

## **WRDA 2024—Comparison of House & Senate WRDA 2024 Bills** ***(as Passed the House & Senate) (with Remarks)***

### **COMPARISON TABLE NOTES:**

- **House WRDA Bill:** The first half of the comparison table below presents all of the House WRDA bill’s sections in sequence in the first column, and provides cross-references to relevant similar/related provisions found in the Senate bill in the second column of the table.
- **Senate WRDA Bill:** The second half of the comparison table below presents all of the Senate WRDA bill’s sections in sequence in the second column, and provides cross-references to relevant similar/related provisions found in the House bill in the first column of the table.
- **Remarks:** The third column of the table provides remarks on many of the sections, including preliminary recommendations on whether to possibly consider supporting or staying neutral/quiet on a section or provision. Those remarks that consider supporting a section or provision are highlighted in yellow as:
- **Similar Counterpart Provisions:** In the table, where one chamber’s WRDA bill has a provision and the other chamber’s WRDA bill does not have any similar counterpart provisions, the table includes the notation “(-)” to indicate that there is no similar counterpart provision in the other bill.
- **Location-Specific Provisions:** There are many similar location/regional-specific provisions that are in both the House and Senate WRDA bills. (There also are numerous location/regional-specific provisions that are in one bill but not the other.) In the interest of efficiency, the table does not provide cross-comparisons for some of the House or Senate provisions that deal specifically with location/regional-specific projects or other issues. The table includes the notation “X” to indicate that one bill was not evaluated for a similar counterpart location/regional-specific provision in the other bill.

**Need for Appropriations Advocacy to Realize the Benefits of Many of the WRDA Bills’ Authorizations:** It should be noted that WRDA legislation is *authorizing* legislation. Once a final WRDA 2024 is enacted into law, many of the authorizations for projects, activities, or some other provisions contained in the WRDA on their own are not enough for the Corps to proceed. Once Congress authorizes an activity in a WRDA, the Corps must still receive appropriations funding for that activity. In order to realize the benefits from many of the provisions in the House or Senate WRDA bills, there will be a need for subsequent appropriations advocacy in Congress.

<b><u>HOUSE WRDA BILL</u></b> <i>(as compared to Senate Bill)</i>		
<b><u>HOUSE WRDA BILL</u></b> <b>(H.R. 8812)</b>	<b><u>SENATE WRDA BILL</u></b> <b>(S.4367)</b>	<b><u>REMARKS</u></b> <i>(with a Focus on the House Bill)</i>
Sec. 1. Short title; table of contents.  Short Title: Water Resources Development Act of 2024.	[See Section 1 of the Senate bill:  <i>Sec. 1. Short title; table of contents.</i>  Short title: Thomas R. Carper Water Resources Development Act of 2024.]	<i>[The bill titles will need to be reconciled.]</i>
Sec. 2. Secretary defined.	Sec. 2: Definition of Secretary.	<i>[Standard definition, namely, the Secretary of the Army.]</i>
<b><u>TITLE I—GENERAL PROVISIONS.</u></b>		
Sec. 101. Continuing authority programs (CAPs).  This section mandates the Secretary to establish a pilot program allowing non-Federal interests (NFIs) to use alternative delivery methods for projects under the continuing authority program (CAP). The program will solicit project proposals, select projects ensuring geographic diversity, and notify relevant congressional committees. It includes provisions for Federal and non-	[See Section 313 of the Senate bill for similar provisions related to the CAP Programs:  <i>Sec. 313. Continuing authorities programs.</i>  This section modifies the funding authorizations for Continuing Authority Programs (CAPs), by increasing certain Federal funding limits per project and annual Federal Program limits for specified CAP programs.]	<i>[There is support for modifying the per project and programmatic authorization levels for the Corps' continuing authorities programs (CAPs) in both bills, and for allowing non-Federal interests (NFIs) to use alternative delivery methods for projects under the CAP, and for giving greater flexibility to the program in several ways (including allowing the NFI to contribute more than the non-Federal share of the project required under the applicable CAP;</i>

<p>Federal cost-sharing, allows non-Federal interests to contribute more than their share, and simplifies project processes. Selected projects may receive credit or reimbursement for Federal shares. The pilot program includes monitoring, annual reporting to Congress, and will sunset in 10 years. Appropriations of \$50 million per fiscal year are authorized to support the program.</p>		<p><i>credits or reimbursements; use of single contracts, etc.) in the House bill.]</i></p>
<p>Sec. 102. Community project advisor.</p> <p>This section directs the Secretary to create a new community project advisor program to assist non-Federal interests in accessing Federal resources related to water resources development programs of the Corps, conduct outreach, hold workshops, etc., with priority given to rural, small, and disadvantaged communities.</p>	<p>(-)</p>	<p><i>[The Community Project Advisor provision in the House bill sounds like an “ombudsman” position created in other Federal programs (including at EPA, SBA, etc.). While such programs have had mixed reviews, successes, and effectiveness, a Community Project Advisor could be useful for NFI planning/coordination, permitting, 408, and more with the Corps (if the Corps is serious about implementing such a program).</i></p> <p><i>Some past NWC comments have given some support for efforts and initiatives aimed at improving Corps-NFI communications, outreach, and tech assistance. The on-line portal could be useful, especially if it is tied into other outreach/portal provisions in past WRDAs, including for Corps permitting. (Should confirm this with Members.)]</i></p>
<p>Sec. 103. Minimum real estate interest.</p> <p>This section directs the Secretary to identify and utilize the minimum real estate interest required for authorized water resources development projects and report back to</p>	<p>(-)</p>	<p><i>It’s noted that the proposed language in House Section 103 supports the use of Minimum Real Estate Interests, it doesn’t seem to help or change anything from a practical standpoint. This provision appears</i></p>

<p>Congress when the Secretary requires the use of fee simple title, where the non-Federal interest requested the use of something less than fee simple title.</p> <p>[See also Section 153 of the House bill, which also deals with the issue of minimum real estate interests:</p> <p><i>Sec. 153. Report on minimum real estate interest.</i></p> <p>This section provides a sense of Congress that Congress has provided the Secretary all of the authority, and all of the direction, needed to acquire interests in real estate that are less than fee simple title, and requires the Secretary to report to Congress regarding minimum real estate interests.]</p>		<p><i>to be a nudge to the Corps by restating existing Corps policy.</i></p> <p><i>Even though Section 103 arguably pushes for more (and earlier) identification, disclosure, and reporting of real estate interests, including suitable minimum property interests, for projects, the Corps (including in its own guidance) already requires the minimum interests in real property necessary to support various types of projects to be identified. (See, e.g., Real Estate Policy Guidance Letter No. 31-Real Estate Support to Civil Works Planning.) If a non-standard estate or real estate policy deviation will be needed, this already must be coordinated with the Corps Division and HQ Real Estate, with the aim of ensuring that the justification is sound, the proposed action is within the law, and project authority and will serve the project's purposes.</i></p> <p><i>This provision in Section 103 doesn't appear to streamline the common non-standard estate issues that some NWC members face in California, or provide additional flexibility for the Federal government to cost share in fee simple title. (Many landowners apparently prefer this option due to the loss of utility in their property once it's encumbered by a civil works project.)]</i></p> <p><i>However, there is also a House Section 153, which also deals with the issue of minimum real estate interests. While it is unusual why the House bill deals with the issue of</i></p>
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		<p><i>minimum real estate interests in two separate sections in the House bill, namely in Sections 103 and 153, it appears that section 153 was added to the House bill as an amendment at the T&amp;I Committee markup. That amendment for some unclear reason added the new section 153 instead of amending Section 103 (which would have made more sense from a drafting and clarity standpoint).</i></p> <p><i>It should be noted that the House T&amp;I report provides some greater clarity on the Committee’s position regarding Minimum Real Estate Interests. The House report supports the use of Minimum Real Estate Interests, rather than blanket use of fee simple interests. See the discussion from the House T&amp;I report:</i></p> <p><b><i>“Delivering Projects more Efficiently through Policy in WRDA 2024</i></b></p> <p><i>WRDA 2024 marks a pivotal advancement in infrastructure development policy, introducing strategic reforms aimed at enhancing efficiency and effectiveness in project delivery across the Nation. Through targeted policy changes, this legislation empowers the Corps to better manage processes, optimize resource allocation, and foster greater collaboration with non-Federal entities. These not only prioritize timely project completion but also ensure that taxpayer dollars are invested judiciously, supporting sustainable infrastructure solutions that meet the evolving needs of communities nationwide.</i></p> <p><b><i>1. Minimum Real Estate Interest: In response to concerns received by the Committee</i></b></p>
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		<p><i>regarding the appropriate use of real estate interests by the Corps for project purposes, Section 103 of WRDA 2024 modifies the requirements for minimum real estate interests. The Committee recognizes that in some instances, the Corps has utilized higher levels of real estate instruments than necessary for project objectives, thereby increasing project costs and administrative burdens. WRDA 2024 mandates a recalibration of minimum real estate interests, ensuring that the Corps utilizes instruments that are more proportionate to project needs, rather than defaulting to fee simple ownership. This adjustment aims to optimize project efficiency and cost-effectiveness by requiring the use of lesser interests when feasible and appropriate. The intent behind this change is to align the Corps' real estate practices more closely with project requirements, promoting the use of alternatives that provide sufficient control and access while minimizing unnecessary acquisition costs and administrative complexities.”]</i></p>
<p>Sec. 104. Study of water resources development projects by non-Federal interests.</p> <p>This section clarifies requirements for a non-Federal interest carrying out a study of an authorized project or a study of a modification for an authorized project.</p> <p>This section amends Section 203 of WRDA 1986 to allow non-Federal interests to undertake and submit feasibility studies or modifications to constructed projects. The Secretary must provide clear guidance and</p>	<p>[See somewhat related provisions in Section 230 of the Senate bill:</p> <p><i>Sec. 230. Review of authorities and programs for alternative project delivery.</i></p> <p>This section requires the Secretary to complete a report on the authorities and programs that facilitate the use of alternative project delivery methods for water resources development projects, including public-private partnerships.]</p>	<p><i>There is support for programs for alternative project delivery, as House Sections 104 and 105, and Senate Section 230, all deal with. This includes support for allowing NFIs to undertake and submit feasibility studies or modifications to constructed projects, as Section 104 of the House bill deals with.]</i></p>

<p>support, including identifying necessary coordination stages. Credits for non-Federal interests are capped at the Federal cost of a feasibility study. \$1 million is authorized annually. Guidance is to be updated within 18 months, and existing agreements may be amended to reflect these changes.</p>		
<p>Sec. 105. Construction of water resources development projects by non-Federal interests.</p> <p>This section clarifies requirements for a non-Federal interest carrying out construction of an authorized project.</p> <p>This section amends Section 204 of WRDA 1986 to allow non-Federal interests to carry out projects or separable elements and receive reimbursement for Federal shares. Non-Federal interests must enter into a written agreement, provide project information, and identify project features outside the authorized scope. The Secretary must review and approve plans, ensuring compliance with Federal laws and safety. Reimbursement is available for discrete project segments. Exclusions include non-Federal activities not required by the Secretary and cost increases due to delays. \$1 million is authorized annually. Guidance is to be updated within 18 months, and existing agreements can be amended.</p>	<p>[See somewhat related provisions in Section 230 of the Senate bill:</p> <p><i>Sec. 230. Review of authorities and programs for alternative project delivery.</i></p> <p>This section requires the Secretary to complete a report on the authorities and programs that facilitate the use of alternative project delivery methods for water resources development projects, including public-private partnerships.]</p>	<p><i>There is support for programs for alternative project delivery, as House Sections 104 and 105, and Senate Section 230, all deal with. This includes support for allowing NFIs to carry out projects or separable elements and receive reimbursement for Federal shares, as Section 105 of the House bill deals with.]</i></p>

<p>Sec. 106. Review process.</p> <p>This section directs the Secretary to establish a single office within the Corps and provide technical direction to support modifications of a Corps-built structure by a non-Federal entity [under the Section 408 Program].</p>	<p>[See somewhat related provisions pertaining to the 408 Program in Section 233(c) of the Senate bill:</p> <p style="text-align: center;"><i>SEC. 233. GAO STUDIES.</i></p> <p>(c) REVIEW OF CERTAIN PERMITS.—GAO is to initiate a review of the section 408 program, including number and types of permits applied for each year under the section 408 program, the materials developed by the Secretary to educate potential applicants about the section 408 program, the process for applying for a permit, the public (“permit tracker”) Website of the Corps that tracks the status of permits issued under the section 408 program, the ability of the districts and divisions of the Corps to consistently administer the section 408 program, and more.]</p>	<p><i>[These provisions in House bill Section 106 amend the Section 408 Program by establishing a single office to coordinate 408 and try to ensure program consistency; also reinforces the use of contributed funds to pay for reviews. Similarly, the Senate bill, in Section 233(c), calls for a GAO study to evaluate the 408 Program. These provisions in both bills appear to be consistent with past comments that NWC filed on the 408 Program. (Should confirm this with Members.)]</i></p>
<p>Sec. 107. Electronic submission and tracking of permit applications.</p> <p>This section directs the Secretary to implement an electronic tracking and submission system for environmental reviews.</p>	<p>[See the somewhat related provisions in Section 106 of the Senate bill:</p> <p style="text-align: center;"><i>Sec. 106. Processing timelines.</i></p> <p>This section requires the Secretary to make timely updates to its online “permit finder” to accurately reflect the current status of projects for which a certain permit was, or is being, processed.]</p>	<p><i>[The House amendment nudges the Corps by encouraging the development/improvement of such reporting system, including for environmental reviews. Such a system, which could be helpful for NFIs, should be integrated into the Corps’ existing permitting-related portals/systems, including the Corps’ so-called “permit finder” portal at <a href="https://permits.ops.usace.army.mil/orm-public#">https://permits.ops.usace.army.mil/orm-public#</a>. The Senate provision also pushes for the Corps to make timely updates to its online “permit finder” portal, which would be beneficial to NFI.]</i></p>



<p>Sec. 108. Vertical integration and acceleration of studies.</p> <p>This section raises the allowable cost of feasibility studies for large projects to five million dollars and clarifies when the study time frame begins.</p>	<p>[See the related provisions in Section 202 of the Senate bill:</p> <p><i>Sec. 202. Vertical integration and acceleration of studies.</i></p> <p>This section directs the Secretary to delegate certain extensions related to the feasibility studies to the Commanders of Divisions of the Corps.]</p> <p>[See also somewhat related provisions in Section 104 of the Senate bill: <i>Sec. 104. Federal interest determinations.</i>]</p>	<p><i>[STAY NEUTRAL ON THESE PROVISIONS (?)]— The House bill revises 3x3x3 cost thresholds and timelines, to give the Corps some additional flexibility to meet deadlines and other requirements under this section. The Senate bill addresses different issues, namely delegation of extensions approvals. While these provisions deal with issues that may be of interest to some NFI, these do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 109. Systemwide improvement framework and encroachments.</p> <p>This section revises the process to bring a levee system back into compliance for assistance and manages pre-existing encroachments under the PL 84-99 Program.</p> <p>One amendment allows non-Federal interests to be eligible for repair and rehabilitation assistance if they develop a systemwide improvement plan. This plan must identify deferred maintenance items, necessary additional measures, and timelines. The Secretary must determine the plan meets requirements and that progress is satisfactory. The Secretary must review and determine if the removal or modification of grandfathered encroachments is necessary to ensure the flood control work's integrity.</p>	<p>(-)</p>	<p><i>[These are amendments to the PL 84-99 Program. The House bill revises compliance provisions to help keep NFIs in the program, but pushes for project/system improvements through the development of a systemwide improvement plan. The provisions also provide some flexibility in grandfathering encroachments of flood control works, and importantly, restricts the Corps from conditioning rehabilitation assistance eligibility on participation in unrelated disaster preparedness exercises.</i></p> <p><i>Some of these amendments appear to be pretty consistent with past comments that NWC filed on the PL 84-99 Program. (Should confirm this with Members.)]</i></p>

