115TH CONGRESS
2D Session

H. R. _____

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, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SHUSTER (for himself, Mr. DeFazio, Mr. Graves of Louisiana, and Mrs. Napolitano) introduced the following bill; which was referred to the Committee on ____________________________

A BILL

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, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

4 (a) Short Title.—This Act may be cited as the
5 “Water Resources Development Act of 2018”.
(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

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

TITLE I—GENERAL PROVISIONS

Sec. 101. Sense of Congress regarding water resources development bills.
Sec. 102. Use of Harbor Maintenance Trust Fund to support navigation.
Sec. 103. Assessment of harbors and inland harbors.
Sec. 104. Levee safety initiative reauthorization.
Sec. 105. Dam safety.
Sec. 106. Rehabilitation of Corps of Engineers constructed dams.
Sec. 107. Forecast-informed reservoir operations.
Sec. 108. Emergency response to natural disasters.
Sec. 109. Integrated water resources planning.
Sec. 110. Mitigation banks.
Sec. 111. Indian Tribes.
Sec. 112. Columbia River.
Sec. 113. Dissemination of information.
Sec. 114. Non-Federal engagement and review.
Sec. 115. Comprehensive backlog report.
Sec. 116. Structures and facilities constructed by Secretary.
Sec. 117. Transparency in administrative expenses.
Sec. 118. Study of the future of the United States Army Corps of Engineers.
Sec. 119. Acknowledgment of credit.
Sec. 120. Non-Federal implementation pilot program.
Sec. 121. Study of water resources development projects by non-Federal interests.
Sec. 122. Construction of water resources development projects by non-Federal interests.
Sec. 123. Advanced funds for water resources development studies and projects.
Sec. 124. Funding to process permits.
Sec. 125. Study on economic and budgetary analyses.

TITLE II—STUDIES

Sec. 201. Authorization of proposed feasibility studies.
Sec. 203. Expedited completion of reports for certain projects.

TITLE III—DEAUTHORIZATIONS, MODIFICATIONS, AND RELATED PROVISIONS

Sec. 301. Deauthorization of inactive projects.
Sec. 302. Backlog prevention.
Sec. 303. Project modifications.
Sec. 304. Milwaukee Harbor, Milwaukee, Wisconsin.
Sec. 306. Conveyances.
Sec. 307. Clatsop County, Oregon.
Sec. 308. Kissimmee River Restoration, Central and Southern Florida.
Sec. 309. Lytle and Cajon Creeks, California.
TITLE IV—WATER RESOURCES INFRASTRUCTURE

Sec. 401. Project authorizations.

1  SEC. 2. SECRETARY DEFINED.

2   In this Act, the term “Secretary” means the Sec-
3   retary of the Army.

4 TITLE I—GENERAL PROVISIONS

5 SEC. 101. SENSE OF CONGRESS REGARDING WATER RE-
6   SOURCES DEVELOPMENT BILLS.

7   It is the sense of Congress that, because the missions
8   of the Corps of Engineers for navigation, flood control,
9   beach erosion control and shoreline protection, hydro-
10   electric power, recreation, water supply, environmental
11   protection, restoration, and enhancement, and fish and
12   wildlife mitigation benefit all Americans, and because
13   water resources development projects are critical to main-
14   taining the country’s economic prosperity, national secu-
15   rity, and environmental protection, Congress should con-
16   sider a water resources development bill not less often
17   than once every Congress.

18 SEC. 102. USE OF HARBOR MAINTENANCE TRUST FUND TO
19   SUPPORT NAVIGATION.

20   (a) AVAILABILITY OF AMOUNTS.—Section 210 of the
22   2238) is amended—
(1) in the section heading by striking “AUTHORIZATION OF APPROPRIATIONS” and inserting “FUNDING FOR HARBOR NAVIGATION”;

(2) by redesignating subsections (c), (d), (e), and (f) as subsections (d), (e), (f), and (g), respectively; and

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

“(e) USE OF COLLECTED FUNDS IN FISCAL YEAR 2029 AND THEREAFTER.—

“(1) USE OF FUNDS.—In addition to amounts appropriated under subsections (a) and (b), there shall be available to the Secretary, out of the Harbor Maintenance Trust Fund, without further appropriation, for fiscal year 2029 and each fiscal year thereafter, such sums as may be necessary to carry out the purposes of subsection (a)(2).

“(2) AVAILABILITY OF AMOUNTS.—Amounts made available under this subsection shall remain available until expended.”.

(b) CONFORMING AMENDMENTS.—Section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238) is further amended—
(1) in subsection (d)(2)(A)(i) (as redesignated by subsection (a)(2) of this section) by striking “subsection (e)” and inserting “subsection (f)”; 

(2) in subsection (e)(3)(B)(i) (as redesignated by subsection (a)(2) of this section) by striking “subsection (c)(2)(A)” and inserting “subsection (d)(2)(A)”;

(3) in subsection (f)(2)(A)(ii) (as redesignated by subsection (a)(2) of this section) by striking “subsection (d)(2)” and inserting “subsection (e)(2)”.

SEC. 103. ASSESSMENT OF HARBORS AND INLAND HARBORS.

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

(1) in paragraph (1), by striking “shall assess the” and inserting “shall assess, and issue a report to Congress on, the”; and

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

“(C) OPPORTUNITIES FOR BENEFICIAL USE OF DREDGED MATERIALS.—In carrying out paragraph (1), the Secretary shall identify potential opportunities for the beneficial use of dredged materials obtained from harbors and
inland harbors referred to in subsection (a)(2),
including projects eligible under section 1122 of
the Water Resources Development Act of 2016
(130 Stat. 1645; 33 U.S.C. 2326 note).”.

SEC. 104. LEVEE SAFETY INITIATIVE REAUTHORIZATION.

Title IX of the Water Resources Development Act of
2007 (33 U.S.C. 3301 et seq.) is amended—

(1) in section 9005(g)(2)(E)(i), by striking
“2015 through 2019” and inserting “2019 through
2023”; and

(2) in section 9008, by striking “2015 through
2019” each place it appears and inserting “2019
through 2023”.

SEC. 105. DAM SAFETY.

Section 14 of the National Dam Safety Program Act
(33 U.S.C. 467j) is amended by striking “2015 through
2019” each place it appears and inserting “2019 through
2023”.

