTION 1108. FUNDING FOR HARBOR MAINTENANCE PROGRAMS

This section clarifies the target appropriations from the Harbor Maintenance Trust Fund set forth in WRRDA 2014 in the event that the prior year appropriation was a decrease.

SECTION 1109. MAINTENANCE OF HARBORS OF REFUGE

This section authorizes the Corps to maintain all federally authorized harbors of refuge, including restoring the harbors to their authorized depths.

SECTION 1110. DONOR PORTS AND ENERGY TRANSFER PORTS

This section extends the authority to provide additional funds for donor ports and energy transfer ports permanent. Also clarifies how payments are to be administered.

SECTION 1111. HARBOR DEEPENING

This section aligns the cost share for construction of harbors with the change in WRRDA 2014 modifying the cost-share for maintenance of harbors.

SECTION 1112. IMPLEMENTATION GUIDANCE

This section requires the Corps to issue guidance to implement section 2102 of WRDA 2014 (relating to maintenance of emerging ports and Great Lakes ports).

SECTION 1113. NON-FEDERAL INTEREST DREDGING AUTHORITY

This section establishes a pilot program authorizing a non-Federal interest to maintain a federal navigation project with its own equipment and personnel and be eligible for reimbursement of cost directly related to performance of the work.

SECTION 1114. TRANSPORTATION COST SAVINGS

This section requires identification of transportation cost savings achieved from maintaining harbors and inland ports in the next report to Congress on harbor and inland harbor needs under WRDA 1986.

SECTION 1115. RESERVOIR SEDIMENT

This section amends the Water Resources Development Act of 2000 to direct the Corps to establish a pilot program to accept services provided by a non-federal interest or commercial

entity to remove sediment captured behind a dam that is owned, operated, or under the jurisdiction of the Corps for the purposes of restoring the authorized storage capacity.

SECTION 1116. WATER SUPPLY CONSERVATION

This section authorizes the Corps to enter into agreements with non-federal sponsors to carry out water supply conservation measures in states affected by drought. The water supply conservation measures must be consistent with the authorized purposes of Corps water resources development projects.

SECTION 1117. DROUGHT EMERGENCIES

This section gives priority to updating of water control manuals for structures located in states with a drought emergency in effect within 12 months prior to the date of enactment of the Act.

SECTION 1118. LEVERAGING FEDERAL INFRASTRUCTURE FOR INCREASED WATER SUPPLY

This section authorizes the Secretary to review proposals to increase water supplies by increasing storage capacity, modifying project management, or accessing water that has been released, with full public consultation. Proposals may not reallocate water, reduce water available for any authorized purpose, adversely impact water rights, or increase costs paid by others. The non-Federal interest can contribute funds to the Corps to facilitate the review of a proposal. Proposals can only be approved under existing Corps authorities (no new authority is created).

SECTION 1119. INDIAN TRIBES

This section amends section 1156 of WRDA 1986 (that waives the first \$200,000 in cost share for territories) to include Indian tribes.

SECTION 1120. TRIBAL CONSULTATION REPORTS

This section requires the Corps of Engineers to submit to Congress the reports that it submits to OMB on the implementation of its Tribal Consultation Policy as well as the results of the Corps' ongoing review of that policy.

SECTION 1121. TRIBAL PARTNERSHIP PROGRAM

This section amends section 203 of WRDA 2000 to expand the Corps' authority to carry out studies for Indian tribes by authorizing a tribal continuing authority program to construct cost-shared projects with Indian tribes, with a \$10 million per project cap on federal participation

SECTION 1122. BENEFICIAL USE OF DREDGED MATERIAL.

This section directs the Corps to establish a pilot program to carry out projects for the beneficial reuse of dredged material from Federal and non-Federal navigation channels. The program will consist of 10 geographically diverse pilot projects and will be carried out with the help of regional beneficial reuse teams put together by the Corps, made up of Federal, state, and other appropriate stakeholders. For reuse of dredged material from Federal channels, the Corps is not required to select the least cost disposal method. The program will be terminated upon completion of the 10 selected projects.

This section also clarifies that under section 204(d) of WRDA 1992 dredged material disposal is not a project that requires operation and maintenance and can be a single application of sediment. Allows use of dredged material from a non-Federal project, if obtained at non-Federal expense.

SECTION 1123. GREAT LAKES FISHERY AND ECOSYSTEM RESTORATION

This section amends the Water Resources Development Act of 2000 to modify the Great Lakes Fishery and Ecosystem Restoration program.

SECTION 1124. CORPS OF ENGINEERS OPERATION OF UNMANNED AIRCRAFT SYSTEMS

This section instructs the Corps to designate a coordinator and principal approving official for the use of drones in support of civil works and emergency response missions. This section requires that drones used by the Corps be operated in accordance with Federal Aviation Administration regulation.

SECTION 1125. FUNDING TO PROCESS PERMITS

This section amends Section 214 of the Water Resources Development Act of 2000 to include railroad carriers as eligible to contribute funds to the Corps to expedite the evaluation of a permit, under the jurisdiction of the Department of the Army, related to a project or activity for public purpose.

SECTION 1126. STUDY OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS

This section amends section 203 of the Water Resources Development Act of 1986 to allow the Secretary of the Army-Civil Works to provide technical assistance to a non-federal interest.