<p>Additionally, the term “covered encroachment” is defined. Existing agreements remain unaffected if they continue to meet prior requirements. The Secretary cannot condition rehabilitation assistance eligibility on participation in unrelated disaster preparedness exercises.</p>		
<p>Sec. 110. Fish and wildlife mitigation.</p> <p>This section clarifies the Secretary’s requirements to provide transparent mitigation to the public and explicitly authorizes third party implementation of mitigation obligations. Section 110(1)(A) clarifies the original intent of Congress regarding the application of Section 906 of WRDA 1986, as amended. Section 110(3) does not alter the responsibility of the Secretary to carry out mitigation in compliance with Section 906 of WRDA 1986, as amended.</p>	<p>(-)</p>	<p><i>[ These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 111. Harbor deepening.</p> <p>This section modifies the depth at which Federal ports and harbors projects can receive Federal support for construction and operation and maintenance.</p>	<p>[See related provisions in Section 241 in the Senate bill:</p> <p><i>Sec. 241. Assessment of impacts from changing construction responsibilities.</i></p> <p>Requires the Corps to assess the impacts of amending section 101(a)(1) of the WRDA 1986 to authorize the construction of navigation projects for harbors or inland harbors constructed by the Secretary at 75 percent Federal cost to a depth of 55 feet, including assessing the potential effect of authorizing construction of a navigation</p>	<p><i>[While this doesn’t appear to be an issue raised by NWC Members, NWC’s port-related Members might have an interest in these provisions.]</i></p>

	project to a depth of 55 feet at 75 percent Federal cost on other Federal navigation construction activities, including estimates of port by port impacts over the next 5, 10, and 20 years.]	
Sec. 112. Emerging harbors.  This section requires the Secretary to issue guidance and to develop a mechanism to accept funds from a non-Federal interest for the purpose of maintenance dredging.	(-)	<i>[These do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 113. Remote and subsistence harbors.  This section supports project completion for remote and subsistence harbors.	(-)	<i>[These do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 114. Additional projects for underserved community harbors.  This section directs the Corps to provide assistance to certain community harbor projects.	[See related provisions in Section 352 of the Senate bill:  <i>Sec. 352. Additional projects for underserved community harbors.</i>  This section clarifies the purposes for which the Secretary can carry out a project under Section 8132 of WRDA 2022 and extends the authorization of appropriations for that section until 2029.]	<i>[These do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 115. Inland waterways regional dredge pilot program.  This section modifies the Inland Waterways Regional Dredge Pilot Program, by outlining criteria for inclusion of projects in the	(-)	<i>[Even though these do not appear to be issues raised by NWC Members to NWC. This seems to, in part, be a nudge to the Corps to implement the pilot program established in WRDA 2022 (Sec. 8133). .]</i>

<p>program, including improving navigation reliability on inland waterways that are accessible year-round; increasing freight capacity on inland waterways; and having the potential to enhance the availability of containerized cargo on inland waterways.</p>		
<p>Sec. 116. Dredged material disposal facility partnerships.</p> <p>The section allows non-Federal entities to utilize certain non-Federal disposal facilities managed by the Secretary for dredged material disposal with permission from the facility owner and the Secretary. The Secretary is authorized to perform disposition evaluations for non-Federal disposal facilities not utilized for 20 years.</p>	<p>(-)</p>	<p><i>[These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 117. Maximization of beneficial use.</p> <p>This section encourages additional beneficial reuse of dredged materials by making the program permanent, increasing the use of regional sediment management plans, and codifying the Corps' goal of beneficially using 70 percent of dredged material.</p>	<p>(-)</p>	<p><i>[This seems to, in part, be another nudge to the Corps to further implement beneficial reuse of dredged materials, including to increase resiliency and reduce storm damage.]</i></p>
<p>Sec. 118. Economic, hydraulic, and hydrologic modeling.</p> <p>This section directs the Secretary to collaborate with Federal and state agencies, National Laboratories, and non-profit research institutions, including institutions of higher education, to develop economic, hydraulic, and hydrologic models for use in water</p>	<p>[See related provisions in Section 112 of the Senate bill:</p> <p><i>Sec. 112. Model development.</i></p> <p>This section allows the Secretary to partner with other Federal agencies, National Laboratories, and institutions of higher</p>	<p><i>[These do not appear to be issues raised by NWC Members to NWC.]</i></p>

<p>resource development projects. The Committee believes that robust models populated with accurate and up-to-date data are essential for planning effective water resources projects, and avoid dangerous, unintended consequences for communities, fish and wildlife habitat, resource-based businesses, and water-dependent industries.</p>	<p>education on models used in water resources planning.]</p>	
<p>Sec. 119. Forecast-informed reservoir operations.</p> <p>This section makes permanent the authority of the Corps to incorporate the use of forecast-informed reservoir operations (“FIRO”) in managing Corps facilities, and directs the Corps to prioritize the assessment of additional areas for integrating forecast-informed reservoir operations.</p>	<p>[See slightly related provisions in Section 208 of the Senate bill:</p> <p><i>Sec. 208. Forecast-informed reservoir operations in the Colorado River Basin.</i></p> <p>This section directs the Secretary to assess potential use of forecast-informed reservoir operations in the Colorado River Basin and allows the Secretary to carry out certain activities if the Secretary determines those activities to be appropriate, subject to the availability of funding.]</p>	<p><i>[The House provisions are general applicability, not specific projects or geographic areas. FIRO is becoming less controversial and more generally encouraged, including by some NWC Members. (Should confirm this with Members.)]</i></p> <p><i>[The Senate provisions involve specific geographical area. These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 120. Updates to certain water control manuals.</p> <p>This section directs the Corps to prioritize the update of water control manuals that incorporate the use of forecast-informed reservoir operations (FIRO) into such manuals.</p>	<p>(-)</p>	
<p>Sec. 121. Water supply mission.</p> <p>This section elevates water supply as a primary mission of the Corps, while</p>	<p>(-)</p>	<p><i>[This is the provision advocated by RM/Rep. Napolitano in her bill (HR 7065) introduced this Congress. (It is her “legacy” initiative before she retires at the end of this Congress.)]</i></p>

<p>maintaining the priority of existing missions. This section also directs the Secretary to issue two reports to the authorizing committees of the House and Senate on steps taken to elevate water supply as a primary mission area, and opportunities to further partner with non-Federal interests to incorporate water supply into existing Corps' projects.</p>		<p><i>It's unclear whether or how this provision would impact the Corps' Civil Works Program or individual projects. There is concern that adding a new primary mission would further dilute the Corps' existing primary Civil Works missions, but would arguably give the Corps greater flexibility to deal with water supply issues around the nation.]</i></p>
<p>Sec. 122. Real estate administrative fees.</p> <p>This section directs the Secretary to develop guidance to standardize processes for developing, updating, and tracking real estate administrative fees administered by the Corps.</p>	<p>(-)</p>	<p><i>Real estate administrative fees appear to be an issue for some/many NFI, although this does not appear to be an issue that has been raised much by NWC Members to NWC.]</i></p>
<p>Sec. 123. Challenge cost-sharing program for management of recreation facilities.</p> <p>This section authorizes a private, non-profit entity to partner with the Corps on the operation and management of a Corps recreation facility.</p>	<p>[See related provisions in Section 119 of the Senate bill:</p> <p><i>Sec. 119. Sense of Congress relating to the management of recreation facilities.</i></p> <p>This section provides the sense of Congress regarding the management of Corps recreation facilities, including that the Corps should have greater access to the revenue collected from the use of Corps-managed facilities with recreational purposes, revenue collected from Corps managed facilities with recreational purposes should be available to the Corps for necessary operation, maintenance, and improvement activities at the facility from which the revenue was derived, and the Corps should be provided with more authority to partner with non-Federal public</p>	<p><i>These do not appear to be issues raised by NWC Members to NWC.]</i></p>

	<p>entities and private nonprofit entities for the improvement and management of Corps-managed facilities with recreational purposes.]</p>	
<p>Sec. 124. Retention of recreation fees.</p> <p>This section authorizes Corps recreation facilities to retain future recreation fees collected.</p>	<p>[See related provisions in Section 119 of the Senate bill:</p> <p><i>Sec. 119. Sense of Congress relating to the management of recreation facilities.</i></p> <p>This section provides the sense of Congress regarding the management of Corps recreation facilities, including that the Corps should have greater access to the revenue collected from the use of Corps-managed facilities with recreational purposes, revenue collected from Corps managed facilities with recreational purposes should be available to the Corps for necessary operation, maintenance, and improvement activities at the facility from which the revenue was derived, and the Corps should be provided with more authority to partner with non-Federal public entities and private nonprofit entities for the improvement and management of Corps-managed facilities with recreational purposes.]</p>	<p><i>[These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 125. Databases of Corps recreational sites.</p> <p>This section directs the Secretary to regularly update publicly available databases with information about Corps recreational sites,</p>	<p>(-)</p>	<p><i>[These do not appear to be issues raised by NWC Members to NWC.]</i></p>

<p>such as the operational status and the recreational opportunities available at these sites.</p>		
<p>Sec. 126. Services of volunteers.</p> <p>This section authorizes the Secretary to recognize the contributions of volunteers at Corps recreation sites.</p>	<p>[See related Section 107 of the Senate bill:</p> <p><i>Sec. 107. Services of volunteers.</i></p> <p>This section allows the Secretary to recognize the contributions of volunteers.]</p>	<p><i>[These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 127. Nonrecreation outgrant policy.</p> <p>This section directs the Secretary to update policy guidance for the evaluation and approval of non-recreational real estate outgrant requests for the installation of broadband infrastructure on lands and waters operated and maintained by the Corps.</p>	<p>(-)</p>	<p><i>[These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 128. Improvements to National Dam Safety Program.</p> <p>This section modifies the National Dam Inventory to include lowhead dams. This section also reauthorizes the Federal Emergency Management Agency's (FEMA's) National Dam Safety Program through 2028 and makes changes to strengthen the High Hazard Potential Dam program, including requiring that rehabilitated dams are maintained and appropriate floodplain management plans are in place.</p>	<p>(-)</p>	<p><i>[While reauthorization of the National Dam Safety Program is significant, these do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 129. Rehabilitation of Corps of Engineers constructed dams.</p>	<p>[See related Section 107 of the Senate bill:</p>	<p><i>[While reauthorization of this authority for rehab of Corps dams is significant, these do</i></p>



<p>This section reauthorizes current authority for rehabilitating certain Corps-constructed dams. Section 1177 of WRDA 2016 is amended to revise the provisions regarding Federal cost limits for certain projects. The Secretary may now exceed the cost limit of \$60,000,000 for a project only if Congress is notified of the cost determination and specifically authorizes the project. Additionally, the timeframe for cost-sharing provisions is updated through 2030.</p>	<p><i>Sec. 326. Rehabilitation of Corps of Engineers constructed dams.</i></p> <p>This section amends section 1177 of WRDA 2016 to modify certain projects and extend the authorization for the authority until 2029.]</p>	<p><i>not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 130. Treatment of projects in covered communities.</p> <p>This section provides support for certain communities (in HI, AK, and territories) in delivering water resources development projects.</p>	<p>(-)</p>	<p><i>[These provisions are regionally focused, and they do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 131. Ability to pay.</p> <p>This section directs the Secretary to assess the ability of non-Federal interests to pay by considering criteria such as per capita income, project cost, and financial resources of relevant counties, and to report annually to Congress on these determinations. Procedures for non-Federal interests to request reductions in their cost-sharing responsibilities are established. The benefits analysis for flood risk reduction projects are to include insurance costs and may consider other household expenses. The Secretary also</p>	<p>[See related provisions in Section 103 of the Senate bill:</p> <p><i>Sec. 103. Ability to pay.</i></p> <p>This section directs the Secretary to expedite the completion of any guidance or rulemaking necessary to implement the existing ability to pay authority and to provide Congressional notifications for determinations made under that authority.]</p>	<p><i>[The issue of ability to pay (and the considerations outlined in the House bill) appear to be an issue for some/many NFI. (Should confirm this with Members.)]</i></p>

<p>must update guidance and prioritize specified projects based on these criteria.</p>		
<p>Sec. 132. Tribal partnership program.</p> <p>This section makes the Tribal Partnership Program permanent and increases its authorization and areas of function.</p>	<p>[See related Section 116 of the Senate bill:</p> <p><i>Sec. 116. Tribal partnership program.</i></p> <p>This section eliminates the sunset of the Tribal Partnership Program (TTP), clarifies existing eligibilities for projects within the TPP, and creates a pilot program for certain projects.]</p>	<p><i>[These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 133. Funding to process permits.</p> <p>This section amends Section 214 of the WRDA 2000 to include Indian Tribes.</p>	<p>[See somewhat related Section 106 of the Senate bill:</p> <p><i>Sec. 106. Processing timelines.</i></p> <p>This section requires the Secretary to make timely updates to its online “permit finder” to accurately reflect the current status of projects for which a certain permit was, or is being, processed using amounts accepted under section 214 of WRDA 2000.]</p>	<p><i>[The provision in Section 133 of the House bill deals only with Tribes, which likely is not of much specific interest to most NWC Members.</i></p> <p><i>However, the House T&amp;I Committee language in H.Rep. 118-587, which deals with Section 214 funding to process permits, could be of interest to some NWC Members. The relevant report language is below:</i></p> <p><i>“The Committee is aware that the Corps has not yet implemented changes to the Section 214 program as amended by WRDA 2022. Section 8135 of WRDA 2022 expanded the Section 214 process to allow the funds to be utilized towards the review of proposed mitigation bank sites and mitigation banking instruments, under which the Corps evaluates a proposed mitigation bank against certain requirements and determines potential creditable value. The Corps’ interpretation of the statute is that they only have the ability to utilize Section 214 funds towards processing construction permits for mitigation banks, not the approval of the site as</i></p>

		<p><i>a mitigation bank or the mitigation banking instrument. The Committee finds this contrary to the plain language of the WRDA 2022 language and hopes correcting this interpretation can be addressed administratively and aligned with Congressional intent.”</i></p> <p><i>The Senate provisions, which call for the Corps to update the status of projects on the online portal, are good, but do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 134. Project studies subject to independent external peer review.</p> <p>This section modifies the Independent External Peer Review program parameters and makes the program permanent. The amendment requires assessing both the economic adequacy and acceptability of the project, including a consideration of nonstructural alternatives.</p>	<p>[See related provisions in Section 220 of the Senate bill:</p> <p><i>SEC. 220. INDEPENDENT PEER REVIEW.</i></p> <p>This section simply extends the authority for independent external peer review (IEPR) panels for certain feasibility studies until 2029.]</p>	<p><i>This does not appear to be an issue raised much by NWC Members to NWC.]</i></p>
<p>Sec. 135. Control of aquatic plant growths and invasive species.</p> <p>Enhances the scope of activities for watercraft inspection and decontamination stations. Subsection (e)(3) now includes "monitoring and contingency planning for" in addition to early detection. The Connecticut River Basin is added, to expand the geographic scope of the program.</p>	<p>[See somewhat related provisions in Section 322, and also Section 225, of the Senate bill:</p> <p><i>SEC. 322. EXPENSES FOR CONTROL OF AQUATIC PLANT GROWTHS AND INVASIVE SPECIES.</i></p> <p>Section 104(d)(2)(A) of the River and Harbor Act of 1958 (33 U.S.C. 610(d)(2)(A)) is amended by adjusting cost-shares.</p>	<p><i>This does not appear to be an issue raised by NWC Members to NWC.]</i></p>