SEC. 106. REHABILITATION OF CORPS OF ENGINEERS CON-
STRUCTED DAMS.

Section 1177(e) of the Water Resources Development
Act of 2016 (33 U.S.C. 467f-2 note) is amended by strik-
ing “$10,000,000” and inserting “$40,000,000”.
SEC. 107. FORECAST-INFORMED RESERVOIR OPERATIONS.

(a) REPORT ON FORECAST-INFORMED RESERVOIR OPERATIONS.—Not later than one year after the date of completion of the forecast-informed reservoir operations research study pilot program at Coyote Valley Dam, Russian River Basin, California (authorized by the River and Harbor Act of 1950 (64 Stat. 177)), the Secretary shall issue a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate on the results of the study pilot program.

(b) CONTENTS OF REPORT.—The Secretary shall include in the report issued under subsection (a)—

(1) an analysis of the use of forecast-informed reservoir operations at Coyote Valley Dam, California;

(2) an assessment of the viability of using forecast-informed reservoir operations at other dams owned or operated by the Secretary;

(3) an identification of other dams owned or operated by the Secretary where forecast-informed reservoir operations may assist the Secretary in the optimization of future reservoir operations; and

(4) any additional areas for future study of forecast-informed reservoir operations.
SEC. 108. EMERGENCY RESPONSE TO NATURAL DISASTERS.

(a) IN GENERAL.—Section 5(a)(1) of the Act of August 18, 1941 (33 U.S.C. 701n(a)(1)) is amended in the first sentence—

(1) by striking “strengthening, raising, extending, or other modification thereof” and inserting “strengthening, raising, extending, realigning, or other modification thereof”; and

(2) by striking “structure or project damaged or destroyed by wind, wave, or water action of other than an ordinary nature to the design level of protection when, in the discretion of the Chief of Engineers,” and inserting “structure or project damaged or destroyed by wind, wave, or water action of other than an ordinary nature to either the pre-storm level or the design level of protection, whichever provides greater protection, when, in the discretion of the Chief of Engineers,”.

(b) DURATION.—Section 156(e) of the Water Resources Development Act of 1976 (42 U.S.C. 1962d-5f(e)) is amended by striking “6 years” and inserting “9 years”.

SEC. 109. INTEGRATED WATER RESOURCES PLANNING.

In carrying out a water resources development feasibility study, the Secretary shall consult with local governments in the watershed covered by such study to determine if local water management plans exist, or are under
development, for the purposes of stormwater management, water quality improvement, aquifer recharge, or water reuse.

SEC. 110. MITIGATION BANKS.

(a) Definition of Mitigation Bank.—In this section, the term “mitigation bank” has the meaning given that term in section 332.2 of title 33, Code of Federal Regulations.

(b) Guidance.—The Secretary shall issue guidance on the use of mitigation banks to meet requirements for water resources development projects in order to update mitigation bank credit release schedules to—

(1) support the goal of achieving efficient permitting and maintaining appropriate environmental protections; and

(2) promote increased transparency in the use of mitigation banks.

(c) Requirements.—The guidance issued under subsection (b) shall—

(1) be consistent with—

(A) part 230 of title 40, Code of Federal Regulations;

(B) section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283);
(C) part 332 of title 33, Code of Federal Regulations; and
(D) section 314(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 33 U.S.C. 1344 note); and

(2) provide for—

(A) the mitigation bank sponsor to provide sufficient financial assurances to ensure a high level of confidence that the compensatory mitigation project will be successfully completed, in accordance with applicable performance standards, under section 332.3(n) of title 33, Code of Federal Regulations;
(B) the mitigation bank sponsor to reserve the share of mitigation bank credits required to ensure ecological performance of the mitigation bank, in accordance with section 332.8(o) of title 33, Code of Federal Regulations; and
(C) all credits except for the share reserved under subparagraph (B) to be available upon completion of the construction of the mitigation bank.

SEC. 111. INDIAN TRIBES.

(a) Cost Sharing Provisions for the Territories and Indian Tribes.—Section 1156(a)(2) of the

(b) WRITTEN AGREEMENT REQUIREMENT FOR WATER RESOURCES PROJECTS.—Section 221(b)(1) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(b)(1)) is amended by striking “federally recognized Indian tribe and, as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602), a Native village, Regional Corporation, and Village Corporation” and inserting “Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e))”.

SEC. 112. COLUMBIA RIVER.

(a) BONNEVILLE DAM, OREGON.—Section 1178(c)(1)(A) of the Water Resources Development Act of 2016 (130 Stat. 1675) is amended by striking “may provide assistance” and inserting “may provide assistance, which may include housing and related improvements,.”.

(b) JOHN DAY DAM, WASHINGTON AND OREGON.—

(1) IN GENERAL.—The Secretary shall, not later than 180 days after the date of enactment of
this Act, and in consultation with the Secretary of the Interior, conduct a study to determine the extent to which Indian Tribes have been displaced as a result of the construction of the John Day Dam, Columbia River, Washington and Oregon, as authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 179), including an assessment of effects related to housing and related improvements.

(2) ADDITIONAL ACTIONS.—If the Secretary determines, based on the study under paragraph (1), that assistance is required, the Secretary may use all existing authorities of the Secretary to provide assistance, which may include housing and related improvements, to Indian Tribes displaced as a result of the construction of the John Day Dam, Columbia River, Washington and Oregon.

(3) REPEAL.—Section 1178(c)(2) of the Water Resources Development Act of 2016 (130 Stat. 1675) is repealed.

(c) THE DALLES DAM, WASHINGTON AND OREGON.—The Secretary, in consultation with the Secretary of the Interior, shall complete a village development plan for any Indian Tribe displaced as a result of the construction of the Dalles Dam, Columbia River, Washington and Oregon.
Oregon, as authorized by section 204 of the Flood Control
Act of 1950 (64 Stat. 179).

SEC. 113. DISSEMINATION OF INFORMATION.

(a) FINDINGS.—Congress finds the following:

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

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

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

(A) publish a notice in the Federal Reg-
ister that requests from non-Federal interests
proposed feasibility studies and proposed modi-
fications to authorized water resources develop-
ment projects and feasibility studies for inclu-
sion in the report; and
(B) review the proposals submitted and include in the report those proposed feasibility studies and proposed modifications that meet the criteria for inclusion established under such section 7001.