SECTION 1127. NON-FEDERAL CONSTRUCTION OF AUTHORIZED FLOOD DAMAGE REDUCTION PROJECTS

This section amends the Water Resources Development Act of 1986 to authorize credit or reimbursement for a discrete segment of a flood damage reduction project, or a separable element of the project, once the Secretary determines that construction of the discrete segment is complete and consistent with current law and the project authorization.

SECTION 1128. MULTISTATE ACTIVITIES

This section amends the Planning Assistance to States program authorized under Section 22 of the Water Resources Development Act of 1974 to include groups of states as eligible to work with the Corps in the preparation of comprehensive plans for the development, utilization, and conservation of the water and related resources of drainage basins located within the boundaries of such states.

SECTION 1129. PLANNING ASSISTANCE TO STATES

This section provides that the cost share provided under section 1156 of the Water Resources Development Act of 1986 shall apply to the planning assistance to states program.

SECTION 1130. REGIONAL PARTICIPATION ASSURANCE FOR LEVEE SAFETY ACTIVITIES

This section amends the levee safety provisions in the Water Resources Development Act of 2007 to ensure regional districts are active participants and adequately consulted in carrying out the National Levee Safety Program.

SECTION 1131. PARTICIPATION OF NON-FEDERAL INTERESTS

This section amends Section 221 of the Flood Control Act of 1970 to authorize Alaska Native villages and corporations to participate as non-federal, cost-sharing partners on Corps projects.

SECTION 1132. POST-AUTHORIZATION CHANGE REPORTS

This section directs the Corps to furnish post-authorization change reports to Congress upon completion, instead of after Administration review. Administration review is instructed to happen within 120 days after completion of the report and prompt review is directed for any post-authorization change report that is completed but pending Administration review prior to the date of enactment of this Act.

SECTION 1133. MAINTENANCE DREDGING DATA

This section directs the Corps to establish a publicly available database of maintenance dredging carried out by federal and nonfederal vessels. The information included in the database shall include the volume of dredged material removed, the total cost of the project, the party and vessel carrying out the work, the number of private contractor bids received, and the initial cost estimate for each project.

SECTION 1134. ELECTRONIC SUBMISSION AND TRACKING OF PERMIT APPLICATIONS

This section amends the Water Resources Development Act of 2007 to direct the Corps to research, develop, and implement an electronic system to allow the electronic preparation and

submission of applications for permits and requests for jurisdictional determinations under the jurisdiction of the Corps

SECTION 1135. DATA TRANSPARENCY.

This section amends the Water Resources Development Act of 2007 to instruct the Corps to make publically available, including on the Internet, all non-confidential data on the planning, design, construction, operation, and maintenance of water resources development projects and on water quality and water management of projects owned, operated, or managed by the Corps.

SECTION 1136. QUALITY CONTROL

This section amends the Flood Control Act of 1944 to require that transmittal letters and any accompanying attachments for each final study, statement, report, and record of decision be made publicly available in addition to being printed as House or Senate documents. Additionally, the Corps is directed to provide to Congress a copy of each final study, statement, report, and record of decision prepared by the Corps.

SECTION 1137. REPORT ON PURCHASE OF FOREIGN MANUFACTURED ARTICLES

This section amends section 213 of the Water Resources Development Act of 1992 to direct the Corps to submit to Congress, as part of the next annual report of the Chief of Engineers, a report on the dollar value of any articles, materials, or supplies that were manufactured outside of the United States and purchased by the Corps for civil works projects during the fiscal year.

SECTION 1138. INTERNATIONAL OUTREACH PROGRAM

This section amends section 401 of the Water Resources Development Act of 1992 to allow the Corps to engage in activities to inform the United States of technological innovations from abroad that could significantly improve water resources development in the United States.

SECTION 1139. DAM SAFETY REPAIR PROJECTS

This section directs the Corps to issue guidance on the applicability of different dam safety programs and the applicable program and cost-share for different types of projects.

SECTION 1140. FEDERAL COST LIMITATION FOR CERTAIN PROJECTS

This section clarifies the authority to include recreation features under the Great Lakes fishery and ecosystem restoration authorized by section 506 of WRDA 2000.

SECTION 1141. LAKE KEMP, TEXAS

This section extends to 2025 the deadline for removal of improvements around Lake Kemp, established in section 3149 of WRDA 2007.

SECTION 1142. CORROSION PREVENTION

This section amends section 1033 of the Water Resources Reform and Development Act of 2014 to direct the Corps to submit to Congress, as part of the next annual report of the Chief of Engineers, a report on the Corps' corrosion prevention activities.

SECTION 1143. SEDIMENT SOURCES

This section authorizes the Corps to undertake a study of and submit to Congress a report on the cost, benefits and impacts of using sediment from domestic and nondomestic sources for shoreline protection.

SECTION 1144. PRIORTIZATION OF CERTAIN PROJECTS

This section directs the Corps to give priority to flood control projects in areas where there has been a disaster declaration and areas at significant risk for catastrophic flooding.

SECTION 1145. GULF COAST OYSTER BED RECOVERY ASSESSMENT

The section authorizes the Secretary to conduct a Gulf Coast Oyster Bed recovery assessment.

SECTION 1146. INITIATING WORK ON SEPERABLE ELEMENTS

This section specifies that a separable element of a project shall not be considered a new start for budgeting purposes.