	<p><i>SEC. 225. REPORT ON EFFORTS TO MONITOR, CONTROL, AND ERADICATE INVASIVE SPECIES.</i></p> <p>This section requires the Secretary to complete a report to Congress on the Corps' various authorities and programs related to the management (monitoring, controlling, and eradicating) of invasive species. The report must detail the statutory authorities and programs utilized, highlight successful projects, and assess the impact of invasive species on the Corps' civil works projects. It should include an update on the plan from WRDA 2018 and provide recommendations, including legislative changes, to improve invasive species control.]</p>	
<p>Sec. 136. Remote operations at Corps dams.</p> <p>This section implements certain requirements for the use of remote operation activities at water resources development projects, including that the Corps may not use remote operation activities at a navigation or hydroelectric power generating facility at such project as a replacement for activities performed by personnel under the direction of the Corps at such project unless the Secretary provides notice to Congress.</p>	<p>(-)</p>	<p><i>[This is indirectly a labor/"inherent governmental function" issue pushed by some interests. This does not appear to be an issue raised by NWC Members to NWC.]</i></p>
<p>Sec. 137. Harmful algal bloom demonstration program.</p>	<p>[See related provisions in Section 348 of the Senate bill:</p>	<p><i>[This does not appear to be an issue raised by NWC Members to NWC.]</i></p>

<p>This section directs the Secretary include projects affecting water bodies of regional, national, or international importance, and to prioritize program activities at that reduce nutrient pollution, utilize natural and nature-based approaches, protect wetlands, develop technologies for detecting harmful algal blooms, and combine bloom removal with beneficial uses. Additionally, the Secretary is authorized to enter into agreements with non-Federal entities for the use or sale of successful technologies developed under the program.</p>	<p><i>SEC. 348. HARMFUL ALGAL BLOOM DEMONSTRATION PROGRAM.</i></p> <p>This section amends section 128 of WRDA 2020 to add two areas to the list of focus areas for the Harmful Algal Bloom Demonstration program.]</p>	
<p>Sec. 138. Support of Army civil works missions.</p> <p>This section authorizes the Secretary to enter into contracts or cooperative agreements with certain additional universities (in WA and NC) to conduct research in support of the Corps' civil works missions.</p>	<p>[See related provisions in Section 108 of the Senate bill:</p> <p><i>SEC. 108. SUPPORT OF ARMY CIVIL WORKS MISSIONS.</i></p> <p>This section amends an existing authority that allows the Secretary to enter into cooperative agreements, contracts, or any other authorized means to support the civil works missions of the Corps; expands work with additional universities (in WV, DE, IN, and MS).]</p>	<p><i>[These are "earmarks" for Committee Members. This does not appear to be an issue raised by NWC Members to NWC.]</i></p>
<p>Sec. 139. National coastal mapping program.</p> <p>This section authorizes the Secretary to carry out a National coastal mapping program to provide recurring mapping of coastlines to support navigation, flood risk management,</p>	<p>(-)</p>	<p><i>[This does not appear to be an issue raised by NWC Members to NWC.]</i></p>

<p>environmental restoration, and emergency operations projects.</p>		
<p>Sec. 140. Watershed and river basin assessments.</p> <p>This section includes additional locations (Connecticut River, Lower Rouge River, and Grand River Watersheds) for watershed-based studies under Section 729 of WRDA 1986 and authorizes their conversion to feasibility studies. Also adds priority status to certain watersheds.</p>	<p>[See related provisions in Section 219 of the Senate bill:</p> <p><i>Sec. 219. Watershed and river basin assessments.</i></p> <p>This section adds the Walla Walla River Basin and the San Francisco Bay Basin as focus areas for watershed assessments under section 729 of WRDA 1986.]</p>	<p><i>[Involves specific projects. This does not appear to be an issue raised by NWC Members to NWC.]</i></p>
<p>Sec. 141. Removal of abandoned vessels.</p> <p>This section authorizes the Secretary to remove abandoned vessels.</p>	<p>[See indirectly related provisions in Section 113 of the Senate bill:</p> <p><i>Sec. 113. Planning assistance for states.</i></p> <p>This section allows the Secretary to conduct title research for abandoned structures as part of their planning assistance to states.]</p>	<p><i>[These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 142. Corrosion prevention.</p> <p>This section encourages the Secretary to coordinate with apprenticeship programs and utilize National standard best practices when conducting corrosion prevention activities.</p>	<p>(-)</p>	<p><i>[This is another one of the corrosion prevention provisions that end up in a WRDA very WRDA cycle, thanks to the corrosion prevention or plastic pipe lobbyists.)</i></p> <p><i>This does not appear to be an issue raised by NWC Members to NWC.]</i></p>
<p>Sec. 143. Missouri River existing features protection.</p> <p>This section requires the Secretary to mitigate for certain actions in the Missouri River.</p>	<p>[See related provisions in Sections 223 and 338 of the Senate bill:</p> <p><i>Sec. 223. Briefing on status of certain activities on the Missouri River.</i></p>	<p><i>[This does not appear to be an issue raised by NWC Members to NWC.]</i></p>

<p>Before carrying out a covered action on a covered in-river feature, the Secretary must assess its impact on flood levels, risk to structures, water levels during droughts, navigation channels, bank erosion, ports or harbors, and sand harvesting. If adverse effects are found, mitigation is required. A “covered action” includes construction, modification, or operational changes to in-river features on the Missouri River used for creating and maintaining dike notches and related complexes.</p>	<p>This section directs the Secretary to provide a briefing to relevant congressional committees on the status of certain activities for several projects on the Missouri River.</p> <p><i>Sec. 338. Sense of Congress relating to Missouri River priorities.</i></p> <p>This section includes a sense of Congress that encourages the Secretary to make certain data and decisions related to the Missouri River Basin publicly available.]</p>	
<p>Sec. 144. Federal breakwaters and jetties.</p> <p>This section authorizes the Secretary to repair and maintain pile dikes.</p>	<p>(-)</p>	<p><i>[These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 145. Temporary relocation assistance pilot program.</p> <p>This section adds the Norfolk Coastal Storm Risk Management Project to the temporary relocation assistance program established under Section 8154 of WRDA 2022.</p>	<p>[See related provisions in Section 331 of the Senate bill:</p> <p><i>Sec. 331. Expansion of temporary relocation assistance pilot program.</i></p> <p>This section amends Section 8154 of WRDA 2022 to include the hurricane and storm damage risk reduction project for Norfolk, Virginia.]</p>	<p><i>[This does not appear to be an issue raised by NWC Members to NWC.]</i></p>
<p>Sec. 146. Easements for hurricane and storm damage reduction projects.</p> <p>This section directs the Secretary to provide flexibility and transparency for real estate requirements for hurricane and storm damage</p>	<p>[See related provisions in Section 233(e) of the Senate bill:</p> <p><i>SEC. 233. GAO STUDIES.</i> (e) STUDY ON EASEMENTS RELATED TO WATER RESOURCES</p>	<p><i>[This does not appear to be an issue raised by NWC Members to NWC.]</i></p>

<p>reduction projects. This section also provides two years for certain authorized hurricane and storm damage reduction projects to come into compliance with the Corps' real estate requirements.</p>	<p>DEVELOPMENT PROJECTS.—Requires GAO to conduct an analysis of the use of covered easements that may be provided to the Secretary by non-Federal interests in relation to the construction, operation, or maintenance of a project for flood risk management, hurricane and storm damage risk reduction, or ecosystem restoration.]</p>	
<p>Sec. 147. Shoreline and riverine protection and restoration.</p> <p>This section simply adds the shoreline of the State of Connecticut to Section 212 of WRDA 1999 for the purpose of carrying out studies and projects to reduce flood and storm damage hazards and restore shorelines.</p>	<p>(-)</p>	<p><i>[ This is location-specific addition, and does not appear to be an issue raised by NWC Members to NWC.]</i></p>
<p>Sec. 148. Sense of Congress related to water data.</p> <p>This section expresses a sense of Congress that the Secretary should develop and implement a framework for integrating, sharing, and using water data for the purpose of improving water resources management.</p>	<p>[See somewhat related provisions in Section 233(d) of the Senate bill:</p> <p><i>SEC. 233. GAO STUDIES.</i></p> <p>(d) CORPS OF ENGINEERS MODERNIZATION STUDY.— Requires GAO to conduct an analysis of opportunities for the Corps to modernize the civil works program through the use of technology, where appropriate, and the best available engineering practices, including to improve data collection and data sharing capabilities.]</p>	<p><i>[This issue pertaining to the quality, use, and sharing of water data has long been an issue of concern to NFI and some in Congress, While the issue is “worthy,” it does not appear to be an issue raised by NWC Members to NWC.]</i></p>
<p>Sec. 149. Sense of Congress relating to comprehensive benefits.</p>	<p>(-)</p>	<p><i>[This issue relates back to the Corps' recent PR&amp;G ASPs (Agency Specific Procedures for the Principles, Requirements and Guidelines)</i></p>



<p>This section expresses a sense of Congress that the Secretary should, to the maximum extent practicable, follow, when carrying out a feasibility study: (1) the guidance included in the “Comprehensive Documentation of Benefits in Feasibility Studies” memorandum, dated April 3, 2020; and (2) the policies included in the “Policy Directive—Comprehensive Documentation of Benefits in Decision Document,” dated January 5, 2021. Essentially, this section provides legislative support for three ASA(CW) directives that project planning considers all potential benefits of a proposed project.</p>		<p><i>Proposed Rule Action, about which the NWC filed comments. The Corps guidance referenced in this section deals with (and is supportive of) the calculation of benefits and consideration of various accounts to facilitate the evaluation and display of effects of alternative plans, including NED, RED, EQ, and OSE.</i></p> <p><i>When developing the comments on the PR&amp;G/ASP proposed rule, divergent viewpoints among some NWC members came out about whether to retain, discard, or do a hybrid model for NED methodology, as well as what the proposed rule does and does not do about NED. (This debate underscores a broader discussion on how to best balance economic, environmental, and community interests in the development and implementation of water resource projects.)</i></p> <p><i>This does not appear to be an issue raised by NWC Members to NWC, in the context of WRDA 2024, so it may be best to “let sleeping dogs lie” here.]</i></p>
<p>Sec. 150. Reporting and oversight.</p> <p>This section requires the Secretary to submit a report detailing the status of certain reports that Congress has previously directed the Corps to complete, as well as an annual report on newly authorized reports.</p>	<p>[See related provisions in Section 234 of the Senate bill:</p> <p><i>Sec. 234. Prior reports.</i></p> <p>This section directs the Secretary to prioritize completion of certain reports that were mandated in prior WRDA legislation.]</p>	<p><i>[The Corps needs to get caught up on reports, as called for in these sections. (This should go without saying.)</i></p> <p><i>The House T&amp;I Committee, in its bill report, scolded the Corps for report delays:</i></p> <p><i>“The Committee is deeply concerned with the lack of progress by the Corps in carrying out several legislative mandates to complete certain studies and reports related to individual projects</i></p>

		<p><i>or policies of the Corps civil works missions. The Committee does not view fulfillment of these legal requirements as optional on the part of the Corps, regardless of whether specific appropriations are provided to carry out these directives; yet, in recent years, the Committee is concerned that the Corps has taken such an approach, and has, often at the last minute, rebuffed legal obligations for mandated studies and reports due to “lack of specific appropriations”. This section highlights specific legislatively-mandated studies and reports enacted in recent years that are well past their statutorily required deadline but is not a comprehensive accounting of other legislatively mandated studies and reports from prior WRDAs that are also well overdue. The Committee expects the Corps, using existing funds available to the agency, to not only provide the specific information required by this section, but also to fulfil its legal obligation to provide the Committees with all mandated reports and studies pending with the Corps.”]</i></p>
<p>Sec. 151. Sacramento River watershed Native American site and cultural resource protection pilot program.</p> <p>This section establishes a pilot program in the Sacramento River watershed regarding Native American cultural resources at Corps sites.</p>	(-)	<p><i>[These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 152. Emergency drought operations pilot program.</p> <p>This section establishes a pilot program for emergency drought operations in Arizona, California, and Nevada. This House</p>	<p>[See very similar provisions in Section 345 of the Senate bill:</p> <p><i>Sec. 345. Emergency drought operations pilot program.</i></p>	<p><i>[While this issue is region-specific in the House and Senate bills, and apparently has not been an issue raised by NWC Members to NWC, this might be of interest to certain Western NWC Members.]</i></p>

<p>provision allows the Secretary to receive and expend funds contributed by a non-Federal interest to carry out activities under this section.</p>	<p>This section directs the Secretary to establish a pilot program to prioritize, consistent with other authorized project purposes and in coordination with the non-Federal interest, water supply operations during a drought emergency at certain projects in Arizona and California.]</p> <p>[See also related Section 110 of the Senate bill:</p> <p><i>Sec. 110. Leveraging Federal infrastructure for increased water supply.</i></p> <p>This section allows the Secretary to accept funds from a non-Federal interest or another Federal agency for the purpose of water control manual updates.]</p>	
<p>Sec. 153. Report on minimum real estate interest.</p> <p>This section provides a sense of Congress that Congress has provided the Secretary all of the authority, and all of the direction, needed to acquire interests in real estate that are less than fee simple title, and requires the Secretary to report to Congress regarding minimum real estate interests.</p> <p>[See also Section 103 of the House bill, which also deals with the issue of minimum real estate interests:</p> <p><i>Section 103. Minimum Real Estate Interest.</i></p>	<p>(-)</p>	<p><i>[This appears to be a sensitive issue for some NWC Members), including some in California.</i></p> <p><i>Maybe could advocate for changes that help NWC Members, but only after reaching out and getting a better sense from various NWC Members where they are on this issue (?).]</i></p> <p><b><i>[SEE ALSO THE COMPLETE REMARKS, ABOVE, FOR SECTION 103 OF THE HOUSE BILL.]</i></b></p>

<p>This section directs the Secretary to identify and utilize the minimum real estate interest required for authorized water resources development projects and report back to Congress when the Secretary requires the use of fee simple title, where the non-Federal interest requested the use of something less than fee simple title.]</p>		
<p>Sec. 154. Levee Owners Board.</p> <p>This section amends Section 9003 of <i>WRDA</i> 2007 (33 U.S.C. 3302) to direct the Secretary to create a Levee Owners Board to collaborate with and provide advice and recommendations on flood protection.</p>	<p>[See very similar provisions in Section 114 of the Senate bill:</p> <p><i>Sec. 114. Corps of Engineers Levee Owners Advisory Board.</i></p> <p>This section requires the Secretary to establish a Levee Owners Advisory Board to provide advice and recommendations to the Secretary and Chief of Engineers on certain issues.]</p> <p>[See also Senate bill Section 228 (Report to Congress on levee safety guidelines).]</p>	<p><i>[This section is likely strongly supported by levee interests.]</i></p>
<p>Sec. 155. Definition.</p> <p>This section defines the term “State.”</p>	<p>(-)</p>	<p><i>[These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p><b>TITLE II—STUDIES AND REPORTS.</b></p>		
<p>Sec. 201. Authorization of proposed feasibility studies.</p>	<p>[See the similar provisions in Section 201 of the Senate bill:</p>	<p><i>[Involves specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i></p>