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

(5) To ensure that Congress can gain a thorough understanding of the water resources development needs and priorities of the United States, it is important that the Secretary take sufficient steps to ensure that non-Federal interests are made aware of the new annual report process, including the need for non-Federal interests to submit proposals during the Secretary’s annual request for proposals in order for such proposals to be eligible for consideration by Congress.

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

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

(2) provide written notice to local elected officials and previous and potential non-Federal interests on the annual process and on opportunities to address local water resources challenges through the missions and authorities of the Corps of Engineers;

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

(4) provide, at the request of a non-Federal interest, assistance with researching and identifying existing project authorizations and Corps of Engineers decision documents.

SEC. 114. NON-FEDERAL ENGAGEMENT AND REVIEW.

(a) Public Notice.—

(1) In general.—Prior to developing and issuing any new or revised implementation guidance for a covered water resources development law, the Secretary shall issue a public notice that—
(A) informs potentially interested non-Federal stakeholders of the Secretary’s intent to develop and issue such guidance; and

(B) provides an opportunity for interested non-Federal stakeholders to engage with, and provide input and recommendations to, the Secretary on the development and issuance of such guidance.

(2) ISSUANCE OF NOTICE.—The Secretary shall issue the notice under paragraph (1) through a posting on a publicly accessible website dedicated to providing notice on the development and issuance of implementation guidance for a covered water resources development law.

(b) STAKEHOLDER ENGAGEMENT.—

(1) INPUT.—The Secretary shall allow a minimum of 60 days after issuance of the public notice under subsection (a) for non-Federal stakeholders to provide input and recommendations to the Secretary, prior to finalizing implementation guidance for a covered water resources development law.

(2) OUTREACH.—The Secretary may, as appropriate (as determined by the Secretary), reach out to non-Federal stakeholders and circulate drafts of implementation guidance for a covered water resources
development law for informal feedback and recommendations.

(c) DEVELOPMENT OF GUIDANCE.—When developing implementation guidance for a covered water resources development law, the Secretary shall take into consideration the input and recommendations received from non-Federal stakeholders, and make the final guidance available to the public on-line on a publicly accessible website.

(d) COVERED WATER RESOURCES DEVELOPMENT LAW.—In this section, the term “covered water resources development law” means—

(1) the Water Resources Reform and Development Act of 2014;

(2) the Water Resources Development Act of 2016;

(3) this Act; and

(4) any Federal water resources development law enacted after the date of enactment of this Act.

SEC. 115. COMPREHENSIVE BACKLOG REPORT.

Section 1001(b)(4) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(4)) is amended—

(1) in the header, by inserting “AND OPERATION AND MAINTENANCE” after “BACKLOG”;

(2) by amending subparagraph (A) to read as follows:
“(A) In general.—The Secretary shall compile and publish—

“(i) a complete list of all projects and separable elements of projects of the Corps of Engineers that are authorized for construction but have not been completed; and

“(ii) a list of major Federal operation and maintenance needs of projects and properties under the control of the Corps of Engineers.”;

(3) in subparagraph (B)—

(A) in the heading, by inserting “BACK-LOG” before “INFORMATION”; and

(B) in the matter preceding clause (i), by striking “subparagraph (A)” and inserting “subparagraph (A)(i)”;

(4) by redesignating subparagraph (C) as subparagraph (D) and inserting after subparagraph (B) the following:

“(C) REQUIRED OPERATION AND MAINTENANCE INFORMATION.—The Secretary shall include on the list developed under subparagraph (A)(ii), for each project and property under the control of the Corps of Engineers on that list—
“(i) the authority under which the project was authorized or the property was acquired by the Corps of Engineers;

“(ii) a brief description of the project or property;

“(iii) an estimate of the Federal costs to meet the major operation and maintenance needs at the project or property; and

“(iv) an estimate of unmet or deferred operation and maintenance needs at the project or property.”; and

(5) in subparagraph (D), as so redesignated—

(A) in clause (i), in the matter preceding subclause (I), by striking “Not later than 1 year after the date of enactment of this paragraph, the Secretary shall submit a copy of the list” and inserting “For fiscal year 2019, and biennially thereafter, in conjunction with the President’s annual budget submission to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit a copy of the lists”; and

(B) in clause (ii), by striking “list” and inserting “lists”.

SEC. 116. STRUCTURES AND FACILITIES CONSTRUCTED BY SECRETARY.

Section 14 of the Act of March 3, 1899 (33 U.S.C. 408) is amended by adding at the end the following:

“(d) WORK DEFINED.—For the purposes of this section, the term ‘work’ shall not include unimproved real estate owned or operated by the Secretary as part of a water resources development project if the Secretary determines that modification of such real estate would not affect the function and usefulness of the project.”.

SEC. 117. TRANSPARENCY IN ADMINISTRATIVE EXPENSES.

Section 1012(b)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2315a(b)(1)) is amended by striking “The Secretary” and inserting “Not later than 1 year after the date of enactment of the Water Resources Development Act of 2018, the Secretary”.

SEC. 118. STUDY OF THE FUTURE OF THE UNITED STATES ARMY CORPS OF ENGINEERS.

(a) IN GENERAL.—The Secretary shall enter into an agreement with the National Academy of Sciences to convene a committee of experts to carry out a comprehensive study on—

(1) the ability of the Corps of Engineers to carry out its statutory missions and responsibilities, and the potential effects of transferring the func-
tions (including regulatory obligations), personnel, assets, and civilian staff responsibilities of the Secretary relating to civil works from the Department of Defense to a new or existing agency or sub-agency of the Federal government, including how such a transfer might affect the Federal government’s ability to meet the current statutory missions and responsibilities of the Corps of Engineers; and

(2) improving the Corps of Engineers’ project delivery processes, including recommendations for such improvements, taking into account factors including—

(A) the effect of the annual appropriations process on the ability of the Corps of Engineers to efficiently secure and carry out contracts for water resources projects and perform regulatory obligations; and

(B) the effect that the current Corps of Engineers leadership and geographic structure at the division and district levels has on its ability to carry out its missions in a cost-effective manner.