SECTION 1147. LOWER BOIS D'ARC CREEK RESERVOIR PROJECT, FANNIN COUNTY, TEXAS

This section directs the Secretary to expedite the reviews related to the Lower Bois d'Arc Creek Reservoir Project and report to Congress on the same.

SECTION 1148. RECREATIONAL ACCESS AT CORPS OF ENGINEERS RESERVOIRS

This section clarifies section 1035 of WRDA 2014, relating to floating cabins in the Cumberland River basin.

SECTION 1149. NO WAKE ZONES IN NAVIGATIONAL CHANNELS

This section directs the Corps, in consultation with the Coast Guard, identify and, if appropriate, allow, measures to address navigation safety hazards near marinas on the AIWW.

SECTION 1150. ICE JAM PREVENTION AND MITIGATION

This section specifies that ice jam projects may be carried out under section 205 of the Flood Control Act of 1948, and directs the Corps to carry out 10 ice jam pilot projects in cold regions, including the Upper Missouri River Basin and the Northeast.

SECTION 1151. STRUCTURAL HEALTH MONITORING

Directs the Secretary to assess and improve the condition of water resources infrastructure through a structural health monitoring program.

SECTION 1152. KENNEWICK MAN

This section requires the Corps to repatriate the Kennewick Man (a 9000 year old skeleton found by the Corps of Engineers) to the claimant tribes.

SECTION 1153. AUTHORITY TO ACCEPT AND USE MATERIALS AND SERVICES

This section amends the authority in section 1024 of WRRDA 2014 to accept and use materials and services donated by non-federal interests to include funds and to allow the donated funds, materials and services to address any risks to the functioning of the project, not just emergencies.

SECTION 1154. MUNITIONS DISPOSAL

This section clarifies the Corps' authority to dispose of munitions that may be found washed up on beaches in the area where the Corps is carrying out a water resources project by allowing the Corps to proceed using its own funding and seek reimbursement from responsible DOD elements.

SECTION 1155. MANAGEMENT OF RECREATION FACILITIES

This section authorizes the Corps to allow public service providers to operate Corps recreation facilities and collect and keep user fees for that purpose, allowing parks closed due to budget cuts to reopen.

SECTION 1156. STRUCTURES AND FACILITIES CONTRUCTED BY SECRETARY

This section streamlines the Corps process for granting permission to non-federal entities seeking to alter, use, or cross a federal water resource project (known as a section 408 permit). Also authorizes the Corps to accept contributed funds to carry out a review, establishes timelines for review with a notice to Congress if the timelines are not met, and requires the Corps to make completion of the guidance required under section 1007 of WRRDA 2014 a priority.

SECTION 1157. PROJECT COMPLETION

This section raises the authorization ceiling for projects authorized under Section 219 under WRDA 1992 that are already under construction if they could not otherwise be completed.

SECTION 1158. NEW ENGLAND DISTRICT HEADQUARTERS

This section authorizes use of the Plant Replacement Improvement Program Revolving Fund (these are existing funds) to construct a new headquarters for the New England District.

SECTION 1159. BUFFALO DISTRICT HEADQUARTERS

This section authorizes use of the Plant Replacement Improvement Program Revolving Fund (these are existing funds) to construct a new headquarters for the Buffalo District.

SECTION 1160. FUTURE FACILITY INVESTMENT

This section establishes a process for submitting to Congress recommendations for the authorization of new construction or major renovations of Corps buildings.

SECTION 1161. COMPLETION OF ECOSYSTEM RESTORATION PROJECTS

This section amends section 2039 of WRDA 2007 to allow operation and maintenance of the nonstructural and non-mechanical elements of an ecosystem project to be concluded 10 years after ecological success criteria are met.

SECTION 1162. FISH AND WILDLIFE MITIGATION

This section requires voluntary programmatic mitigation plans to address habitat connectivity. This section does not affect existing projects. It also requires the development of habitat connectivity measures in consultation with public and other agencies and authorizes use of preconstruction engineering and design funds for fish and wildlife mitigation at authorized projects.

SECTION 1163. WETLANDS MITIGATION.

This section amends section 2036 of WRDA 2007 to require the Secretary to issue guidance regarding credits available from mitigation banks and in-lieu fee programs and provides that mitigation banks and in-lieu fee programs be considered reasonable alternatives.

SECTION 1164. DEBRIS REMOVAL.

This section expands existing debris removal authority to include debris adjacent to the Federal channel that would affect the navigability of the channel.

SECTION 1165. DISPOSITION STUDIES

This section requires disposition studies by the Corps, including studies under section 216 of the Flood Control Act of 1970, to include a review of the economic, cultural, historic, or recreational significance or national, State, or local impacts.

This section also requires the Corps to complete within one year the inventory of assets required under WRRDA 2014.

SECTION 1166. TRANSFER OF EXCESS CREDIT

This section clarifies authority in WRRDA 2014 allowing the transfer of credit between projects.

SECTION 1167. HURRICANE AND STORM DAMAGE REDUCTION

This section raises the per project limit for the continuing authority for hurricane and storm damage reduction projects to \$10 million.

SECTION 1168. FISH HATCHERIES

This section authorizes the Secretary to operate fish hatcheries at 100 percent non-Federal cost to address Endangered Species Act issues at existing projects.