<p>This section authorizes the Secretary to carry out 160 new feasibility studies (for new or modified projects).</p>	<p><i>Sec. 201. Authorization of proposed feasibility studies.</i></p> <p>This section authorizes 62 new feasibility studies and 11 studies for project modifications.]</p>	
<p>Sec. 202. Expedited completion.</p> <p>This section directs the Secretary to expedite completion of 14 feasibility studies currently underway. Upon completion of the study, if the Secretary determines that the project is justified, the Corps may proceed directly to preconstruction planning, engineering, and design. This section also directs the Secretary to expedite the completion of three post-authorization change reports (PACRs) for existing projects.</p>	<p>[See the similar provisions in Section 203 of the Senate bill:</p> <p><i>Sec. 203. Expedited completion.</i></p> <p>This section directs the Secretary to expedite the completion of 43 feasibility studies and 21 authorized projects.]</p>	<p><i>[Involves specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 203. Expedited modification of existing feasibility studies.</p> <p>This section directs the Secretary to expedite modifications to the scope of five authorized feasibility studies.</p>	<p>[See related Section 204 of the Senate bill:</p> <p><i>Sec. 204. Expedited completion of other feasibility studies.</i></p> <p>This section directs the Secretary to expedite completion and review of feasibility studies conducted consistent with section 203(b) of WRDA 1986.]</p>	<p><i>[Involves specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 204. Corps of Engineers reports.</p> <p>This section directs the Secretary to develop various reports to Congress, including recreational access on Corps facilities for individuals with disabilities; turbidity in the</p>	<p>(-)</p>	<p><i>[They involve particular issues at specific projects/locations. These do not appear to be issues raised by NWC Members to NWC.]</i></p>

<p>Willamette Valley; Soo Locks security; sea grass rehabilitation; shoreline use permits; fuel efficiency; and boat ramps.</p>		
<p>Sec. 205. GAO studies.</p> <p>This section directs GAO to initiate and complete several studies, including: a review of donor port funding under WRRDA 2014; an analysis of the Corps' use of digital infrastructure technologies; an examination of disaster preparedness and response activities; an analysis of unauthorized homeless encampments on Corps' properties; a review of Federal-state data-sharing efforts regarding future resiliency and flood impacts; an analysis of institutional barriers to incorporating nature-based features into water resources development projects; and a study on the use of ecosystem restoration for flood control or flood risk management projects.</p>	<p>[See somewhat related provisions in Section 233 of the Senate bill pertaining to GAO studies; see also description, at Senate Section 233 in this table, down below.]</p> <p><i>SEC. 233. GAO STUDIES.</i></p> <p>This section mandates GAO to conduct several studies on Corps programs and policies. These studies will review the accuracy of project cost estimates, the impact of indemnification clauses and OMRR&amp;R responsibilities, and trends in the Section 408 permit program. The GAO will also assess opportunities for Corps program modernization (including data sharing), the use of easements in flood and storm risk management, and improvements to environmental review processes. Additionally, the GAO will study the costs and limitations of dredged material disposal site construction and analyze the distribution of funding from the Harbor Maintenance Trust Fund.]</p>	<p><i>[Most of the proposed GAO study topics do not appear to be issues raised by NWC Members to NWC.</i></p> <p><i>However, the proposed study in House section 205(c) (pertaining to a Study on Corps of Engineers Disaster Preparedness, Response, and Related Information Collection) relates in part to recommendations to improve the provision of assistance for response to natural disasters under the PL 84-99 Program. Considering the concerns that some NWC Members have regarding the PL 84-99 Program and the direction that the Corps is proposing to take it, it probably would be appropriate to express general support for that study.]</i></p>
<p>Sec. 206. Annual report on harbor maintenance needs and trust fund expenditures.</p> <p>This section requires an annual report on operations and maintenance costs at harbors and inland harbors and the distribution of</p>	<p>[The Senate bill handles the Harbor Maintenance Trust Fund (HMTF) by requiring, in Section 233(h), GAO to conduct a study on the distribution of funding from the (HMTF). (See description, below, of Section 233 in the Senate bill.)]</p>	<p><i>[This requirement in the House bill will provide Congress with a continuous baseline and understanding of the infrastructure needs at our nation's harbors, as well as the Corps' implementation of Harbor Maintenance Trust Fund allocations directed by Section 102 of WRDA 2020. There likely are some NWC</i></p>

<p>funds from the Harbor Maintenance Trust Fund (HMTF). This section includes an annual reporting requirement on the operations and maintenance costs and needs at harbors and inland harbors, the distribution of funds from the HMTF, and a list of unmet needs at harbors.</p>		<p><i>Members with such an interest in the HMTF. (Should confirm this with Members.)]</i></p>
<p>Sec. 207. Examination of reduction of microplastics.</p> <p>This section directs the Corps' Engineer Research and Development Center, in consultation with other Federal agencies, to carry out research and development activities on efforts to reduce the release of microplastics into the environment.</p>	<p>(-)</p>	<p><i>[This issue of research of microplastics does not appear to be an issue raised by NWC Members to NWC.]</i></p>
<p>Sec. 208. Post-disaster watershed assessment for impacted areas.</p> <p>This section directs the Secretary to carry out two, specific post-disaster watershed assessments under Section 3025 of WRRDA 2014: an assessment for the areas of Maui, Hawaii, impacted by the August 2023 wildfires, and an assessment of areas near Belen, New Mexico, impacted by the April 2022 wildfires.</p>	<p>(-)</p>	<p><i>[These study issues are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 209. Upper Barataria Basin and Morganza to the Gulf of Mexico Connection, Louisiana.</p> <p>This section directs the Secretary to evaluate a connection between the Upper Barataria Basin</p>	<p>[See also related provisions in Section 328 of the Senate bill:</p> <p><i>Sec. 328. Sense of Congress relating to certain Louisiana hurricane and coastal storm damage risk reduction projects.</i></p>	<p><i>[These study issues are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>

Hurricane and Storm Damage Risk Reduction and Morganza to the Gulf of Mexico projects in Louisiana.	This section includes a sense of Congress that encourages extending the scope two projects in Louisiana in order to connect the two projects and realize the benefits of continuous hurricane and coastal storm risk reduction.]	
Sec. 210. Upper Mississippi River System Flood Risk and Resiliency Study.  This section directs the Secretary to conduct a study to evaluate and recommend measures to improve flood resiliency and reduce flood risk in the floodplain of the Upper Mississippi River System.	(-)	<i>[These study issues are location-specific, and while they are likely of interest to some NWC Members, they do not appear to be issues specifically raised by NWC Members to NWC.]</i>
Sec. 211. New Jersey hot spot erosion mitigation.	X	<i>[These study issues are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 212. Oceanside, California.	X	<i>[These study issues are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 213. Coastal Washington.	X	<i>[These study issues are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 214. Cherryfield Dam, Narraguagus River, Maine.	X	<i>[These study issues are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 215. Poor Farm Pond Dam, Worcester, Massachusetts.	X	<i>[These study issues are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>



Sec. 216. National Academy of Sciences study on Upper Rio Grande Basin.	X	<i>[These study issues are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 217. Chambers, Galveston, and Harris Counties, Texas.	X	<i>[These study issues are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 218. Sea sparrow accounting.  This section directs the Secretary to share data and coordinate with relevant Federal, state, and local agencies to provide an accurate accounting of Cape Sable Seaside Sparrows.	(-)	<i>[This does not appear to be an issue raised by NWC Members to NWC.]</i>
Sec. 219. Wilson Lock floating guide wall, Alabama.	X	<i>[These study issues are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 220. Algiers Canal Levees, Louisiana.	X	<i>[These study issues are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
<b><u>TITLE III—DEAUTHORIZATIONS AND MODIFICATIONS.</u></b>		
Sec. 301. Deauthorization of inactive projects.  This section establishes a process for the deauthorization of certain water resources development projects not yet initiated or appropriated.	(-)	<i>[This is the House's typical general deauthorizations provision.]</i>  <i>These do not appear to be issues raised by NWC Members to NWC.]</i>

<p>Sec. 302. General reauthorizations.</p> <p>This provision provides additional authorizations of Federal appropriations for several Corps programs, including the Levee Safety Initiative, Invasive Species In Alpine Lakes, Environmental Banks, Non-Federal Implementation, Asian Carp Prevention and Control, Transfer of Excess Credit, Formulation of Corps Projects in Rural and Economically Disadvantaged Communities, and Rehabilitation of Existing Levees.</p> <p>(Non-Federal Implementation Pilot Program is in subsection 302(e).)</p> <p>(Asian Carp Prevention and Control Pilot Program is in subsection 302(f).)</p> <p>(Rehabilitation of Existing Levees is in subsection 302(i).)</p>	<p>[The Senate bill doesn't have a directly comparable section to Section 302 of the House bill, but see comparable Section 346 of the Senate bill regarding the issue of Rehabilitation of Existing Levees:</p> <p><i>Sec. 346. Rehabilitation of existing levees.</i></p> <p>This section amends section 3017 of WRRDA 2014 to extend the authorization of the program for the rehabilitation of existing levees until 2029.]</p> <p>[And also see comparable Section 323 of the Senate bill regarding the issue of the Asian Carp Prevention Pilot Program:</p> <p><i>Sec. 323. Corps of Engineers Asian carp prevention pilot program.</i></p> <p>This section amends section 509(a) of WRDA 2020 to extend the authorization for the pilot program.]</p> <p>[And also see comparable Section 347 of the Senate bill regarding the non-Federal Implementation Pilot Program:</p> <p><i>Sec. 347. Non-Federal implementation pilot program.</i></p> <p>This section amends section 1043(b) of WRRDA 2014, to increase the number of projects that can utilize this pilot program and extends the authorization of appropriations until 2029. This section also</p>	<p><i>[Some of these provisions are location-specific. Most of these do not appear to be issues raised by NWC Members to NWC, including the provisions relating to Asian Carp and the non-Federal Implementation Pilot Program.]</i></p>
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	allows a certain project in Louisiana to be carried out under this pilot program.]	
<p>Sec. 303. Conveyances.</p> <p>This section provides certain generally applicable provisions involving property survey and property screening requirements, responsibility for costs of conveyances, and liability/indemnification, and also authorizes three conveyances.</p>	<p>[See related provisions in Section 344 of the Senate bill:</p> <p><i>Sec. 344. Conveyances.</i></p> <p>This section and provides certain generally applicable provisions involving property survey and property screening requirements, responsibility for costs of conveyances, and liability/indemnification, and also authorizes the Secretary to convey real property owned by the Federal government at two specific locations.]</p>	<p><i>[These conveyance issues are mostly location-specific, and (including the generally applicable provisions) do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 304. Lakes program.</p> <p>This section includes additional locations in the Corps' Lakes Program authority under Section 602 of the <i>WRDA of 1986</i>.</p>	(-)	<p><i>[These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 305. Maintenance of navigation channels.</p> <p>This section amends Section 509(a) of the <i>WRDA of 1996</i> to include additional projects for the Secretary to examine to determine if Federal assumption of maintenance is merited.</p>	(-)	<p><i>[These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 306. Asset divestiture.</p> <p>This section amends Section 109 of the River and Harbor Act of 1950 (which authorizes the</p>	(-)*	<p><i>[These do not appear to be issues raised by NWC Members to NWC.]</i></p>

<p>Secretary to transfer or convey to State authorities or political subdivisions thereof all right, title, and interest of the U.S. in and to any and all bridges owned by the Corps) to include terms and conditions for the transfer of bridges owned by the Corps.</p> <p>The section also requires the Secretary to develop and submit to Congress a bridge inventory report on the existing bridges owned, operated, and maintained by the Corps.</p>	<p>[* - <u>Note</u>: The Senate bill does <u>not</u> have a directly equivalent counterpart provision to Section 306 of the House bill.</p> <p><i>But see</i> the Note in the Remarks Column regarding the two Senate bill sections that pertain to the two Cape Cod Canal Bridges (the Bourne Bridge and the Sagamore Bridge in Mass.), and how Section 306 of the House bill might be indirectly relevant to those bridges.]</p>	<p><i>[Note: Even though House bill Section 306 does <u>not</u> specify any particular bridges that these provisions could affect or be relevant to, it is apparently understood by some that House WRDA section 306 might have relevance/implications for the two Cape Cod Canal bridges in Massachusetts that are owned by the Corps: the Bourne and Sagamore Bridges.</i></p> <p><i>There are two Sections in the Senate bill (235 and 359) that pertain to these two Cape Cod Canal bridges, and Section 306 of the House bill could potentially be relevant to those bridges, if Massachusetts has an interest in acquiring ownership of the bridges as part of possibly assuming responsibility for constructing replacement bridges:</i></p> <p><i><u>Sec. 235 (“Briefing on status of Cape Cod Canal Bridges, Massachusetts”): This section directs the Secretary to provide a briefing to relevant Congressional committees on the status of the project for the replacement of the Bourne and Sagamore Highway Bridges in Cape Cod, Massachusetts.</u></i></p> <p><i><u>and</u></i></p> <p><i><u>Sec. 359 (“Replacement of Cape Cod Canal bridges”): This section authorizes the Secretary to allow Massachusetts to construct the replacement of the Bourne Bridge and the Sagamore Bridge, Massachusetts, subject to the same legal</u></i></p>
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		<p><i>and technical requirements as if the construction of the replacement of the bridges were carried about by the Secretary. The Secretary is authorized to reimburse Massachusetts for the Corps' contribution of the construction costs for the replacement of those bridges, or a portion of the replacement of the bridges (subject to a specified dollar cap).</i></p> <p><i>The Senate bill does <u>not</u> have an equivalent counterpart provision to Section 306 of the House bill.]</i></p>
<p>Sec. 307. Upper Mississippi River restoration program.</p> <p>This section amends the authorization of appropriations for the Upper Mississippi River Restoration Program.</p>	<p>[See Section 334 of the Senate bill:</p> <p><i>Sec. 334. Upper Mississippi River Plan.</i></p> <p>This section amends the authorization of appropriations for the Upper Mississippi River Restoration Program.]</p>	<p><i>[These study issues are location-specific, and while they are likely of interest to some NWC Members, they do not appear to be issues specifically raised by NWC Members to NWC.]</i></p>
<p>Sec. 308. Coastal community flood control and other purposes.</p> <p>This legislation modifies repayment terms under WRDA 1986, specifying adjustments to pre-payment conditions and refund protocols for non-Federal contributions exceeding required amounts.</p>	<p>(-)</p>	<p><i>[These provisions do not appear to be issues raised by NWC Members to NWC.</i></p> <p><i>(These possibly might be related to issues advocated by LA interests.)]</i></p>
<p>Sec. 309. Shore protection and restoration.</p> <p>This section adds Fire Island, New York to the Shore Protection and Restoration authority under Section 8327 of WRDA 2022.</p>	<p>(-)</p>	<p><i>[These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>