(b) CONSIDERATIONS.—The study carried out under subsection (a) shall include consideration of—
(1) effects on the national security of the United States;
(2) the ability of the Corps of Engineers to maintain sufficient engineering capability and capacity to assist ongoing and future operations of the United States Armed Services; and
(3) emergency and natural disaster response obligations of the Federal government that are carried out by the Corps of Engineers.

(c) Consultation.—The agreement entered into under subsection (a) shall require the National Academy to, in carrying out the study, consult with—

(1) the Department of Defense, including the Secretary of the Army and the Assistant Secretary of the Army for Civil Works;
(2) the Department of Transportation;
(3) the Environmental Protection Agency;
(4) the Department of Homeland Security;
(5) the Office of Management and Budget;
(6) other appropriate Federal agencies;
(7) professional and non-governmental organizations; and
(8) the Committee on Transportation and Infrastructure of the House of Representatives and the
Committee on Environment and Public Works of the Senate.

(d) SUBMISSION TO CONGRESS.—The Secretary shall submit the final report of the National Academy containing the findings of the study carried out under subsection (a) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate not later than 2 years after the date of enactment of this Act.

SEC. 119. ACKNOWLEDGMENT OF CREDIT.

Section 7007(a) of the Water Resources Development Act of 2007 (121 Stat. 1277; 128 Stat. 1226) is amended by adding at the end the following: “Notwithstanding section 221(a)(4)(C)(i) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)(C)(i)), the Secretary may provide credit for work carried out during the period beginning on November 8, 2007, and ending on the date of enactment of the Water Resources Development Act of 2018 by the non-Federal interest for a project under this title if the Secretary determines that the work is integral to the project and was carried out in accordance with the laws specified in section 5014(i)(2)(A) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1331) and all other applicable Federal laws.”.
SEC. 120. NON-FEDERAL IMPLEMENTATION PILOT PROGRAM.

Section 1043(b)(8) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note(b)(8)) is amended by striking “2015 through 2019” and inserting “2019 through 2023”.

SEC. 121. STUDY 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)(1), by inserting “federally authorized” before “feasibility study”;

(2) by amending subsection (c) to read as follows:

“(c) Submission to Congress.—

“(1) Review and submission of studies to Congress.—Not later than 180 days after the date of receipt of a feasibility study of a project under subsection (a)(1), 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—

“(A) the results of the Secretary’s review of the study under subsection (b), including a determination of whether the project is feasible;
“(B) any recommendations the Secretary may have concerning the plan or design of the project; and

“(C) any conditions the Secretary may require for construction of the project.

“(2) LIMITATION.—The completion of the review by the Secretary of a feasibility study that has been submitted under subsection (a)(1) may not be delayed as a result of consideration being given to changes in policy or priority with respect to project consideration.”; and

(3) by amending subsection (e) to read as follows:

“(e) REVIEW AND TECHNICAL ASSISTANCE.—

“(1) REVIEW.—The Secretary may accept and expend funds provided by non-Federal interests to undertake reviews, inspections, certifications, and other activities that are the responsibility of the Secretary in carrying out this section.

“(2) TECHNICAL ASSISTANCE.—At the request of a non-Federal interest, the Secretary may provide to the non-Federal interest technical assistance relating to any aspect of a feasibility study if the non-Federal interest contracts with the Secretary to pay all costs of providing such technical assistance.
“(3) LIMITATION.—Funds provided by non-Federal interests under this subsection shall not be eligible for credit under subsection (d) or reimbursement.

“(4) IMPARTIAL DECISIONMAKING.—In carrying out this section, the Secretary shall ensure that the use of funds accepted from a non-Federal interest will not affect the impartial decisionmaking of the Secretary, either substantively or procedurally.”.

SEC. 122. CONSTRUCTION OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

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

(1) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by inserting “federally authorized” before “water resources development project”;

(B) in paragraph (2)(A), by inserting “, except as provided in paragraph (3)” before the semicolon; and

(C) by adding at the end the following:

“(3) PERMIT EXCEPTION.—
“(A) IN GENERAL.—With respect to a project described in subsection (a)(1) or subsection (a)(3), or a separable element thereof, and subject to the execution of a written agreement described in subparagraph (B), a non-Federal interest that carries out a project under this section shall not be required to obtain any Federal permits or approvals that would not be required if the Secretary carried out the project or separable element unless there are significant new circumstances or information relevant to environmental concerns or compliance since development of the project recommendation.

“(B) WRITTEN AGREEMENT.—For purposes of this paragraph, a written agreement shall provide that the non-Federal interest shall comply with the same legal and technical requirements that would apply if the project or separable element were carried out by the Secretary, including all mitigation required to offset environmental impacts of the project or separable element as determined by the Secretary”; and

(2) in subsection (d)(5)—
(A) by striking “flood damage reduction” each place it appears and inserting “water resources development”; 

(B) in subparagraph (A), by striking “for a discrete segment of a” and inserting “for carrying out a discrete segment of a federally authorized”; and 

(C) in subparagraph (D), in the matter preceding clause (i), by inserting “to be carried out” after “project”.

SEC. 123. ADVANCED FUNDS FOR WATER RESOURCES DEVELOPMENT STUDIES AND PROJECTS.

(a) Contributions by States and Political Subdivisions for Immediate Use on Authorized Flood-control Work; Repayment.—The Act of October 14, 1940 (54 Stat. 1176; 33 U.S.C. 701h-1) is amended—

(1) by striking “a flood-control project duly adopted and authorized by law” and inserting “a federally authorized water resources development project,”; 

(2) by striking “such work” and inserting “such project”; 

(3) by striking “flood-control work” and inserting “such project”; and
(4) by adding at the end the following: “For purposes of this Act, the term ‘State’ means the several States, the District of Columbia, the commonwealths, territories, and possessions of the United States, and Indian tribes (as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e))).”.

(b) No Adverse Effect on Processes.—In implementing any provision of law that authorizes a non-Federal interest to provide, advance, or contribute funds to the Secretary for the development or implementation of a water resources development project (including sections 203 and 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2231, 2232), section 5 of the Act of June 22, 1936 (33 U.S.C. 701h), and the Act of October 15, 1940 (33 U.S.C. 701h-1)), the Secretary shall ensure, to the maximum extent practicable, that the use by a non-Federal interest of such authorities does not adversely affect—

(1) the process or timeline for development and implementation of other water resources development projects by other non-Federal entities that do not use such authorities; or

(2) the process for including such projects in the President’s annual budget submission to Con-
gress under section 1105(a) of title 31, United States Code.