SECTION 1169. SHORE DAMAGE PREVENTION OR MITIGATION

This section amends section 111 of the River and Harbor Act of 1968 to clarify that feasibility studies under this authority are cost-shared in the same proportion as construction of projects. The section also provides that if a non-Federal interest expends more than its share of those study costs, it is eligible for reimbursement of those excess costs.

SECTION 1170. ENHACING LAKE RECREATION OPPORTUNITIES

This section removes sunset from an existing program that encourages use of Corps lakes for recreation.

SECTION 1171. CREDIT IN LIEU OF REIMBURSEMENT

This section amends section 1022 of WRRDA 2014 to clarify that projects being constructed under section 211 of WRDA 1996 remain eligible for credit. Also clarifies that credit may be used for any other water resources development projects.

SECTION 1172. EASEMENTS FOR ELECTRIC, TELEPHONE, OR BROADBAND SERVICE FACILITIES

This section waives easement fees for rural electric co-ops that have lines that cross Corps property.

SECTION 1173. STUDY ON PERFORMANCE OF INNOVATIVE MATERIALS

This section requires a study on the performance of innovative materials.

SECTION 1174. CONVERSION OF SURPLUS WATER AGREEMENTS

This section provides direction on conversion of water supply agreements under section 6 of the Flood Control Act of 1944 into rights to permanent storage under section 301 of the Water Supply Act of 1958 when a project purpose is deauthorized.

SECTION 1175. PROJECTS FUNDED BY THE INLAND WATERWAYS TRUST FUND

Because Olmsted Lock and Dam is the only inland waterways project for which the President is budgeting and that high cost project will not be completed until 2022, this section prevents other inland waterways projects from being automatically deauthorized until after Olmsted is complete, which will free up funding for other inland waterways projects.

SECTION 1176. REHABILITATION ASSISTANCE

This section authorizes the Corps to increase the level of protection when rebuilding a levee under P.L. 84-99, if the additional costs are paid by the non-Federal interest and the Corps determines it is in the public interest, including consideration of whether the same levee has had to be rebuilt multiple times, whether there is an opportunity to reduce risk of loss of life and property, and whether there is an opportunity to reduce life cycle rehabilitation costs.

This section also adds a definition of nonstructural alternative to include wetland, stream, and coastal restoration and requires the Corps to notify non-Federal interests of the opportunity to use non-structural measures.

SECTION 1177. REHABILITATION OF CORPS OF ENGINEERS CONSTRUCTED DAMS

This section authorizes the Corps may carry out feasible projects for the rehabilitation of a dam if it has been constructed by the Corps before 1940, is classified as high hazard, and is operated by a non-federal entity. This program has a per project limit of \$10,000,000 and an authorization of \$10,000,000 a year for 10 years.

SECTION 1178. COLUMBIA RIVER

Subsection (a) increases the authorization ceiling for ecosystem restoration studies and projects for the Lower Columbia River in Oregon and Washington, authorized in section 536 of WRDA 2000.

Subsection (b) authorizes operation and maintenance of watercraft inspection stations authorized in WRRDA 2014.

Subsection (c) authorizes relocation assistance to Indian families displaced due to the construction of Bonneville Dam and requires a study of Indian families displaced due to the construction of John Day Dam and the development of a plan to provide relocation assistance associated with that dam.

SECTION 1179. MISSOURI RIVER

Subsection (a) directs the Corps to carry out a pilot program, in partnership with the Bureau of Reclamation, for the development and implementation of sediment management plans for reservoirs in the Upper Missouri River Basin.

Subsection (b) directs the Corps to be the lead agency for the drought monitoring program authorized in WRRDA 2014.

SECTION 1180. CHESAPEAKE BAY OYSTER RESTORATION

This section increases the authorization ceiling for fish and wildlife conservation studies and projects under section 704 of WRDA 1986, including projects in the Chesapeake Bay.

SECTION 1181. SALTON SEA, CALIFORNIA

This section removes the pilot designation from the Salton Sea program authorized by WRDA 2007.

SECTION 1182. ADJUSTMENT

This section adjusts the boundaries of two environmental infrastructure projects.

SECTION 1183. COASTAL ENGINEERING

This section amends the coastal resiliency program authorized by WRRDA 2014 to give a priority to areas threatened by sea level rise and to require consultation and data-sharing with state organizations authorized to study and issue recommendations on protection of Federal assets in the coastal area. Also authorizes the Secretary to conduct regional assessments of coastal and back bay protection.

SECTION 1184. CONSIDERATION OF MEASURES

This section directs the Corps to consider, with the consent of the non-Federal sponsor, all measures for implementing a food risk management, hurricane and storm damage reduction, or ecosystem restoration project, including natural, nature-based, nonstructural, and structural measures, and issue three reports to Congress on the same.

SECTION 1185. TABLE ROCK LAKE, ARKANSAS AND MISSOURI

This section provides direction to the Corps regarding the revision of the Table Rock Master Plan for Table Rock Lake, Arkansas and Missouri.

SECTION 1186. RURAL WESTERN WATER

This section clarifies the selection of projects under section 595 of WRDA 1999.

SECTION 1187. INTERSTATE COMPACTS

This section strikes subsection (f) of section 301 of the Water Supply Act of 1958, that was added in WRRDA 2014.