<p>Sec. 310. Hopper dredge McFarland replacement.</p> <p>This section requires that any Federal replacement vessel for the Federal hopper dredge McFarland be placed in the same ready reserve status as the McFarland.</p>	<p>(-)</p>	<p><i>[These do not appear to be issues raised by NWC Members to NWC.</i></p> <p><i>(Dredging interests might have some interest in this provision, either for or against it.)]</i></p>
<p>Sec. 311. Acequias irrigation systems.</p> <p>This section modifies the authorization for the Acequias Rehabilitation and Restoration program.</p>	<p>[See related provisions in Section 304 of the Senate bill:</p> <p><i>Sec. 304. Acequias irrigation systems.</i></p> <p>This section amends section 1113 of WRDA 1986 to make a technical correction and increases the authorized funding for that section.]</p>	<p><i>[These provisions are regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 312. Pacific region.</p> <p>This section amends Section 444 of the <i>WRDA of 1996</i> to include Hawaii.</p>	<p>(-)</p>	<p><i>[These provisions are regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 313. Selma, Alabama.</p>	<p>X</p>	<p><i>[These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 314. Barrow, Alaska.</p>	<p>X</p>	<p><i>[These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 315. San Francisco Bay, California.</p>	<p>X</p>	<p><i>[These provisions are regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>

Sec. 316. Santa Ana River Mainstem, California.	X	<i>[—These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 317. Faulkner Island, Connecticut.	X	<i>[These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 318. Broadkill Beach, Delaware.	X	<i>[These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 319. Federal Triangle Area, Washington, District of Columbia.	X	<i>[These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 320. Washington Aqueduct.	X	<i>[These provisions are regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 321. Washington Metropolitan Area, Washington, District of Columbia, Maryland, and Virginia.	X	<i>[These provisions are regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 322. Northern estuaries ecosystem restoration, Florida.	X	<i>[These provisions are regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 323. New Savannah Bluff Lock and Dam, Georgia and South Carolina.	X	<i>[These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 324. Dillard Road, Patoka Lake, Indiana.	X	<i>[These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>

Sec. 325. Larose to Golden Meadow, Louisiana.	X	<i>[These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 326. Morganza to the Gulf of Mexico, Louisiana.	X	<i>[These provisions are regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 327. Port Fourchon Belle Pass Channel, Louisiana.	X	<i>[These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 328. Upper St. Anthony Falls Lock and Dam, Minnesota.	X	<i>[These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 329. Missouri River levee system, Missouri.	X	<i>[These study issues are regionally-specific, and while they are likely of interest to some NWC Members, they do not appear to be issues specifically raised by NWC Members to NWC.]</i>
Sec. 330. Table Rock Lake, Missouri and Arkansas.	X	<i>[These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 331. Missouri River mitigation, Missouri, Kansas, Iowa, and Nebraska.	X	<i>[These provisions are regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 332. New York and New Jersey Harbor and Tributaries, New York and New Jersey.	X	<i>[These provisions are regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>



Sec. 333. Western Lake Erie basin, Ohio, Indiana, and Michigan.	X	<i>[These provisions are regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 334. Willamette Valley, Oregon.	X	<i>[These provisions are regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 335. Columbia River Channel, Oregon and Washington.	X	<i>[ These provisions are regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 336. Buffalo Bayou Tributaries and Resiliency study, Texas.	X	<i>[ These provisions are regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 337. Matagorda Ship Channel Jetty Deficiency, Port Lavaca, Texas.	X	<i>[ These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 338. San Antonio Channel, San Antonio, Texas.	X	<i>[ These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 339. Western Washington State, Washington.  This section authorizes funding for environmental infrastructure in Western Washington State, Washington.	X	<i>[ These provisions are regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
Sec. 340. Environmental infrastructure.  This section authorizes many new and modifies many existing environmental infrastructure authorities of the Secretary.	[See similar provisions in Section 302 of the Senate bill (pertaining to “Environmental infrastructure.”)]	<i>[ These provisions are location or regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>

<p>Sec. 341. Specific deauthorizations.</p> <p>This section deauthorizes specific projects or portions of projects.</p>	<p>X</p>	<p><i>[ These provisions are location or regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>Sec. 342. Congressional notification of deferred payment agreement request.</p> <p>This section requires the Secretary to notify Congress upon receipt of a request pursuant to Section 103(k) of WRDA 1986 (a request for a renegotiation of terms by a non- Federal interest).</p>	<p>(-)</p>	<p><i>[ These study issues are location-specific, and while they could be of some interest to some NFIs/NWC Members, they do not appear to be issues specifically raised by NWC Members to NWC.]</i></p>
<p><b><u>TITLE IV—WATER RESOURCES INFRASTRUCTURE.</u></b></p>		
<p>Sec. 401. Project authorizations.</p> <p>This section authorizes 12 projects for construction that have completed technical review by the Corps and are recommended by the Chief of Engineers (Chief’s Reports).</p>	<p>[See Section 401 of the Senate bill:</p> <p style="padding-left: 40px;"><i>Sec. 401. Project authorizations.</i></p> <p>This section authorizes construction for 13 projects for which a Chief of Engineer’s Report or other decision document has been submitted to Congress (Chief’s Reports).]</p>	<p><i>[ These study issues are project/location-specific, and while they may be of interest to some NWC Members, they do not appear to be issues specifically raised by NWC Members to NWC.]</i></p>
<p>Sec. 402. Facility investment.</p> <p>This section authorizes the Secretary to design and construct a facility near Lee’s Summit, Missouri, and Corpus Christi, Texas, using funds available in the revolving fund established by the first section of the Civil Functions Appropriations Act of 1954.</p>	<p>[See similar provisions in Section 402 of the Senate bill involving the use of funds available in the revolving fund established by the first section of the Civil Functions Appropriations Act of 1954.]</p>	<p><i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>

<b><u>SENATE WRDA BILL</u></b> <i>(as compared to House Bill)</i>		
<b><u>HOUSE WRDA BILL</u></b> <b>(H.R. 8812)</b>	<b><u>SENATE WRDA Bill</u></b> <b>(S.4367)</b>	<b><u>REMARKS</u></b> <i>(with a Focus on the Senate Bill)</i>
[See Section 1 of the House bill:  <i>Sec. 1. Short title; table of contents.</i>  Short Title: Water Resources Development Act of 2024.]	Sec. 1. Short title; table of contents.  Short title: Thomas R. Carper Water Resources Development Act of 2024.	<i>[The bill titles will need to be reconciled.]</i>
[See Section 1 of the House bill:  <i>Sec. 2. Secretary defined.</i> ]	Sec. 2. Definition of Secretary.	<i>[Standard definition, namely, the Secretary of the Army.]</i>
	<b><u>TITLE I—GENERAL PROVISIONS.</u></b>	
(-)	Sec. 101. Notice to Congress regarding WRDA implementation.  This section directs the Secretary of the Army (Secretary) to develop a comprehensive plan	<i>[The Corps needs to develop/update, as appropriate Implementation Guidance, as called for in this section. (This should go without saying.)]</i>

	to implement this WRDA and prior WRDAs, including by identifying and addressing provisions from prior WRDAs that have not been fully implemented and by establishing a WRDA implementation team.	
(-)	<p>Sec. 102. Prior guidance.</p> <p>This section sets a 180-day deadline for the Secretary to issue certain guidance that was required in prior WRDAs.</p>	<i>[The Corps needs to develop/update, as appropriate Implementation Guidance, as called for in this section.]</i>
<p>[See related provisions in Section 131 of the House bill:</p> <p><i>Section 131. Ability to Pay</i></p> <p>This section directs the Secretary to assess the ability of non-Federal interests to pay by considering criteria such as per capita income, project cost, and financial resources of relevant counties, and to report annually to Congress on these determinations. Procedures for non-Federal interests to request reductions in their cost-sharing responsibilities are established. The benefits analysis for flood risk reduction projects are to include insurance costs and may consider other household expenses. The Secretary also must update guidance and prioritize specified projects based on these criteria.]</p>	<p>Sec. 103. Ability to pay.</p> <p>This section directs the Secretary to expedite the completion of any guidance or rulemaking necessary to implement the existing ability to pay authority and to provide Congressional notifications for determinations made under that authority.</p>	<i>[The issue of ability to pay (and the considerations outlined in the House bill) appear to be an issue for some/many NFI]</i>
<p>[See somewhat related provisions in Section 108 of the House bill:</p>	<p>Sec. 104. Federal interest determinations.</p>	<i>[These provisions do not appear to be issues raised by NWC Members to NWC.]</i>

<p><i>Section 108. Vertical Integration and Acceleration of Studies</i></p> <p>This section raises the allowable cost of feasibility studies for large projects to five million dollars and clarifies when the study time frame begins. (This section relates to Federal interest determinations to be made by the Secretary for purposes of feasibility studies.)]</p>	<p>This section clarifies Congressional intent related to the existing Federal interest determinations authority for feasibility studies.</p> <p>[See also Section 202 of the Senate bill: <i>Sec. 202. Vertical integration and acceleration of studies.</i>]</p>	
<p>(-)</p>	<p>Sec. 105. Annual report to Congress.</p> <p>This section requires the Secretary to provide debriefs to non-Federal interests if their submission was not included in the annual 7001 Report to Congress and to notify appropriate congressional delegations of certain requests that were included in that report.</p>	<p><i>[While these provisions probably are of interest to some NFI, these provisions do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>[See somewhat related Sections 133 and 107 of the House bill:</p> <p><i>Sec. 133. Funding to process permits.</i></p> <p>This section amends Section 214 of the WRDA 2000 to include Indian Tribes.]</p> <p><i>Sec. 107. Electronic submission and tracking of permit applications.</i></p> <p>This section directs the Secretary to implement an electronic tracking and</p>	<p>Sec. 106. Processing timelines.</p> <p>This section requires the Secretary to make timely updates to its online “permit finder” to accurately reflect the current status of projects for which a certain permit was, or is being, processed using amounts accepted under section 214 of WRDA 2000.</p>	<p><i>[The Senate bill provision nudges the Corps to make timely updates to its online “permit finder” portal, which would be beneficial to NFI.</i></p> <p><i>See also the remarks for House Section 133, above and House Section 107, above.]</i></p>

<p>submission system for environmental reviews.]</p>		
<p>[See related Section 126 of the House bill:</p> <p><i>Sec. 126. Services of volunteers.</i></p> <p>This section authorizes the Secretary to recognize the contributions of volunteers at Corps recreation sites.]</p>	<p>Sec. 107. Services of volunteers.</p> <p>This section allows the Secretary to recognize the contributions of volunteers.</p>	<p><i>[ These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>[See related provisions in Section 138 of the House bill:</p> <p><i>Sec. 138. Support of Army civil works missions.</i></p> <p>This section authorizes the Secretary to enter into contracts or cooperative agreements with certain additional universities (in WA and NC) to conduct research in support of the Corps' civil works missions.]</p>	<p>Sec. 108. Support of Army civil works missions.</p> <p>This section amends an existing authority that allows the Secretary to enter into cooperative agreements, contracts, or any other authorized means to support the civil works missions of the Corps; expands work with additional universities (in WV, DE, IN, and MS).</p>	<p><i>[ These are "earmarks" for Committee Members. This does not appear to be an issue raised by NWC Members to NWC.]</i></p>
<p>(-)</p>	<p>Sec. 109. Inland waterway projects.</p> <p>This section adjusts the share of costs derived from the Inland Waterways Trust Fund (IWTF) for authorized navigation projects on the inland waterways and clarifies the cost share for certain projects funded through a prior supplemental appropriations law.</p>	<p><i>[This issue has been quite controversial in the past, including with some in Congress (especially on the House side), and took multiple WRDAs for proponents of a split IWTF cost share to get Congress to change the cost share.</i></p> <p><i>The Senate provision would further adjust the cost share for authorized navigation projects on the inland waterways funded from the IWTF, by increasing the proportional amount</i></p>

		<p><i>of revenues to be derived from the General Fund of the Federal Treasury.</i></p> <p><i>As already noted, this issue has been quite controversial in the past, when proponents pushed for a 75-25% split, but ultimately Congress gave in and compromised and changed the cost share to 65-35% in WRDA 2022.</i></p> <p><i>The proponents evidently want another bite at the apple on the cost share. Their intent here is to still-further stretch the use of funds from the IWTF to cover more projects and get the General Treasury to pay more of the cost by setting a 75-25% split that proponents are seeking.</i></p> <p><i>The House T&amp;I Committee apparently did not include such a provision in the House bill, which is probably a sign of the House Committee being reluctant to deal with this issue and further adjust cost shares.</i></p> <p><i>Because of the past controversy surrounding this issue, may want to check with NWC Members to see where they are at. Some/many Inland Waterways interests probably support this provision (?).]</i></p>
<p>[See somewhat related Section 152 of the House bill:</p> <p><i>Sec. 152. Emergency drought operations pilot program.</i></p>	<p>Sec. 110. Leveraging Federal infrastructure for increased water supply.</p> <p>This section allows the Secretary to accept funds from a non-Federal interest or another</p>	<p><i>[ While these provisions in the Senate bill give NFI more flexibility to fund water control manual updates, these do not appear to be issues raised by NWC Members to NWC.]</i></p>

<p>This section establishes a pilot program for emergency drought operations in Arizona, California, and Nevada. This House provision allows the Secretary to receive and expend funds contributed by a non-Federal interest to carry out activities under this section.]</p>	<p>Federal agency for the purpose of water control manual updates.</p>	
<p>[See somewhat related provisions in Section 102 of the House bill:</p> <p><i>Sec. 102. Community project advisor.</i></p> <p>This section directs the Secretary to create a new community project advisor program to assist non-Federal interests in accessing Federal resources related to water resources development programs of the Corps, conduct outreach, hold workshops, etc., with priority given to rural, small, and disadvantaged communities.]</p>	<p>Sec. 111. Outreach and access.</p> <p>This section directs the Secretary to make publicly available information about ongoing studies and projects at each district of the Corps and to educate non-Federal interests about operations, maintenance, repair, replacement, and rehabilitation responsibilities associated with a water resources development project.</p>	<p><i>[Some past NWC comments have given some support for efforts and initiatives aimed at improving Corps-NFI communications, outreach, and tech assistance. (Should confirm this with Members.)</i></p> <p><i>See also the remarks on House bill Section 102, above.]</i></p>
<p>[See related provisions in Section 118 of the House bill:</p> <p><i>Sec. 118. Economic, hydraulic, and hydrologic modeling.</i></p> <p>This section directs the Secretary to collaborate with Federal and state agencies, National Laboratories, and non-profit research institutions, including institutions of higher education, to develop economic, hydraulic, and hydrologic models for use in water resource development projects. The Committee believes that robust models populated with accurate and up-to-date data</p>	<p>Sec. 112. Model development.</p> <p>This section allows the Secretary to partner with other Federal agencies, National Laboratories, and institutions of higher education on models used in water resources planning.</p>	<p><i>[ These do not appear to be issues raised by NWC Members to NWC.]</i></p>