(c) ADVANCES BY PRIVATE PARTIES; REPAYMENT.—Section 11 of the Act of March 3, 1925 (33 U.S.C. 561) is repealed.

SEC. 124. FUNDING TO PROCESS PERMITS.

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

(1) in paragraph (3), by striking “10 years” and inserting “12 years”; and

(2) in paragraph (5)—

(A) by striking “4 years after the date of enactment of this paragraph” and inserting “December 31, 2022”; and

(B) by striking “carry out a study” and inserting “carry out a follow-up study”.

SEC. 125. STUDY ON ECONOMIC AND BUDGETARY ANALYSES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall enter into an agreement with the National Academy of Sciences to—

(1) carry out a study on the economic principles and analytical methodologies currently used by or applied to the Corps of Engineers to formulate,
evaluate, and budget for water resources development projects; and

(2) make recommendations to Congress on potential changes to such principles and methodologies to improve transparency, return on Federal investment, cost savings, and prioritization, in the formulation, evaluation, and budgeting of such projects.

(b) CONSIDERATIONS.—The study under subsection (a) shall include—

(1) an analysis of the current economic principles and analytical methodologies used by or applied to the Corps of Engineers in determining the total benefits and total costs during the formulation of, and plan selection for, a water resources development project;

(2) an analysis of improvements or alternatives to how the Corps of Engineers utilizes the National Economic Development, Regional Economic Development, Environmental Quality, and Other Social Effects accounts developed by the Institute for Water Resources of the Corps of Engineers in the formulation of, and plan selection for, such projects;

(3) an analysis of whether such principles and methodologies fully account for all of the potential benefits of project alternatives, including any reason-
ably associated benefits of such alternatives that are
not contrary to law, Federal policy, or sound water
resources management;

(4) an analysis of whether such principles and
methodologies fully account for all of the costs of
project alternatives, including potential societal
costs, such as lost ecosystem services, and full life-
cycle costs for such alternatives; and

(5) an analysis of the methodologies utilized by
the Federal government in setting and applying dis-
count rates for benefit-cost analyses used in the for-
mulation, evaluation, and budgeting of Corps of En-
gineers water resources development projects.

(e) PUBLICATION.—The agreement entered into
under subsection (a) shall require the National Academy
of Sciences to, not later than 30 days after the completion
of the study—

(1) submit a report containing the results of
the study and the recommendations to the Com-
mittee on Environment and Public Works of the
Senate and the Committee on Transportation and
Infrastructure of the House of Representatives; and

(2) make a copy of such report available on a
publicly accessible website.
(d) Sense of Congress on Budgetary Evaluation Metrics and Transparency.—It is the sense of Congress that the President, in the formulation of the annual budget request for the U.S. Army Corps of Engineers (Civil Works), should submit to Congress a budget that—

(1) aligns the assessment of the potential benefit-cost ratio for budgeting water resources development projects with that used by the Corps of Engineers during project plan formulation and evaluation pursuant to section 80 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–17); and

(2) demonstrates the transparent criteria and metrics utilized by the President in the evaluation and selection of water resources development projects included in the budget request.

TITLE II—STUDIES

SEC. 201. AUTHORIZATION OF PROPOSED FEASIBILITY STUDIES.

The Secretary is authorized to conduct a feasibility study for the following projects for water resources development and conservation and other purposes, as identified in the reports titled “Report to Congress on Future Water Resources Development” submitted to Congress on March 17, 2017, and February 5, 2018, respectively, pursuant to section 7001 of the Water Resources Reform and Devel-
opment Act of 2014 (33 U.S.C. 2282d) or otherwise re-
viewed by Congress:

(1) CAVE BUTTES DAM, ARIZONA.—Project for
flood risk management, Phoenix, Arizona.

(2) SAN DIEGO RIVER, CALIFORNIA.—Project
for flood risk management, navigation, and eco-
system restoration, San Diego, California.

(3) J. BENNETT JOHNSTON WATERWAY, LOU-
ISIANA.—Project for navigation, J. Bennett John-
ston Waterway, Louisiana.

(4) NORTHSHORE, LOUISIANA.—Project for
flood risk management, St. Tammany Parish, Lou-
isia.

(5) OUACHITA-BLACK RIVERS, LOUISIANA.—
Project for navigation, Little River, Louisiana.

(6) CHAUTAUQUA LAKE, NEW YORK.—Project
for ecosystem restoration and flood risk manage-
ment, Chautauqua, New York.

(7) TRINITY RIVER AND TRIBUTARIES,
TEXAS.—Project for navigation, Liberty, Texas.

(8) WEST CELL LEVEE, TEXAS.—Project for
flood risk management, Irving, Texas.

(9) COASTAL VIRGINIA, VIRGINIA.—Project for
flood risk management, ecosystem restoration, and
navigation, Coastal Virginia.
(10) Tangier Island, Virginia.—Project for flood risk management and ecosystem restoration, Tangier Island, Virginia.

SEC. 202. ADDITIONAL STUDIES.

(a) Lower Mississippi River; Missouri, Kentucky, Tennessee, Arkansas, Mississippi, and Louisiana.—

(1) In general.—The Secretary is authorized to carry out studies to determine the feasibility of habitat restoration for each of the eight reaches identified as priorities in the report prepared by the Secretary pursuant to section 402 of the Water Resources Development Act of 2000, titled “Lower Mississippi River Resource Assessment; Final Assessment In Response to Section 402 of WRDA 2000” and dated July 2015.

(2) Consultation.—The Secretary shall consult with the Lower Mississippi River Conservation Committee during each feasibility study carried out under paragraph (1).

(b) St. Louis Riverfront, Meramec River Basin, Missouri and Illinois.—

(1) In general.—The Secretary is authorized to carry out studies to determine the feasibility of a project for ecosystem restoration and flood risk man-
agement in Madison, St. Clair, and Monroe counties,
Illinois, St. Louis City, and St. Louis, Jefferson,
Franklin, Gasconade, Maries, Phelps, Crawford,
Dent, Washington, Iron, St. Francois, St. Genevieve,
Osage, Reynolds, and Texas counties, Missouri.