SECTION 1188. SENSE OF CONGRESS

This section states the sense of Congress regarding disposal of dredged material, including the development of State water quality standards that impact such disposal, the reduction of open water disposal, and the resolution of interstate disputes.

SECTION 1189. DREDGED MATERIAL DISPOSAL

This section states that dredged material disposal that violates state water quality standards is not environmentally acceptable under the Federal Standard for dredged material disposal.

SECTION 1201. AUTHORIZATION OF PROPOSED FEASIBILITY STUDIES

This section authorizes the Corps to conduct feasibility studies for 30 projects for water resources development that were submitted to Congress in a Report to Congress on Future Water Resources Development pursuant to Section 7001 of the Water Resources Reform and Development Act of 2014, or otherwise reviewed by Congress.

SECTION 1202. ADDITIONAL STUDIES

This section provides additional direction for three projects that also were submitted to Congress by the Corps:

- (a) Tulsa and West Tulsa, Arkansas River, Oklahoma.
- (b) Cincinnati, Ohio.
- (c) Arctic Deep Draft Port Development Partnerships.
- (d) Mississippi River Ship Channel, Gulf to Baton Rouge, Louisiana.

SECTION 1203. NORTH ATLANTIC COASTAL REGION

This section clarifies that the study under section 4009 of WRRDA 2014 is a comprehensive assessment and management plan.

SECTION 1204. SOUTH ATLANTIC COASTAL STUDY

This section directs the Secretary to conduct a study of the coastal areas located within the geographical boundaries of the South Atlantic Division of the Corps of Engineers to identify the risks and vulnerabilities of those areas to increased hurricane and storm damage as a result of sea level rise.

SECTION 1205. TEXAS COASTAL AREA

This section directs the Secretary to consider information developed by the Gulf Coast Community Protection and Recovery District when carrying out a study authorized in WRDA 2007.

SECTION 1206. UPPER MISSISSIPPI AND ILLINOIS RIVERS

This section authorizes a study of the levees along the upper Mississippi and Illinois Rivers on a system-wide basis, to evaluate the flood damage risks on a basin-wide basis. This review was recommended by the Corps in a 2008 study and by the Secretary in a 2009 letter to Congress to address the fact that a rehabilitation of a levee at a single location often cannot be cost-justified but each location is an integral part of a levee system that provides essential flood protection benefits.

SECTION 1207. KANAWHA RIVER BASIN

This section directs the Secretary to conduct studies to determine the feasibility of implementing projects for flood risk management and other water resource related purposes within the Kanawha River Basin, West Virginia, Virginia, and North Carolina.

SECTION 1301. DEAUTHORIZATION OF INACTIVE PROJECTS

This section directs the Secretary to identify \$10 billion in water resources development projects that are no longer viable, submit the projects to Congress, and deauthorize the projects unless Congress disapproves the list through a joint resolution.

SECTION 1302. BACKLOG PREVENTION

This section terminates the authorization for any project or separable element of a project authorized for construction by this Act after 10 years unless construction has been initiated. At the end of the 10-year period, the Corps must submit to Congress a report that identifies the projects deauthorized by this section. After the expiration of a 12-year period, the Corps shall submit to Congress a report that identifies any projects for which construction has been initiated but not completed, describes the reasons the projects were not completed, and provides a schedule for the completion of the projects based on expected levels of appropriations.

SECTION 1303. VALDEZ, ALASKA

This section extinguishes the navigation servitude for part of the harbor at Valdez, Alaska.

SECTION 1304. LOS ANGELES COUNTY DRAINAGE AREA, LOS ANGELES COUNTY, CALIFORNIA

This section directs the Secretary to give priority a project in Los Angeles County, when updating manuals for water control structures.

SECTION 1305. SUTTER BASIN CALIFORNIA

This section deauthorizes part of a Federal project.

SECTION 1306. ESSEX RIVER, MASSACHUSETTS

This section deauthorizes part of a Federal project.

SECTION 1307. PORT OF CASCADE LOCKS, OREGON

This section extinguishes certain flowage easements.

SECTION 1308. CENTRAL DELAWARE RIVER, PHILADELPHIA, PENNSYLVANIA

This section extinguishes the navigation servitude for certain piers on the Delaware River, in Philadelphia, by declaring areas that are or will be filled in to be non-navigable waters of the United States.

SECTION 1309. HUNTINGTON COUNTY, PENNSYLVANIA

This section requires the Corps to prioritize the updating of a master plan for a Corps project.

SECTION 1310. RIVERCENTER, PHILADELPHIA, PENNSYLVANIA

This section makes permanent a declaration of non-navigability from WRDA 1988.

SECTION 1311. SALT CREEK, GRAHAM, TEXAS

This section deauthorizes a Federal project.

SECTION 1312. TEXAS CITY SHIP CHANNEL, TEXAS CITY, TEXAS

This section extinguishes the navigation servitude for part of the Texas City Ship Channel.

SECTION 1313. STONINGTON HARBOUR, CONNECTICUT

This section deauthorizes part of a Federal project.

SECTION 1314. RED RIVER BELOW DENISON DAM, TEXAS, OKLAHOMA, ARKANSAS, AND LOUISIANA

This section deauthorizes part of a Federal project.

SECTION 1315. GREEN RIVER AND BARREN RIVER, KENTUCKY

This section deauthorizes part of a Federal project and specifies the disposition of the land and improvements.