<p>are essential for planning effective water resources projects, and avoid dangerous, unintended consequences for communities, fish and wildlife habitat, resource-based businesses, and water-dependent industries.]</p>		
<p>[See indirectly related provisions in Section 141 of the House bill:</p> <p><i>Sec. 141. Removal of abandoned vessels.</i></p> <p>This section authorizes the Secretary to remove abandoned vessels.]</p>	<p>Sec. 113. Planning assistance for States.</p> <p>This section allows the Secretary to conduct title research for abandoned structures as part of their planning assistance to states.</p>	<p><i>[ This does not appear to be an issue raised by NWC Members to NWC.]</i></p>
<p>[See very similar provisions in Section 154 of the House bill:</p> <p><i>Sec. 154. Levee Owners Board.</i></p> <p>This section amends Section 9003 of <i>WRDA 2007</i> (33 U.S.C. 3302) to direct the Secretary to create a Levee Owners Board to collaborate with and provide advice and recommendations on flood protection.]</p>	<p>Sec. 114. Corps of Engineers Levee Owners Advisory Board.</p> <p>This section requires the Secretary to establish a Levee Owners Advisory Board to provide advice and recommendations to the Secretary and Chief of Engineers on certain issues.</p>	<p><i>[This section appears to be strongly supported by levee interests.]</i></p>
<p>(-)</p>	<p>Sec. 115. Silver Jackets program.</p> <p>This section directs the Secretary to continue the Silver Jackets Program, which establishes interagency teams that work with non-Federal interests on collaborative solutions for certain flood risk management issues.</p>	<p><i>[Even though the Silver Jackets Program appears to be supported by NFIs, this does not appear to be an issue raised by NWC Members to NWC.]</i></p>
<p>[See related provisions in Section 132 of the House bill:</p>	<p>Sec. 116. Tribal partnership program.</p>	<p><i>[ These do not appear to be issues raised by NWC Members to NWC.]</i></p>

<p><i>Sec. 132. Tribal partnership program.</i></p> <p>This section makes the Tribal Partnership Program permanent and increases its authorization and areas of function.]</p> <p>[See also other Tribal provisions in the House bill, including in Sections 117, 133, 151.]</p>	<p>This section eliminates the sunset of the Tribal Partnership Program (TTP), clarifies existing eligibilities for projects within the TPP, and creates a pilot program for certain projects.</p>	
<p>[See Tribal provisions in the House bill, including in Sections 117, 132, 133, 151.]</p>	<p>Sec. 117. Tribal project implementation pilot program.</p>	<p><i>[ These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>[See Tribal provisions in the House bill, including in Sections 117, 132, 133, 151.]</p>	<p>Sec. 118. Eligibility for inter-Tribal consortiums.</p>	<p><i>[ These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>[See somewhat related Sections of the House bill related to recreation issues at Corps facilities, including Sections 123, 124, 125.]</p>	<p>Sec. 119. Sense of Congress relating to the management of recreation facilities.</p> <p>This section provides the sense of Congress regarding the management of recreation facilities.</p>	<p><i>[ These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>(-)</p>	<p>Sec. 120. Expedited consideration.</p> <p>This section extends the authorization of the process for the expedited consideration in the House and Senate of “interim authorization bills,” as originally provided for in Section 7004(b)(4) of WRRDA 2014.</p>	<p><i>[ (This is an esoteric provision that involves what appears to be a provision for the contingent authorization of certain water resources development or conservation projects for which a final Chief’s Report had been completed during the 113<sup>th</sup> Congress.)</i></p> <p><i>These do not appear to be issues raised by NWC Members to NWC.]</i></p>
	<p><b>TITLE II—STUDIES AND REPORTS.</b></p>	

<p>[See the similar provisions in Section 201 of the House bill:</p> <p><i>Sec. 201. Authorization of proposed feasibility studies.</i></p> <p>This section authorizes the Secretary to carry out 160 new feasibility studies (for new or modified projects).]</p>	<p>Sec. 201. Authorization of proposed feasibility studies.</p> <p>This section authorizes 62 new feasibility studies and 11 studies for project modifications.</p>	<p><i>[Involves specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>[See the related provisions in Section 108 of the House bill:</p> <p><i>Sec. 108. Vertical integration and acceleration of studies.</i></p> <p>This section raises the allowable cost of feasibility studies for large projects to five million dollars and clarifies when the study time frame begins.]</p>	<p>Sec. 202. Vertical integration and acceleration of studies.</p> <p>This section directs the Secretary to delegate certain extensions related to the feasibility studies to the Commanders of Divisions of the Corps.</p>	<p><i>[The House bill revises 3x3x3 cost thresholds and timelines, to give the Corps some additional flexibility to meet deadlines and other requirements under this section. The Senate bill addresses different issues, namely delegation of extensions approvals. While these provisions deal with issues that may be of interest to some NFI, these do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>[See the similar provisions in Section 202 of the House bill:</p> <p><i>Sec. 202. Expedited completion.</i></p> <p>This section directs the Secretary to expedite completion of 14 feasibility studies currently underway. Upon completion of the study, if the Secretary determines that the project is justified, the Corps may proceed directly to preconstruction planning, engineering, and design. This section also directs the Secretary to expedite the completion of</p>	<p>Sec. 203. Expedited completion.</p> <p>This section directs the Secretary to expedite the completion of 43 feasibility studies and 21 authorized projects</p>	<p><i>[Involves specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i></p>

three post-authorization change reports (PACRs) for existing projects.]		
<p>[See related Section 203 of the House bill:</p> <p><i>Sec. 203. Expedited modification of existing feasibility studies.</i></p> <p>This section directs the Secretary to expedite modifications to the scope of five authorized feasibility studies.]</p>	<p>Sec. 204. Expedited completion of other feasibility studies.</p> <p>This section directs the Secretary to expedite completion and review of feasibility studies conducted consistent with section 203(b) of WRDA 1986.</p>	<p><i>[ Involves location-specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i></p>
X	Sec. 205. Alexandria to the Gulf of Mexico, Louisiana, feasibility study.	<p><i>[ Involves location-specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i></p>
X	Sec. 206. Craig Harbor, Alaska.	<p><i>[ Involves location-specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i></p>
X	Sec. 207. Sussex County, Delaware.	<p><i>[ Involves location-specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>[See somewhat related provisions in Section 119 of the House bill:</p> <p><i>Sec. 119. Forecast-informed reservoir operations.</i></p> <p>This section makes permanent the authority of the Corps to incorporate the use of forecast-informed reservoir operations (“FIRO”) in managing Corps facilities, and directs the Corps to prioritize the assessment</p>	<p>Sec. 208. Forecast-informed reservoir operations in the Colorado River Basin.</p> <p>This section directs the Secretary to assess potential use of forecast-informed reservoir operations in the Colorado River Basin and allows the Secretary to carry out certain activities if the Secretary determines those activities to be appropriate, subject to the availability of funding.</p>	<p><i>[The Senate provisions involve a specific geographical area. These do not appear to be issues raised by NWC Members to NWC.]</i></p> <p><i>[The House provisions are general applicability, not specific projects or geographic areas. FIRO is becoming less controversial and more generally encouraged, including by some NWC Members. (Should confirm this with Members.)]</i></p>

of additional areas for integrating forecast-informed reservoir operations.]		
X	Sec. 209. Beaver Lake, Arkansas, reallocation study.	<i>[ Involves location-specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 210. Gathright Dam, Virginia, study.	<i>[ Involves location-specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 211. Delaware Inland Bays Watershed Study.	<i>[ Involves location-specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 212. Upper Susquehanna River Basin comprehensive flood damage reduction feasibility study.	<i>[ Involves location-specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 213. Kanawha River Basin.	<i>[ Involves location-specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 214. Authorization of feasibility studies for projects from CAP authorities.	<i>[ Involves location-specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 215. Port Fourchon Belle Pass channel, Louisiana.	<i>[ Involves location-specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 216. Studies for modification of project purposes in the Colorado River Basin in Arizona.	<i>[Involves location-specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i>

X	Sec. 217. Non-Federal interest preparation of water reallocation studies, North Dakota.	<i>[ Involves location-specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 218. Technical correction, Walla Walla River.	<i>[ Involves location-specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i>
<p>[See related provisions in Section 140 of the House bill:</p> <p><i>Sec. 140. Watershed and river basin assessments.</i></p> <p>This section includes additional locations (Connecticut River, Lower Rouge River, and Grand River Watersheds) for watershed-based studies under Section 729 of WRDA 1986 and authorizes their conversion to feasibility studies. Also adds priority status to certain watersheds.]</p>	<p>Sec. 219. Watershed and river basin assessments.</p> <p>This section adds the Walla Walla River Basin and the San Francisco Bay Basin as focus areas for watershed assessments under section 729 of WRDA 1986.</p>	<i>[ Involve location-specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i>
<p>[See related provisions in Section 134 of the House bill:</p> <p><i>Sec. 134. Project studies subject to independent external peer review.</i></p> <p>This section modifies the Independent External Peer Review program parameters and makes the program permanent. The amendment requires assessing both the economic adequacy and acceptability of the project, including a consideration of nonstructural alternatives.]</p>	<p>Sec. 220. Independent peer review.</p> <p>This section simply extends the authority for independent external peer review (IEPR) panels for certain feasibility studies until 2029.</p>	<i>[This does not appear to be an issue raised much by NWC Members to NWC.]</i>

<p>(-)</p>	<p>Sec. 221. Ice jam prevention and mitigation.</p> <p>This section directs the Secretary to complete a report on its efforts to prevent and mitigate flooding damages associated with ice jams.</p>	<p>[ <i>This does not appear to be an issue raised by NWC Members to NWC.</i>]</p>
<p>(-)</p>	<p>Sec. 222. Report on hurricane and storm damage risk reduction design guidelines.</p> <p>This section directs the Secretary to complete a report comparing guidelines for hurricane and storm damage risk reduction design and the construction methods used for a specific project in Louisiana.</p>	<p>[ <i>Involves location-specific projects. This does not appear to be an issue raised by NWC Members to NWC.</i>]</p>
<p>[See related provisions in Section 143 of the House bill:</p> <p><i>Sec. 143. Missouri River existing features protection.</i></p> <p>This section requires the Secretary to mitigate for certain actions in the Missouri River. Before carrying out a covered action on a covered in-river feature, the Secretary must assess its impact on flood levels, risk to structures, water levels during droughts, navigation channels, bank erosion, ports or harbors, and sand harvesting. If adverse effects are found, mitigation is required. A “covered action” includes construction, modification, or operational changes to in-river features on the Missouri River used for creating and maintaining dike notches and related complexes.]</p>	<p>Sec. 223. Briefing on status of certain activities on the Missouri River.</p> <p>This section directs the Secretary to provide a briefing to relevant congressional committees on the status of certain activities for several projects on the Missouri River.</p> <p>[See also related provisions in Section 338 of the Senate bill:</p> <p><i>Sec. 338. Sense of Congress relating to Missouri River priorities.</i></p> <p>This section includes a sense of Congress that encourages the Secretary to make certain data and decisions related to the Missouri River Basin publicly available.</p>	<p>[ <i>Involves location-specific issues. This does not appear to involve issues raised by NWC Members to NWC.</i>]</p>

<p>(-)</p>	<p>Sec. 224. Report on material contaminated by a hazardous substance and the civil works program.</p> <p>This section requires the Secretary to complete a report that describes the impact of material contaminated by a hazardous substance on the civil works program of the Corps.</p>	<p>[ <i>This does not appear to be an issue raised by NWC Members to NWC.</i>]</p>
<p>[See somewhat related provisions in Section 135 of the House bill:</p> <p><i>Sec. 135. Control of aquatic plant growths and invasive species.</i></p> <p>Enhances the scope of activities for watercraft inspection and decontamination stations. Subsection (e)(3) now includes "monitoring and contingency planning for" in addition to early detection. The Connecticut River Basin is added, to expand the geographic scope of the program.]</p>	<p>Sec. 225. Report on efforts to monitor, control, and eradicate invasive species.</p> <p>This section requires the Secretary to complete a report to Congress on the Corps' various authorities and programs related to the management (monitoring, controlling, and eradicating) of invasive species. The report must detail the statutory authorities and programs utilized, highlight successful projects, and assess the impact of invasive species on the Corps' civil works projects. It should include an update on the plan from WRDA 2018 and provide recommendations, including legislative changes, to improve invasive species control.</p> <p>[See also Senate bill Section 322:</p> <p><i>SEC. 322. EXPENSES FOR CONTROL OF AQUATIC PLANT GROWTHS AND INVASIVE SPECIES.</i></p> <p>Section 104(d)(2)(A) of the River and Harbor Act of 1958 (33 U.S.C.</p>	<p>[<i>This does not appear to be an issue raised much by NWC Members to NWC.</i>]</p>



	610(d)(2)(A)) is amended by adjusting cost-shares.]	
	Sec. 226. J. Strom Thurmond Lake, Georgia.	<i>[ Involves location-specific projects. These do not appear to be issues raised by NWC Members to NWC.]</i>
(-)	<p>Sec. 227. Study on land valuation procedures for the Tribal Partnership Program (TPP).</p> <p>This section requires the Secretary to complete a report on appropriate procedures for determining the value of real estate and cost-share contributions for projects under the TPP.</p>	<i>[ This does not appear to be an issue raised by NWC Members to NWC.]</i>
<p>[See the somewhat related levee safety provisions in the House bill at:</p> <ul style="list-style-type: none"> <li>• Section 154 (Establishment of Levee Owners Board),</li> <li>• Section 302(d) (Extending the authorization of the Levee Safety Initiative), and</li> <li>• Section 302(i) (Rehabilitation of Existing Levees).</li> </ul> <p>(See descriptions and remarks at those sections.)]</p>	<p>Sec. 228. Report to Congress on levee safety guidelines.</p> <p>This section requires the Secretary to complete a report on levee safety guidelines developed under section 9005(c) of WRDA 2007.</p>	<i>[These provisions in these Senate and House bill sections appear to be strongly supported by levee interests.]</i>
(-)	<p>Sec. 229. Public-private partnership user's guide.</p> <p>This section directs the Secretary to develop a public private partnership user's guide, including a description of applicable</p>	<i>[ While this provision might be of some interest to some NWC Members, it does not appear to involve an issue raised by NWC Members to NWC.]</i>

	authorities, lessons learned, and best practices.	
<p>[See somewhat related provisions in Sections 104 and 105 of the House bill:</p> <p><i>Section 104. Study of Water Resources Development Projects by Non-Federal Interests.</i> This section clarifies requirements for a non-Federal interest carrying out a study of an authorized project or a study of a modification for an authorized project.</p> <p><i>Section 105. Construction of Water Resources Development Projects by Non-Federal Interests.</i> This section clarifies requirements for a non-Federal interest carrying out construction of an authorized project.]</p>	<p>Sec. 230. Review of authorities and programs for alternative project delivery.</p> <p>This section requires the Secretary to complete a report on the authorities and programs that facilitate the use of alternative project delivery methods for water resources development projects, including public-private partnerships.</p>	<p><i>[There is support for programs for alternative project delivery, as House Sections 104 and 105, and Senate Section 230, all deal with. (This can include allowing NFIs to undertake and submit feasibility studies or modifications to constructed projects, and carrying out projects or separable elements and receiving reimbursement for Federal shares, as provided for in Sections 104 and 105 of the House bill.]</i></p>
(-)	<p>Sec. 231. Report to Congress on emergency response expenditures.</p> <p>This section requires the Secretary to complete a report on emergency response expenditures from the Flood Control and Coastal Emergencies Account and from prior post-disaster supplemental appropriations laws.</p>	<p><i>[ While this provision might be of some interest to some NWC Members, it does not appear to involve an issue raised by NWC Members to NWC.]</i></p>
X	<p>Sec. 232. Excess land report for certain projects in North Dakota.</p>	<p><i>[ Involves location-specific projects. This does not appear to be an issue raised by NWC Members to NWC.]</i></p>