(2) CONTINUATION OF EXISTING STUDY.—Any
study carried out under paragraph (1) shall be con-
sidered a continuation of the study being carried out
under Committee Resolution 2642 of the Committee
on Transportation and Infrastructure of the House

SEC. 203. EXPEDITED COMPLETION OF REPORTS FOR CER-
TAIN PROJECTS.

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

(1) Project for riverbank stabilization, Selma,
Alabama.

(2) Project for ecosystem restoration, Three
Mile Creek, Alabama.

(3) Project for flood diversion, Seward, Alaska.
(4) Project for flood control, water conservation, and related purposes, Coyote Valley Dam, California.

(5) Project for flood risk management, South San Francisco, California.

(6) Project for flood risk management and ecosystem restoration, Tijuana River, California.

(7) Project for flood risk management in East Hartford, Connecticut.


(9) Projects under the Comprehensive Flood Mitigation Study for the Delaware River Basin.

(10) Project for ecosystem restoration, Lake Apopka, Florida.

(11) Project for ecosystem restoration, Kansas River Weir, Kansas.


(13) Project for navigation, Tacoma Harbor, Washington.

(b) POST-AUTHORIZATION CHANGE REPORTS.—The Secretary shall expedite completion of a post-authorization change report for the following projects:
(1) Project for flood risk management, San Luis Rey River Flood Control Protection Project, California.

(2) Project for flood risk management, Success Reservoir Enlargement Project, California.

(3) Everglades Agricultural Area Reservoir, Central Everglades Planning Project, Florida.

TITLE III—DEAUTHORIZATIONS, MODIFICATIONS, AND RELATED PROVISIONS

SEC. 301. DEAUTHORIZATION OF INACTIVE PROJECTS.

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

(1) to identify $3,000,000,000 in water resources development projects authorized by Congress that are no longer viable for construction due to—

(A) a lack of local support;

(B) a lack of available Federal or non-Federal resources; or

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

(2) to create an expedited and definitive process for Congress to deauthorize water resources development projects that are no longer viable for construction; and
(3) to allow the continued authorization of water resources development projects that are viable for construction.

(b) **INTERIM DEAUTHORIZATION LIST.**—

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

(A) each water resources development project, or separable element of a project, authorized for construction before November 8, 2007, for which—

(i) planning, design, or construction was not initiated before the date of enactment of this Act; or

(ii) planning, design, or construction was initiated before the date of enactment of this Act, but for which no funds, Federal or non-Federal, were obligated for planning, design, or construction of the project or separable element of the project during the current fiscal year or any of the 6 preceding fiscal years; and

(B) each project or separable element identified and included on a list to Congress for deauthorization pursuant to section 1001(b)(2) of...
the Water Resources Development Act of 1986
(33 U.S.C. 579a(b)(2)).

(2) PUBLIC COMMENT AND CONSULTATION.—

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

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

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

(A) submit a revised interim deauthoriza-
tion list to the Committee on Environment and
Public Works of the Senate and the Committee
on Transportation and Infrastructure of the
House of Representatives; and

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

(c) FINAL DEAUTHORIZATION LIST.—

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

(2) **DEAUTHORIZATION AMOUNT.**—

(A) **PROPOSED FINAL LIST.**—The Secretary shall prepare a proposed final deauthorization list of projects and separable elements of projects that have, in the aggregate, an estimated Federal cost to complete that is at least $3,000,000,000.

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

(3) **IDENTIFICATION OF PROJECTS.**—

(A) **SEQUENCING OF PROJECTS.**—

(i) **IN GENERAL.**—The Secretary shall identify projects and separable elements of projects for inclusion on the proposed final deauthorization list according to the order in which the projects and separable elements of the projects were authorized, beginning with the earliest authorized
projects and separable elements of projects
and ending with the latest project or separable element of a project necessary to
meet the aggregate amount under paragraph (2)(A).

(ii) FACTORS TO CONSIDER.—The Secretary may identify projects and separable elements of projects in an order other than that established by clause (i) if the Secretary determines, on a case-by-case basis, that a project or separable element of a project is critical for interests of the United States, based on the possible impact of the project or separable element of the project on public health and safety, the national economy, or the environment.

(iii) CONSIDERATION OF PUBLIC COMMENTS.—In making determinations under clause (ii), the Secretary shall consider any comments received under subsection (b)(2).

(B) APPENDIX.—The Secretary shall include as part of the proposed final deauthorization list an appendix that—

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

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

(4) PUBLIC COMMENT AND CONSULTATION.—

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

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

(5) SUBMISSION OF FINAL LIST TO CONGRESS;
pUBLICATION.—Not later than 120 days after the
date of the close of the comment period under para-
graph (4), the Secretary shall—

(A) submit a final deauthorization list and
an appendix to the final deauthorization list in
a report to the Committee on Environment and
Public Works of the Senate and the Committee
on Transportation and Infrastructure of the
House of Representatives; and
(B) publish the final deauthorization list and the appendix to the final deauthorization list in the Federal Register.

(d) DEAUTHORIZATION; CONGRESSIONAL REVIEW.—

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

(2) NON-FEDERAL CONTRIBUTIONS.—

(A) IN GENERAL.—A project or separable element of a project identified in the final deauthorization list under subsection (c) shall not be deauthorized under this subsection if, before the expiration of the 180-day period referred to in paragraph (1), the non-Federal interest for the project or separable element of the project provides sufficient funds to complete the project or separable element of the project.

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

(3) Projects identified in Appendix.—A
project or separable element of a project identified
in the appendix to the final deauthorization list shall
remain subject to future deauthorization by Con-
gress.

(e) Special Rule for Projects Receiving
Funds for Post-authorization Study.—A project or
separable element of a project may not be identified on
the interim deauthorization list developed under sub-
section (b), or the final deauthorization list developed
under subsection (c), if the project or separable element
received funding for a post-authorization study during the
current fiscal year or any of the 6 preceding fiscal years.