SECTION 1316. HANNIBAL SMALL BOAR HARBOR, HANNIBAL, MISSOURI

This section deauthorizes part of a Federal project.

SECTION 1317. LAND TRANSFER AND TRUST LAND FOR MUSCOGEE (CREEK) NATION

This section authorizes a transfer of land at fair market value for the benefit of the Muscogee (Creek) Nation.

SECTION 1318. CAMERON COUNTY, TEXAS

This section releases the interest of the United States in several tracts of land in Cameron County, Texas.

SECTION 1319. NEW SAVANNAH BLUFF LOCK AND DAM, GEORGIA AND SOUTH CAROLINA

This section deauthorizes part of a Federal project and modifies part of the project.

SECTION 1320. HAMILTON CITY, CALIFORNIA

This section adjusts the authorization ceiling for the Hamilton City, CA project.

SECTION 1321. CONVEYANCES

This section authorizes the following conveyances:

- (a) Pearl River, Mississippi and Louisiana
- (b) Sardis Lake, Mississippi
- (c) Pensacola Dam and Reservoir, Grand River, Oklahoma.
- (d) Joe Pool Lake, Texas

SECTION 1322. EXPEDITED CONSIDERATION

Subsection (a) clarifies the prioritization of hurricane and storm damage reduction efforts in section 1011 of WRRDA 2014.

Subsection (b) directs the Secretary to expedite completion of certain flood damage reduction and flood risk management projects and certain feasibility studies and a post-authorization change report, as well as of certain projects being carried out under section 211 of WRDA 1996.

SECTION 1401. PROJECT AUTHORIZATIONS

This section authorizes 30 Chiefs Reports and 8 project modifications:

(1) NAVIGATION

1. Brazos Island Harbor, Texas
2. Calcasieu Lock, Louisiana
3. Portsmouth Harbor and Piscataqua River, New Hampshire and Maine
4. Port Everglades, Florida
5. Little Diomedes, Alaska
6. Charleston Harbor, Charleston, South Carolina
7. Craig Harbor, Alaska
8. Upper Ohio River, Pennsylvania

(2) FLOOD RISK MANAGEMENT.

1. Leon Creek Watershed, San Antonio, Texas
2. Armourdale and Central Industrial District Levee Units, Missouri River and Tributaries, Kansas City, Kansas and Kansas City, Missouri
3. City of Manhattan, Kansas
4. Mill Creek, Tennessee
5. Upper Turkey Creek Basin, Kansas
6. Princeville, North Carolina
7. American River Common Features, California
8. West Sacramento, California

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.

1. Colleton County, South Carolina
2. Flagler County, Florida
3. Carteret County, North Carolina
4. Hereford Inlet to Cape May Inlet, Cape May County, New Jersey
5. West Shore Lake Pontchartrain, Louisiana
6. San Diego County, California

(4) ECOSYSTEM RESTORATION.

1. Central Everglades, Florida
2. Skokomish River, Mason County, Washington
3. Puget Sound, Washington

(5) FLOOD RISK MANAGEMENT AND ECOSYSTEM RESTORATION

1. Upper Des Plaines River and Tributaries, Illinois and Wisconsin

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

1. South San Francisco Bay Shoreline, California

(7) ECOSYSTEM RESTORATION AND RECREATION.

1. Willamette River, Oregon
2. Los Angeles River, California

(8) HURRICANE AND STORM DAMAGE RISK REDUCTION AND ECOSYSTEM RESTORATION.

1. Southwest Coastal Louisiana, Louisiana.

(9) MODIFICATIONS AND OTHER PROJECTS.

1. Trinity River, Texas
2. Turkey Creek Basin, Kansas and Missouri
3. Ohio River Shoreline, Kentucky
4. Blue River Basin, Missouri
5. Picayune Strand, Florida
6. Swope Park Industrial Area, Blue River, Missouri
7. Rio de Flag, Flagstaff, Arizona
8. Houston Ship Channel, Texas.

SECTION 1402. SPECIAL RULES.

This section provides direction relating to the Mill Creek, Tennessee, project and the Los Angeles River project.

TITLE II – WATER AND WASTE ACT OF 2016

SECTION 2001. SHORT TITLE

Provides that this title may be cited as the Water and Waste Act of 2016.

SECTION 2002. DEFINITION OF ADMINISTRATOR

Defines the term “Administrator” as the Administrator of the Environmental Protection Agency.

SECTION 2101. SENSE OF CONGRESS ON APPROPRIATIONS LEVELS

Establishes the sense of Congress regarding SRF funding levels.

SECTION 2102. PRECONSTRUCTION WORK

Amends the revolving loan program under the Safe Drinking Water Act to make planning, design, and associated preconstruction activities eligible for assistance.

Affirms the use of state revolving loan funds as security for state bonds.

SECTION 2103. ADMINISTRATION OF STATE LOAN FUNDS

Authorizes the use of fees collected and the greatest of 4% of the capitalization grant, 1/5th of the valuation of the fund, or \$400,000 to be used to administer a state fund.

SECTION 2104 ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES

Authorizes a grant program to assist small and disadvantaged communities in complying with the requirements of the Safe Drinking Water Act. Priority is given to underserved communities without basic drinking water services. This section authorizes \$60 million a year for fiscal years 2017 through 2021.