<p>[See related provisions in Section 205 of the House bill:</p> <p><i>Sec. 205. GAO studies.</i></p> <p>This section directs GAO to initiate and complete several studies, including: a review of donor port funding under WRRDA 2014; an analysis of the Corps’ use of digital infrastructure technologies; an examination of disaster preparedness and response activities; an analysis of unauthorized homeless encampments on Corps’ properties; a review of Federal-state data-sharing efforts regarding future resiliency and flood impacts; an analysis of institutional barriers to incorporating nature-based features into water resources development projects; and a study on the use of ecosystem restoration for flood control or flood risk management projects.]</p>	<p>Sec. 233. GAO studies.</p> <p>This section authorizes various studies of Corps programs and policies by the US Government Accountability Office (GAO). This section mandates GAO to conduct several studies on Corps programs and policies. These studies will review the accuracy of project cost estimates, the impact of indemnification clauses and OMRR&amp;R responsibilities, and trends in the Section 408 permit program. The GAO will also assess opportunities for Corps program modernization (including data sharing), the use of easements in flood and storm risk management, and improvements to environmental review processes. Additionally, the GAO will study the costs and limitations of dredged material disposal site construction and analyze the distribution of funding from the Harbor Maintenance Trust Fund.</p>	<p><i>[See remarks below on particular subsections of Section 233, and the remarks above on Section 205 of the House bill.]</i></p>
<p>[See related provisions in Section 146 of the House bill pertaining to easements related to Corps projects:</p> <p><i>Sec. 146. Easements for hurricane and storm damage reduction projects.</i></p> <p>This section directs the Secretary to provide flexibility and transparency for real estate requirements for hurricane and storm damage reduction projects. This section also provides two years for certain authorized hurricane and storm damage</p>	<p>[See also subsection (e):</p> <p>(e) STUDY ON EASEMENTS RELATED TO WATER RESOURCES DEVELOPMENT PROJECTS.—Requires GAO to conduct an analysis of the use of covered easements that may be provided to the Secretary by non-Federal interests in relation to the construction, operation, or maintenance of a project for flood risk management, hurricane and storm damage risk reduction, or ecosystem restoration.]</p>	<p><i>[ This does not appear to be an issue raised by NWC Members to NWC.]</i></p>

<p>reduction projects to come into compliance with the Corps' real estate requirements.]</p> <p>[See somewhat related provisions in Section 148 of the House bill pertaining to water data:</p> <p><i>Sec. 148. Sense of Congress related to water data.</i></p> <p>This section expresses a sense of Congress that the Secretary should develop and implement a framework for integrating, sharing, and using water data for the purpose of improving water resources management.]</p> <p>[See somewhat related provisions in Section 106 of the House bill pertaining to the 408 Program:</p> <p><i>Sec. 106. Review process.</i></p> <p>This section directs the Secretary to establish a single office within the Corps and provide technical direction to support modifications of a Corps-built structure by a non-Federal entity [under the Section 408 Program].</p>	<p>[See also subsection (d):</p> <p>(d) CORPS OF ENGINEERS MODERNIZATION STUDY.— Requires GAO to conduct an analysis of opportunities for the Corps to modernize the civil works program through the use of technology, where appropriate, and the best available engineering practices, including to improve data collection and data sharing capabilities.]</p> <p>[See also subsection (c):</p> <p>(c) REVIEW OF CERTAIN PERMITS.— GAO is to initiate a review of the section 408 program, including number and types of permits applied for each year under the section 408 program, the materials developed by the Secretary to educate potential applicants about the section 408 program, the process for applying for a permit, the public (“permit tracker”) Website of the Corps that tracks the status of permits issued under the section 408 program, the ability of the districts and divisions of the Corps to consistently administer the section 408 program, and more.]</p> <p>[See also subsection (h):</p>	<p>[ <i>This issue pertaining to the quality, use, and sharing of water data has long been an issue of concern to NFI and some in Congress, While the issue is “worthy,” it does not appear to be an issue raised by NWC Members to NWC.</i>]</p> <p>[<i>These provisions in the Senate bill, in Section 233(c), calls for a GAO study to evaluate the 408 Program. (House bill Section 106 amends the Section 408 Program by establishing a single office to coordinate 408 and try to ensure program consistency; also reinforces the use of contributed funds to pay for reviews.) These provisions in both bills appear to be consistent with past comments that NWC filed on the 408 Program. (Should confirm this with Members.)]</i></p> <p>[<i>This requirement in the Senate bill will provide Congress with a better understanding of the Corps' implementation of Harbor Maintenance Trust Fund, allocations of funds, etc. There likely are some NWC Members with such an interest in the HMTF. (Should confirm this with Members.)]</i></p>
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<p>[See somewhat related provisions in Section 206 of the House bill pertaining to the HMTF:</p> <p><i>Sec. 206. Annual report on harbor maintenance needs and trust fund expenditures.</i></p> <p>This section requires an annual report on operations and maintenance costs at harbors and inland harbors and the distribution of funds from the Harbor Maintenance Trust Fund (HMTF). This section includes an annual reporting requirement on the operations and maintenance costs and needs at harbors and inland harbors, the distribution of funds from the HMTF, and a list of unmet needs at harbors.</p>	<p>(h) GAO STUDY ON DISTRIBUTION OF FUNDING FROM THE HARBOR MAINTENANCE TRUST FUND.— GAO is to initiate an analysis of the distribution of funding from the Harbor Maintenance Trust Fund (HMTF), including assessing the Corps’ implementation of amendments made in WRDA 2020, the amount of HMTF funding in the annual appropriations Acts, and the allocation of funds and activities funded.]</p>	
<p>[See related provisions in Section 150 of the House bill:</p> <p><i>Sec. 150. Reporting and oversight.</i></p> <p>This section requires the Secretary to submit a report detailing the status of certain reports that Congress has previously directed the Corps to complete, as well as an annual report on newly authorized reports.]</p>	<p>Sec. 234. Prior reports.</p> <p>This section directs the Secretary to prioritize completion of certain reports that were mandated in prior WRDA legislation.</p>	<p><i>[The Corps needs to get caught up on reports, as called for in these sections. (This should go without saying.)</i></p> <p><i>The House T&amp;I Committee, in its bill report, scolded the Corps for report delays:</i></p> <p><i>“The Committee is deeply concerned with the lack of progress by the Corps in carrying out several legislative mandates to complete certain studies and reports related to individual projects or policies of the Corps civil works missions. The Committee does not view fulfillment of these legal requirements as optional on the part of the Corps, regardless of whether specific appropriations are provided to carry out these directives; yet, in recent years, the Committee is concerned that the Corps has taken such an approach, and has, often at the last minute, rebuffed legal obligations for mandated studies</i></p>

		<p><i>and reports due to “lack of specific appropriations”. This section highlights specific legislatively-mandated studies and reports enacted in recent years that are well past their statutorily required deadline but is not a comprehensive accounting of other legislatively mandated studies and reports from prior WRDAs that are also well overdue. The Committee expects the Corps, using existing funds available to the agency, to not only provide the specific information required by this section, but also to fulfil its legal obligation to provide the Committees with all mandated reports and studies pending with the Corps.”]</i></p>
<p>(-)**</p> <p>[** - <u>Note</u>: The House bill does <u>not</u> have a directly equivalent counterpart provision to Section 235 of the Senate bill. However, it is apparently understood by some that House WRDA section 306 (“Asset divestiture”) might have relevance/implications for the two Cape Cod Canal bridges in Massachusetts that are owned by the Corps (the Bourne and Sagamore Bridges). (See House WRDA Section 306; see also the Note in the “Remarks” column for Senate WRDA Section 235.)]</p>	<p>Sec. 235. Briefing on status of Cape Cod Canal Bridges, Massachusetts.</p> <p>This section directs the Secretary to provide a briefing to relevant congressional committees on the status of the project for the replacement of the Bourne and Sagamore Highway Bridges in Cape Cod, Massachusetts.</p> <p>[See also related Section 359 of the Senate bill (“Replacement of Cape Cod Canal bridges.”).]</p>	<p>[ <i>Involves location-specific projects. This does not appear to be an issue raised by NWC Members to NWC.</i>]</p> <p>[<i>Note</i>: <i>Even though House bill Section 306 does <u>not</u> specify any particular bridges that these provisions could affect or be relevant to, it is apparently understood by some that House WRDA section 306 might have relevance/implications for the two Cape Cod Canal bridges in Massachusetts that are owned by the Corps: the Bourne and Sagamore Bridges.</i></p> <p><i>There are two Sections in the Senate WRDA bill (this Section 235 and Section 359) that pertain to these two Cape Cod Canal bridges, and Section 306 of the House bill could potentially be relevant to those bridges, if Massachusetts has an interest in acquiring ownership of the bridges as part of possibly assuming responsibility for constructing replacement bridges. (See Senate WRDA</i></p>

		<i>Section 359 (“Replacement of Cape Cod Canal bridges”).]</i>
X	Sec. 236. Virginia Peninsula coastal storm risk management, Virginia.	<i>[ Involves location-specific projects. This does not appear to be an issue raised by NWC Members to NWC.]</i>
X	Sec. 237. Allegheny River, Pennsylvania.	<i>[ Involves location-specific projects. This does not appear to be an issue raised by NWC Members to NWC.]</i>
X	Sec. 238. New York and New Jersey Harbor and Tributaries Focus Area Feasibility Study.	<i>[ Involves location-specific projects. This does not appear to be an issue raised by NWC Members to NWC.]</i>
X	Sec. 239. Matagorda Ship Channel, Texas.	<i>[ Involves location-specific projects. This does not appear to be an issue raised by NWC Members to NWC.]</i>
X	Sec. 240. Matagorda Ship Channel Improvement Project, Texas.	<i>[ Involves location-specific projects. This does not appear to be an issue raised by NWC Members to NWC.]</i>
[See related provisions in Section 111 (Harbor Deepening), in the House bill:  <i>Sec. 111. Harbor deepening.</i>  This section modifies the depth at which Federal ports and harbors projects can receive Federal support for construction and operation and maintenance.]	Sec. 241. Assessment of impacts from changing construction responsibilities.  Requires the Corps to assess the impacts of amending section 101(a)(1) of the WRDA 1986 to authorize the construction of navigation projects for harbors or inland harbors constructed by the Secretary at 75 percent Federal cost to a depth of 55 feet, including assessing the potential effect of authorizing construction of a navigation project to a depth of 55 feet at 75 percent Federal cost on other Federal navigation	<i>[While this doesn’t appear to be an issue raised by NWC Members, NWC’s port-related Members might have an interest in these provisions.]</i>

	construction activities, including estimates of port by port impacts over the next 5, 10, and 20 years.	
(-)	<p>Sec. 242. Deadline for previously required list of covered projects.</p> <p>Requires the Corps to submit the list of covered projects under Section 8236(c) of WRDA 2022 (Audit of Projects Over Budget Or Behind Schedule) by not later than 30 days after the date of enactment of this Act.</p>	<i>[ This does not appear to be an issue raised by NWC Members to NWC.]</i>
(-)	<p>Sec. 243. Cooperation authority.</p> <p>Requires the Corps to carry out an assessment of the extent to which the existing authorities and programs of the Secretary allow the Corps to construct water resources development projects abroad.</p>	<i>[ This does not appear to be an issue raised by NWC Members to NWC.]</i>
	<b><u>TITLE III—DEAUTHORIZATIONS, MODIFICATIONS, AND RELATED PROVISIONS.</u></b>	
(-)	<p>Sec. 301. Deauthorizations.</p> <p>This section deauthorizes certain projects or portions of projects: the project for flood control Truckee Meadows, Nevada; a portion of the Federal channel within the East Waterway, Seattle Harbor, Washington; the project for flood control, Cherryfield Dam, Maine; the project purpose for navigation,</p>	<i>[ The Senate provisions involve location-specific project deauthorizations. This does not appear to be an issue raised by NWC Members to NWC.]</i>



	Upper St. Anthony Falls Lock and Dam, Minneapolis, Minnesota; the study for ecosystem restoration, East San Pedro Bay, California; a portion of the project for flood control, Souris River Basin, North Dakota, and the portion of the project for the Four River Basins, Florida.	
[See Section 340 of the House bill:  <i>Sec. 340. Environmental infrastructure.</i>  This section authorizes many new and modifies many existing environmental infrastructure authorities of the Secretary.]	Sec. 302. Environmental infrastructure.  This section authorizes many new and modifies many existing environmental infrastructure authorities of the Secretary.	[ <i>These provisions are location or regionally-specific, and do not appear to be issues raised by NWC Members to NWC.</i> ]
(-)	Sec. 303. Pennsylvania environmental infrastructure.	[ <i>These provisions are location or regionally-specific, and do not appear to be issues raised by NWC Members to NWC.</i> ]
[See related Section 311 of the House bill:  <i>Sec. 311. Acequias irrigation systems.</i>  This section modifies the authorization for the Acequias Rehabilitation and Restoration program.]	Sec. 304. Acequias irrigation systems.  This section amends section 1113 of WRDA 1986 to make a technical correction and increases the authorized funding for that section.	[ <i>These provisions are regionally-specific, and do not appear to be issues raised by NWC Members to NWC.</i> ]
X	Sec. 305. Oregon environmental infrastructure.	[ <i>These provisions are location or regionally-specific, and do not appear to be issues raised by NWC Members to NWC.</i> ]
X	Sec. 306. Kentucky and West Virginia environmental infrastructure.	[ <i>These provisions are location or regionally-specific, and do not appear to be issues raised by NWC Members to NWC.</i> ]

X	Sec. 307. Lake Champlain Watershed, Vermont and New York.	<i>[ These provisions are location or regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 308. Ohio and North Dakota.	<i>[ These provisions are location or regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 309. Southern West Virginia.	<i>[ These provisions are location or regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 310. Northern West Virginia.	<i>[ These provisions are location or regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 311. Ohio, Pennsylvania, and West Virginia.	<i>[ These provisions are location or regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
[See Section 340(a)(2)(EEE) (pertaining to “Environmental Infrastructure”) of the House bill for somewhat related provisions dealing with Western Rural Water.]	Sec. 312. Western rural water.  This section clarifies the definition of non-federal interest as it applies to the program authorized by section 595 of WRDA 1999.	<i>[ These do not appear to be issues raised by NWC Members to NWC.]</i>
[See related provisions in Section 101 of the House bill pertaining to CAPs:  <i>Sec. 101. Continuing authority programs (CAPs).</i>  This section mandates the Secretary to establish a pilot program allowing non-Federal interests (NFIs) to use alternative delivery methods for projects under the continuing authority program (CAP).]	Sec. 313. Continuing authorities programs.  This section modifies the authorizations for Continuing Authority Programs (CAPs).	<i>[There is support for modifying the per project and programmatic authorization levels for the Corps’ continuing authorities programs (CAPs) in both bills, and for allowing non-Federal interests (NFIs) to use alternative delivery methods for projects under the CAP, and for giving greater flexibility to the program in several ways (including allowing the NFI to contribute more than the non-Federal share of the project required under the applicable CAP;</i>