(f) General Provisions.—

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

(A) Post-authorization Study.—The
term "post-authorization study" means—

(i) a feasibility report developed under
section 905 of the Water Resources Devel-
opment Act of 1986 (33 U.S.C. 2282);
(ii) a feasibility study, as defined in section 105(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(d)); or

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

(I) demonstrates a Federal interest; and

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

(B) WATER RESOURCES DEVELOPMENT PROJECT.—The term “water resources development project” includes an environmental infrastructure assistance project or program of the Corps of Engineers.

(2) TREATMENT OF PROJECT MODIFICATIONS.—For purposes of this section, if an authorized water resources development project or separable element of the project has been modified by an Act of Congress, the date of the authorization of the project or separable element shall be deemed to be the date of the most recent modification.
SEC. 302. BACKLOG PREVENTION.

(a) Project Deauthorization.—

(1) In general.—A water resources development project, or separable element of such a project, authorized for construction by this Act shall not be authorized after the last day of the 10-year period beginning on the date of enactment of this Act unless—

(A) funds have been obligated for construction of, or a post-authorization study for, such project or separable element during that period; or

(B) the authorization contained in this Act has been modified by a subsequent Act of Congress.

(2) Identification of Projects.—Not later than 60 days after the expiration of the 10-year period referred to in paragraph (1), 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 projects deauthorized under paragraph (1).

(b) Report to Congress.—Not later than 60 days after the expiration of the 12-year period beginning on 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 In-
frastructure of the House of Representatives, and make
available to the public, a report that contains—

(1) a list of any water resources development
projects authorized by this Act for which construc-
tion has not been completed during that period;
(2) a description of the reasons the projects
were not completed;
(3) a schedule for the completion of the projects
based on expected levels of appropriations; and
(4) a 5-year and 10-year projection of construc-
tion backlog and any recommendations to Congress
regarding how to mitigate current problems and the
backlog.

(c) CLARIFICATION.—Section 6003(a) of the Water
Resources Reform Development Act of 2014 (33 U.S.C.
579c(a)) is amended by striking “7” each place it appears
and inserting “10”.

SEC. 303. PROJECT MODIFICATIONS.

(a) CONSISTENCY WITH REPORTS.—Congress finds
that the project modifications described in this section are
in accordance with the reports submitted to Congress by
the Secretary under section 7001 of the Water Resources
Reform and Development Act of 2014 (33 U.S.C. 2282d),
titled “Report to Congress on Future Water Resources Development”, or have otherwise been reviewed by Congress.

(b) Modifications.—

(1) Harbor/South Bay, California.—Section 219(f)(43) of the Water Resources Development Act of 1992 (113 Stat. 337; 114 Stat. 2763A–220) is amended by striking “$35,000,000” and inserting “$70,000,000”.


SEC. 304. MILWAUKEE HARBOR, MILWAUKEE, WISCONSIN.

The portion of the project for navigation, Milwaukee Harbor, Milwaukee, Wisconsin, authorized by the first section of the Act of March 3, 1843 (5 Stat. 619; chapter 85), consisting of the navigation channel within the Menomonee River that extends from the 16th Street Bridge upstream to the upper limit of the authorized navigation channel and described as follows is no longer authorized beginning on the date of enactment of this Act:
(1) Beginning at a point in the channel just
downstream of the 16th Street Bridge,
N38°32′19.703, E25°21′15.257.

(2) Thence running westerly along the channel
about 2,530.2 feet to a point, N38°31′61.314,
E25°18′26.071.

(3) Thence running westerly by southwesterly
along the channel about 591.7 feet to a point at the
upstream limit of the existing project, N38°30′40.126,
E25°18′03.6.371.

(4) Thence running northerly along the up-
stream limit of the existing project about 80.5 feet
to a point, N38°31′59.359, E25°18′02.536.

(5) Thence running easterly by northeasterly
along the channel about 551.2 feet to a point,
N38°32′35.55, E25°18′57.108.

(6) Thence running easterly along the channel
about 2,578.9 feet to a point, N38°32′94.677,
E25°21′15.078.

(7) Thence running southerly across the chan-
nel about 74.3 feet to the point of origin.

SEC. 305. BRIDGEPORT HARBOR, CONNECTICUT.

That portion of the project for navigation, Bridgeport
Harbor, Connecticut, authorized by the Act of June 18,
1878 (20 Stat. 158), and modified by the Act of August
11, 1888 (25 Stat. 401), the Act of March 3, 1899 (30 Stat. 1122), the Act of June 25, 1910 (36 Stat. 633), and the Act of July 3, 1930 (46 Stat. 919), and lying upstream of a line commencing at point N627942.09, E879709.18 thence running southwesterly about 125 feet to a point N627832.03, E879649.91 is no longer authorized beginning on the date of enactment of this Act.

SEC. 306. CONVEYANCES.

(a) CHEATHAM COUNTY, TENNESSEE.—

(1) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey to Cheatham County, Tennessee (in this subsection referred to as the “Grantee”), all right, title, and interest of the United States in and to the real property in Cheatham County, Tennessee, consisting of approximately 9.19 acres, identified as portions of tracts E–514–1, E–514–2, E–518–1, E–518–2, E–519–1, E–537–1, and E–538, all being part of the Cheatham Lock and Dam project at CRM 158.5, including any improvements thereon.

(2) DEED.—The conveyance of property under this subsection shall be accomplished using a quit-claim deed and upon such terms and conditions as the Secretary determines appropriate to protect the interests of the United States, to include retaining...
the right to inundate with water any land transferred under this subsection.

(3) CONSIDERATION.—The Grantee shall pay to the Secretary an amount that is not less than the fair market value of the land conveyed under this subsection, as determined by the Secretary.

(4) SUBJECT TO EXISTING EASEMENTS AND OTHER INTERESTS.—The conveyance of property under this section shall be subject to all existing easements, rights-of-way, and leases that are in effect as of the date of the conveyance.

(b) NASHVILLE, TENNESSEE.—

(1) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the City of Nashville, Tennessee (in this subsection referred to as “City”), all right, title, and interest of the United States in and to the real property covered by Lease No. DACW62–1–84–149, including any improvements thereon, at the Riverfront Park Recreational Development, consisting of approximately 5 acres, subject to the right of the Secretary to retain any required easements in the property.