SECTION 2105. REDUCING LEAD IN DRINKING WATER

Authorizes a grant program for replacement of lead service lines, testing, planning, corrosion control, and education. Excludes partial lead service line replacement from eligibility. Authorizes \$60 million a year for fiscal years 2017 through 2021.

SECTION 2106. NOTICE TO PERSONS SERVED

Revises the notification requirements of the Safe Drinking Water Act to require notice to the persons served by the system of exceedances of lead action levels. Requires the Administrator to provide notice of lead monitoring results in certain circumstances. Requires EPA, working with States and water systems, to establish a strategic plan for outreach, education, technical assistance, and risk communication.

SECTION 2107. LEAD TESTING IN SCHOOL AND CHILD CARE PROGRAM DRINKING WATER

Authorizes \$20 million a year for fiscal years 2017 through 2021, totaling \$100 million, for grants to carry out a voluntary school and child care lead testing program.

SECTION 2108 WATER SUPPLY COST SAVINGS

Establishes a drinking water technology clearinghouse to provide and disseminate information on cost-effective, innovative, and alternative drinking water delivery systems, including systems that are supported by wells.

SECTION 2109 INNOVATION IN THE PROVISION OF SAFE DRINKING WATER

Authorizes EPA to provide technical assistance to facilitate and encourage innovative water technologies and requires a report to Congress on such assistance and use.

SECTION 2110. SMALL SYSTEM TECHNICAL ASSISTANCE

Extends the authorization for small system technical assistance to fiscal year 2021.

SECTION 2111. DEFINITION OF INDIAN TRIBE

Makes Indian tribes eligible for the new small community and lead pipe replacement programs.

SECTION 2112. TECHNICAL ASSISTANCE FOR TRIBAL WATER SYSTEMS

Makes tribal operator training and certification programs eligible for assistance from tribal set-asides under section 1442(e) and 1452(i) of the Safe Drinking Water Act.

SECTION 2113. MATERIALS REQUIREMENT FOR CERTAIN FEDERALLY FUNDED PROJECTS.

Requires use of American iron and steel products if a project is funded using the Drinking Water SRF during fiscal year 2017.

SECTION. 2201. DRINKING WATER INFRASTRUCTURE

Authorizes \$100 million in additional Drinking Water State Revolving Loan funding for a state with an emergency declaration due to the presence of lead or other contaminants in a public drinking water supply system, to be used at a water system that is the subject of such an emergency. This assistance may include principal forgiveness.

Directs ATSDR to use its current authorities to establish a lead exposure registry for communities with drinking water related emergencies and to provide health consultations for the citizens of such communities, if requested.

SECTION. 2202. SENSE OF CONGRESS.

States that it is the sense of Congress that the WIFIA program be appropriated \$20 million for use by all entities eligible for WIFIA funding, including to address lead and other contaminants in drinking water systems.

SECTION. 2203. REGISTRY FOR LEAD EXPOSURE AND ADVISORY COMMITTEE.

Authorizes HHS to establish a voluntary lead exposure registry using ATSDR or another relevant agency, or through a grant or contract, applicable to any city whose citizens are exposed to lead contamination in drinking water. Authorizes \$17,500,000 for this activity.

Authorizes an advisory committee coordinated through CDC or other relevant agencies to review federal programs that address lead exposure, and identify research needs, best practices, and effective services. Authorizes \$2,500,000 for this activity.

SECTION. 2204. OTHER LEAD PROGRAMS.

Authorizes funding for the following programs:

- \$15,000,000 for the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b-1).
- \$15,000,000 to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c-8).

SECTION 2301. APPROVAL OF STATE PROGRAMS FOR CONTROL OF COAL COMBUSTION RESIDUALS.

Authorizes state permitting programs for coal combustion residuals.

TITLE III – NATURAL RESOURCES

SUBTITLE A – INDIAN DAM SAFETY

This subtitle is based on S. 2717, the Dam Repairs and Improvements for Tribes (DRIFT) Act of 2016 and authorizes the Assistant Secretary for Indian Affairs, in consultation with the Corps, to carry out a program to address the safety of federal dams in Indian country.

SUBTITLE B - IRRIGATION REHABILITATION AND RENOVATION FOR INDIAN TRIBAL GOVERNMENTS AND THEIR ECONOMIES

This subtitle is based on S. 438, the IRRIGATE Act and provides for the repair, replacement, and maintenance of certain Indian irrigation projects.

SUBTITLE C – WEBER BASIN PREPAYMENTS

This subtitle is based on H.R. 5468, and requires that the Secretary of the Interior allow for prepayment of repayment obligations a repayment contract between the United States and the Weber Basin Water Conservancy District, including future amendments and all related applicate contracts.

SUBTITLE D -- PECHANGA WATER RIGHTS SETTLEMENT

This subtitle is based on the “Pechanga Band of Luiseno Mission Indians Water Rights Settlement Act,” S. 1983 and H.R. 5984 and authorizes a water rights settlement among certain California Tribes and the United States.

SUBTITLE E – DELAWARE RIVER BASIN CONSERVATION

This subtitle is based on Delaware River Basin Conservation Act of 2015, S. 921 and H.R. 1772. It authorizes the Secretary of the Interior to establish a nonregulatory program to help coordinate funding for restoration and protection efforts of the 4-State Delaware River Basin region.

SUBTITLE F – MISCELLANEOUS PROVISIONS

SECTION. 3601. BUREAU OF RECLAMATION DAKOTAS AREA OFFICE PERMIT FEES FOR CABINS AND TRAILERS

During the period ending 5 years after the date of enactment of this Act, the Secretary of the Interior shall not increase the permit fee for cabin or trailer on land in the State of North Dakota, by more than 33 percent of the permit fee that was in effect on January 1, 2016.

SECTION 3602. USE OF TRAILER HOMES AT HEART BUTTE DAM AND RESERVOIR (LAKE TSCHIDA)

Allows trailer area permittees at Heart Butte Dam and Reservoir (Lake Tschida) to continue using trailer homes on their permitted lots.

SECTION 3603. LAKE TAHOE RESTORATION

This section reauthorizes the Lake Tahoe restoration program based on the text of the Lake Tahoe Restoration Act 2015, S. 1724 and H.R. 3382.

SECTION 3604. TOULUMNE BAND OF ME-WUK INDIANS

This section authorizes a land transfer based on the text of S. 1822 and H.R. 3079.

SECTION 3605. SAN LUIS REY SETTLEMENT AGREEMENT IMPLEMENTATION

This section authorizes a water rights settlement based on the text of H.R. 1296.

SECTION. 3606. TULE RIVER INDIAN TRIBE

This section authorizes certain land to be held in trust for the benefit of the Tule River Indian Tribe, based on the text of H.R. 4685.

SECTION 3607. MORONGO BAND OF MISSION INDIANS

This section authorizes the transfer of certain lands, based on the text of S. 175 and H.R. 387.

SECTION 3608. CHOCTAW NATION OF OKLAHOMA AND THE CHICKASAW NATION WATER SETTLEMENT.

This section authorizes a water rights settlement among certain Oklahoma Tribes, the State, Oklahoma City, and the United States.

SUBTITLE G – BLACKFEET WATER RIGHTS SETTLEMENT

This subtitle authorizes a water rights settlement, based on the text of S. 1125 and H.R. 5633.

SUBTITLE H – WATER DESALINATION

This subtitle reauthorizes the Water Desalination Act of 1996.

SUBTITLE I – AMENDMENTS TO THE GREAT LAKES FISH AND WILDLIFE RESTORATION ACT OF 1990

This subtitle amends the Great Lakes Fish and Wildlife Restoration Act of 1990, based on the text of S. 2949 and H.R. 5765.

SUBTITLE J—CALIFORNIA WATER

This subtitle provides drought relief for California and the West by expediting water storage and delivery, and alternative water supply programs in the West to help drought-stricken communities.

TITLE IV – OTHER MATTERS

SECTION 5001. CONGRESSIONAL NOTIFICATION REQUIREMENTS

This section requires the Secretary of Transportation to provide to Congress notice of certain actions, based on the text of H.R. 5977.

SECTION 5002. REAUTHORIZATION OF DENALI COMMISSION

This section reauthorizes the Denali Commission Act of 1998. Adds provisions relating to conflicts of interest.

SECTION 5003. RECREATIONAL ACCESS FOR FLOATING CABINS AT TVA RESERVOIRS

This section clarifies an authority from WRRDA 2014.

SECTION 5004. GOLD KING MINE SPILL RECOVERY

This section establishes a process for payment of claims by EPA for reimbursement of costs incurred by States, local governments, and Tribes in responding to the Gold King Mine Spill.

SECTION 5005. GREAT LAKES RESTORATION INITIATIVE

This section authorizes the Great Lakes Restoration Initiative, based on the text of based on S. 1024 and H.R. 223.

SECTION 5006. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

This section authorizes \$435 million over ten years for a FEMA program for rehabilitation of high hazard potential dams.

SECTION 5007. CHESAPEAKE BAY GRASS SURVEY

This section authorizes EPA to fund an annual survey of sea grasses.

SECTION 5008. WATER INFRASTRUCTURE FINANCE AND INNOVATION

This section revises the WIFIA program established in WRDA 2014 to clarify the scope of projects eligible for assistance, authorizes the financing of fees, and clarify that the 51 percent of project costs to be funded by sources other than a secured loan under WIFIA includes costs incurred and in-kind contributions made before receipt of the loan.

SECTION 5009. REPORT ON GROUNDWATER CONTAMINATION

This section requires the Navy to submit a report to Congress regarding groundwater contamination associated with a former Navy and contractor operated facility.

SECTION 5010. COLUMBIA RIVER BASIN RESTORATION

This section authorizes a Columbia River Basin Restoration Program within the Clean Water Act.

SECTION 5011 REGULATION OF ABOVEGROUND STORAGE AT FARMS

This section amends section 1049 of WRRDA 2014 to clarify the application of the Spill Prevention Control and Countermeasure (SPCC) rule to animal feed tanks and certain tanks on separate parcels, located at farms.

SECTION 5012 IRRIGATION DISTRICTS

This section clarifies that irrigation districts are eligible for loans from the Clean Water SRF.

SECTION 5013. ESTUARY RESTORATION.

This section reauthorizes the Estuary Restoration Act of 2000.

SECTION 5014. ENVIRONMENTAL BANKS.

This section requires guidelines for environmental banks under the Coastal Wetlands Planning, Protection and Restoration Act.