(2) CONVEYANCE AGREEMENT.—A quit claim deed shall be used to convey real property under this subsection upon the terms and conditions mutually
satisfactory to the Secretary and the City. The deed shall provide that in the event the City, its successors, or assigns cease to maintain improvements for recreation included in the conveyance or otherwise utilize the real property conveyed for purposes other than recreation and compatible flood risk management, the City, its successor, or assign shall repay to the United States the Federal share of the cost of constructing the improvements for recreation under the agreement between the United States and the City dated December 8, 1981, increased as necessary to account for inflation.

(c) GENERALLY APPLICABLE PROVISIONS.—

(1) SURVEY TO OBTAIN LEGAL DESCRIPTION.— The exact acreage and the legal description of any real property to be conveyed under this section shall be determined by a survey that is satisfactory to the Secretary.

(2) APPLICABILITY OF PROPERTY SCREENING PROVISIONS.—Section 2696 of title 10, United States Code, shall not apply to any conveyance under this section.

(3) ADDITIONAL TERMS AND CONDITIONS.— The Secretary may require that any conveyance under this section be subject to such additional
terms and conditions as the Secretary considers necessary and appropriate to protect the interests of the United States.

(4) Costs of conveyance.—An entity to which a conveyance is made under this section shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance.

(5) Liability.—An entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out, on or after the date of the conveyance, on real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out, before such date, on the real property conveyed.

SEC. 307. CLATSOPO COUNTY, OREGON.

The portions of the project for raising and improving existing levees of Clatsop County Diking District No. 13, in Clatsop County, Oregon, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1590), that are referred to as Christensen No. 1 Dike No. 42 and Christensen No. 2 Levee No. 43 are no longer authorized beginning on the date of enactment of this Act.
SEC. 308. KISSIMMEE RIVER RESTORATION, CENTRAL AND SOUTHERN FLORIDA.

Subject to a determination by the Secretary that the costs are reasonable and allowable and that the work for which credit is requested was carried out in accordance with the laws specified in section 5014(i)(2)(A) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1331) and all other applicable Federal laws, the Secretary may credit toward the non-Federal share of the cost of the Kissimmee River project, authorized in section 101(8) of the Water Resources Development Act of 1992 (106 Stat. 4802), the value of in-kind contributions made by the non-Federal interest with respect to the six following actions, as described in the final report of the Director of Civil Works on the Central and Southern Florida Project, Kissimmee River Restoration Project, dated April 27, 2018:

(1) Shady Oaks Fish Camp land preparation.

(2) Rocks Fish Camp land preparation.

(3) Levee breaching of Sparks Candler and Bronson Levees.

(4) Packingham Slough construction related to land acquisition.

(5) Engineering analysis of River Acres engineering solution.

(6) Small local levee modifications.
SEC. 309. LYTLE AND CAJON CREEKS, CALIFORNIA.

That portion of the channel improvement project, Lytle and Cajon Creeks, California, authorized to be carried out as a part of the project for the Santa Ana River Basin, California, by the Act of December 22, 1944 (Chapter 665; 58 Stat. 900) that consists of five earth-filled groins commonly referred to as “the Riverside Avenue groins” is no longer authorized as a Federal project beginning on the date of enactment of this Act.

TITLE IV—WATER RESOURCES INFRASTRUCTURE

SEC. 401. PROJECT AUTHORIZATIONS.

The following projects for water resources development and conservation and other purposes, as identified in the reports titled “Report to Congress on Future Water Resources Development” submitted to Congress on March 17, 2017, and February 5, 2018, respectively, 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 in accordance with the plans, and subject to the conditions, described in the respective reports or decision documents designated in this section:

(1) NAVIGATION.—
1. **Texas Galveston Harbor** Channel Extension Project, Houston-Galveston Navigation Channels

   Aug. 8, 2017

   **Estimated Costs**
   - Federal: $10,046,000
   - Non-Federal: $3,349,000
   - Total: $13,395,000

(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>
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<tr>
<td>1. NY</td>
<td>Mamaroneck-Sheldrake Rivers</td>
<td>Dec. 14, 2017</td>
<td>Federal: $53,500,000; Non-Federal: $28,750,000; Total: $82,250,000</td>
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2. **Hawaii Ala Wai Canal**

   Dec. 21, 2017

   Federal: $198,962,000; Non-Federal: $107,133,000; Total: $306,095,000

(3) **Hurricane and Storm Damage Risk Reduction.**—

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report of Chief of Engineers</th>
<th>D. Estimated Initial Costs and Estimated Renourishment Costs</th>
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<tr>
<td>1. FL</td>
<td>St. Johns County</td>
<td>Aug. 8, 2017</td>
<td>Initial Federal: $5,712,000; Initial Non-Federal: $19,122,000; Initial Total: $24,834,000; Renourishment Federal: $9,484,000; Renourishment Non-Federal: $44,099,000; Renourishment Total: $53,583,000</td>
</tr>
<tr>
<td>A. State</td>
<td>B. Name</td>
<td>C. Date of Decision Document</td>
<td>D. Estimated Initial Costs and Estimated Renourishment Costs</td>
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| TX       | Sabine Pass to Galveston Bay | Dec. 7, 2017 | Initial Federal: $2,157,202,000  
|          |        |                            |      Initial Non-Federal: $1,161,570,000  
|          |        |                            |      Initial Total: $3,318,772,000 |
| FL       | St. Lucie County              | Dec. 15, 2017 | Initial Federal: $7,097,000  
|          |        |                            |      Initial Non-Federal: $13,179,000  
|          |        |                            |      Initial Total: $20,276,000  
|          |        |                            |  Renourishment Federal: $8,915,000  
|          |        |                            |      Renourishment Non-Federal: $24,105,000  
|          |        |                            |      Renourishment Total: $33,020,000 |
| GA       | Savannah Harbor Expansion Project | Dec. 5, 2016 | Federal: $677,613,600  
|          |        |                            |      Non-Federal: $295,829,400  
|          |        |                            |      Total: $973,443,000 |
| KY       | Kentucky River Locks and Dams - 1, 2, 3, and 4 | April 20, 2018 | Federal: $0  
|          |        |                            |      Non-Federal: $0  
|          |        |                            |      Total: $0 |