		<i>credits or reimbursements; use of single contracts, etc.) in the House bill.]</i>
(-)	Sec. 314. Small project assistance.  This section amends section 165 of WRDA 2020 to extend the authorization for a pilot program until 2029.	<i>[These provisions do not appear to be issues raised by NWC Members to NWC.]</i>
(-)	Sec. 315. Great Lakes and Mississippi River Interbasin project, Brandon Road, Will County, Illinois.	<i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 316. Mamaroneck-Sheldrake Rivers, New York.	<i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 317. Lowell Creek Tunnel, Alaska.	<i>[ These provisions are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 318. Selma flood risk management and bank stabilization.	<i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 319. Illinois River basin restoration.	<i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 320. Hawaii environmental restoration.	<i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 321. Connecticut River Basin invasive species partnerships.	<i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>

<p>[See somewhat related provisions in Section 135 of the House bill:</p> <p><i>Sec. 135. Control of aquatic plant growths and invasive species.</i></p> <p>Enhances the scope of activities for watercraft inspection and decontamination stations. Subsection (e)(3) now includes "monitoring and contingency planning for" in addition to early detection. The Connecticut River Basin is added, to expand the geographic scope of the program.]</p>	<p>Sec. 322. Expenses for control of aquatic plant growths and invasive species.</p>	<p><i>[This does not appear to be an issue raised much by NWC Members to NWC.]</i></p>
<p>[See the related provisions in Section 302(f) of the House bill regarding the Asian Carp Prevention and Control Pilot Program:</p> <p><i>Sec. 302. General Reauthorizations.</i></p> <p>(f) ASIAN CARP PREVENTION AND CONTROL PILOT PROGRAM.— This section amends section 509(a) of WRDA 2020 to extend the authorization for the pilot program.]</p>	<p>Sec. 323. Corps of Engineers Asian carp prevention pilot program.</p> <p>This section amends section 509(a) of WRDA 2020 to extend the authorization for the pilot program.</p>	<p><i>[These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>(-)</p>	<p>Sec. 324. Extension for certain invasive species programs.</p> <p>This section amends section 104 of the River and Harbor Act of 1958 to extend the authorization for the pilot program until 2029.</p>	<p><i>[These do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>X</p>	<p>Sec. 325. Storm damage prevention and reduction, coastal erosion, riverine erosion, and ice and glacial damage, Alaska.</p>	<p><i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>

<p>[See related Section 129 of the House bill:</p> <p><i>Sec. 129. Rehabilitation of Corps of Engineers constructed dams.</i></p> <p>This section reauthorizes current authority for rehabilitating certain Corps-constructed dams. Section 1177 of WRDA 2016 is amended to revise the provisions regarding Federal cost limits for certain projects. The Secretary may now exceed the cost limit of \$60,000,000 for a project only if Congress is notified of the cost determination and specifically authorizes the project. Additionally, the timeframe for cost-sharing provisions is updated through 2030.]</p>	<p>Sec. 326. Rehabilitation of Corps of Engineers constructed dams.</p> <p>This section amends section 1177 of WRDA 2016 to modify certain projects and extend the authorization for the authority until 2029.</p>	<p><i>[While reauthorization of this authority for rehab of Corps dams is significant, these do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>X</p>	<p>Sec. 327. Ediz Hook Beach Erosion Control Project, Port Angeles, Washington.</p>	<p><i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>[See also the related provisions in Section 209 of the House bill:</p> <p><i>Sec. 209. Upper Barataria Basin and Morganza to the Gulf of Mexico Connection, Louisiana.</i></p> <p>This section directs the Secretary to evaluate a connection between the Upper Barataria Basin Hurricane and Storm Damage Risk Reduction and Morganza to the Gulf of Mexico projects in Louisiana.]</p>	<p>Sec. 328. Sense of Congress relating to certain Louisiana hurricane and coastal storm damage risk reduction projects.</p> <p>This section includes a sense of Congress that encourages extending the scope two projects in Louisiana in order to connect the two projects and realize the benefits of continuous hurricane and coastal storm risk reduction.</p>	<p><i>[ These study issues are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>

(-)	Sec. 329. Chesapeake Bay Oyster Recovery Program.	<i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 330. Bosque wildlife restoration project.	<i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
<p>[See related provisions in Section 145 of the House bill:</p> <p><i>Sec. 145. Temporary relocation assistance pilot program.</i></p> <p>This section adds the Norfolk Coastal Storm Risk Management Project to the temporary relocation assistance program established under Section 8154 of WRDA 2022.]</p>	<p>Sec. 331. Expansion of temporary relocation assistance pilot program.</p> <p>This section amends Section 8154 of WRDA 2022 to include the hurricane and storm damage risk reduction project for Norfolk, Virginia.</p>	<i>[ This issue is specific to the Norfolk project. This does not appear to be an issue raised by NWC Members to NWC.]</i>
X	Sec. 332. Wilson Lock floating guide wall.	<i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 333. Delaware Inland Bays and Delaware Bay Coast Coastal Storm Risk Management Study.	<i>[ These study issues are location-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
<p>[See Section 307 of the House bill:</p> <p><i>Sec. 307. Upper Mississippi River restoration program.</i></p> <p>This section amends the authorization of appropriations for the Upper Mississippi River Restoration Program.]</p>	<p>Sec. 334. Upper Mississippi River Plan.</p> <p>This section amends the authorization of appropriations for the Upper Mississippi River Restoration Program.]</p>	<i>[ These study issues are location-specific, and while they are likely of interest to some NWC Members, they do not appear to be issues specifically raised by NWC Members to NWC.]</i>

X	<p>Sec. 335. Rehabilitation of pump stations.</p> <p>This section makes certain specific pump stations eligible under section 133 of WRDA 2020 (Hockanum Road, Northampton, Mass; Pointe Celeste Pump Station, Plaquemines Parish, Louisiana).</p>	<p>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</p>
X	<p>Sec. 336. Navigation along the Tennessee–Tombigbee Waterway.</p>	<p>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</p>
X	<p>Sec. 337. Garrison Dam, North Dakota.</p>	<p>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</p>
<p>[See related provisions in Section 143 of the House bill:</p> <p><i>Sec. 143. Missouri River existing features protection.</i></p> <p>This section requires the Secretary to mitigate for certain actions in the Missouri River. Before carrying out a covered action on a covered in-river feature, the Secretary must assess its impact on flood levels, risk to structures, water levels during droughts, navigation channels, bank erosion, ports or harbors, and sand harvesting. If adverse effects are found, mitigation is required. A “covered action” includes construction, modification, or operational changes to in-river features on the Missouri River used for creating and maintaining dike notches and related complexes.]</p>	<p>Sec. 338. Sense of Congress relating to Missouri River priorities.</p> <p>This section includes a sense of Congress that encourages the Secretary to make certain data and decisions related to the Missouri River Basin publicly available.</p> <p>[See also related provisions in Section 223 of the Senate bill:</p> <p><i>Sec. 223. Briefing on status of certain activities on the Missouri River.</i></p> <p>This section directs the Secretary to provide a briefing to relevant congressional committees on the status of certain activities for several projects on the Missouri River.</p>	<p>[ This does not appear to be an issue raised by NWC Members to NWC.]</p>

(-)	<p>Sec. 339. Soil moisture and snowpack monitoring.</p> <p>This section amends section 511 of WRDA 2020 to extend the authorization of the program for soil moisture and snowpack monitoring in the Upper Missouri River Basin until 2029.</p>	<p><i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>
X	<p>Sec. 340. Contracts for water supply.</p> <p>This section amends specific water supply contracts in Oklahoma and Kansas.</p>	<p><i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>
X	<p>Sec. 341. Rend Lake, Carlyle Lake, and Lake Shelbyville, Illinois.</p>	<p><i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>
X	<p>Sec. 342. Delaware Coastal System Program.</p>	<p><i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>
(-)	<p>Sec. 343. Maintenance of pile dike system.</p> <p>This section directs the Secretary to continue to maintain the pile dike system along the Lower Columbia and Willamette Rivers, Washington.</p>	<p><i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>[See related provisions in Section 303 of the House bill:</p> <p><i>Sec. 303. Conveyances.</i></p>	<p>Sec. 344. Conveyances.</p> <p>This section and provides certain generally applicable provisions involving property survey and property screening requirements, responsibility for costs of conveyances, and</p>	<p><i>[ These conveyance issues are mostly location/regionally-specific, and (including the generally applicable provisions) do not appear to be issues raised by NWC Members to NWC.]</i></p>



<p>This section provides certain generally applicable provisions involving property survey and property screening requirements, responsibility for costs of conveyances, and liability/indemnification, and also authorizes three conveyances.]</p>	<p>liability/indemnification, and also authorizes the Secretary to convey real property owned by the Federal government at two specific locations.</p>	
<p>[See very similar provisions in Section 152 of the House bill:</p> <p><i>Sec. 152. Emergency drought operations pilot program.</i></p> <p>This section establishes a pilot program for emergency drought operations in Arizona, California, and Nevada.]</p>	<p>Sec. 345. Emergency drought operations pilot program.</p> <p>This section directs the Secretary to establish a pilot program to prioritize, consistent with other authorized project purposes and in coordination with the non-Federal interest, water supply operations during a drought emergency at certain projects in Arizona and California.</p>	<p><i>[While this issue is region-specific in the House and Senate bills, and apparently has not been an issue raised by NWC Members to NWC, this might be of interest to certain Western NWC Members.]</i></p>
<p>[See the similar provisions in Sec. 302(i) of the House bill (“General reauthorizations”), which deals with extending the authorization of the program for the rehabilitation of existing levees.]</p>	<p>Sec. 346. Rehabilitation of existing levees.</p> <p>This section amends section 3017 of WRRDA 2014 to extend the authorization of the program for the rehabilitation of existing levees until 2029.</p>	<p><i>[The House and Senate reauthorization provisions for the Levee Safety Program (Rehabilitation of Existing Levees). These provisions are likely supported by levee interests. (Should confirm this with Members.)]</i></p>
<p>[See the similar provisions in Sec. 302(e) of the House bill (“General reauthorizations”), which deals with extending the authorization of the program for the non-Federal Implementation Pilot Program.]</p>	<p>Sec. 347. Non-Federal implementation pilot program.</p> <p>This section amends section 1043(b) of WRRDA 2014, to increase the number of projects that can utilize this pilot program and extends the authorization of appropriations until 2029. This section also allows a certain project in Louisiana to be carried out under this pilot program.</p>	<p><i>[ These issues may be of interest to some NWC Members; however, they do not appear to be issues specifically raised by NWC Members to NWC.]</i></p>

<p>[See related provisions in Section 137 of the House bill:</p> <p><i>Sec. 137. Harmful algal bloom demonstration program.</i></p> <p>This section directs the Secretary include projects affecting water bodies of regional, national, or international importance, and to prioritize program activities at that reduce nutrient pollution, utilize natural and nature-based approaches, protect wetlands, develop technologies for detecting harmful algal blooms, and combine bloom removal with beneficial uses. Additionally, the Secretary is authorized to enter into agreements with non-Federal entities for the use or sale of successful technologies developed under the program.]</p>	<p>Sec. 348. Harmful algal bloom demonstration program.</p> <p>This section amends section 128 of WRDA 2020 to add two areas to the list of focus areas for the Harmful Algal Bloom Demonstration program.</p>	<p><i>[This does not appear to be an issue raised by NWC Members to NWC.]</i></p>
<p>X</p>	<p>Sec. 349. Sense of Congress relating to Mobile Harbor, Alabama.</p>	<p><i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>X</p>	<p>Sec. 350. Sense of Congress relating to Port of Portland, Oregon.</p>	<p><i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>X</p>	<p>Sec. 351. Chattahoochee River Program.</p>	<p><i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i></p>
<p>[See related provisions in Section 114 of the House bill:</p>	<p>Sec. 352. Additional projects for underserved community harbors.</p>	<p><i>[ These do not appear to be issues raised by NWC Members to NWC.]</i></p>

<p><i>Sec. 114. Additional projects for underserved community harbors.</i></p> <p>This section directs the Corps to provide assistance to certain community harbor projects.]</p>	<p>This section clarifies the purposes for which the Secretary can carry out a project under Section 8132 of WRDA 2022 and extends the authorization of appropriations for that section until 2029.</p>	
X	Sec. 353. Winooski River tributary watershed.	<i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 354. Waco Lake, Texas.	<i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
(-)	<p>Sec. 355. Seminole Tribal claim extension.</p> <p>This section extends the period of time for which the Secretary may waive the non-federal interest's share of an awarded damages payment under certain circumstances.</p>	<i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 356. Coastal erosion project, Barrow, Alaska.	<i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 357. Colebrook River Reservoir, Connecticut.	<i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>
X	Sec. 358. Sense of Congress relating to shallow draft dredging in the Chesapeake Bay.	<i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>

<p>(-)***</p> <p>[** - <u>Note</u>: The House bill does <u>not</u> have a directly equivalent counterpart provision to Section 359 of the Senate bill. However, it is apparently understood by some that House WRDA section 306 (“Asset divestiture”) might have relevance/implications for the two Cape Cod Canal bridges in Massachusetts that are owned by the Corps (the Bourne and Sagamore Bridges). (See House WRDA Section 306; see also the Note in the “Remarks” column for Senate WRDA Section 359.)]</p>	<p>Sec. 359. Replacement of Cape Cod Canal bridges.</p> <p>This section authorizes the Secretary to allow Massachusetts to construct the replacement of the Bourne Bridge and the Sagamore Bridge, Massachusetts, subject to the same legal and technical requirements as if the construction of the replacement of the bridges were carried about by the Secretary. The Secretary is authorized to reimburse Massachusetts for the Corps’ contribution of the construction costs for the replacement of those bridges, or a portion of the replacement of the bridges (subject to a specified dollar cap).</p> <p>[See also related Section 235 of the Senate bill (“Briefing on status of Cape Cod Canal Bridges, Massachusetts”).]</p>	<p>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</p> <p>[<u>Note</u>: Even though House bill Section 306 does <u>not</u> specify any particular bridges that these provisions could affect or be relevant to, it is apparently understood by some that House WRDA section 306 might have relevance/implications for the two Cape Cod Canal bridges in Massachusetts that are owned by the Corps: the Bourne and Sagamore Bridges.</p> <p>There are two Sections in the Senate WRDA bill (Section 235 and this Section 359) that pertain to these two Cape Cod Canal bridges, and Section 306 of the House bill could potentially be relevant to those bridges, if Massachusetts has an interest in acquiring ownership of the bridges as part of possibly assuming responsibility for constructing replacement bridges. (See this Senate WRDA Section 359 (“Replacement of Cape Cod Canal bridges”).]</p>
<p>X</p>	<p>Sec. 360. Upper St. Anthony Falls Lock and Dam, Minneapolis, Minnesota.</p>	<p>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</p>
<p>(-)</p>	<p>Sec. 361. Flexibilities for certain hurricane and storm damage risk reduction projects.</p> <p>This section aims to address, for specified communities in Florida, the Corps’ incorrect application of certain statutory requirements</p>	<p>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</p>

	and policies of the Agency related to easements for hurricane and storm damage risk reduction projects.	
	<b><u>TITLE IV—PROJECT AUTHORIZATIONS.</u></b>	
[See Section 401 of the House bill:  <i>Sec. 401. Project authorizations.</i>  This section authorizes 12 projects for construction that have completed technical review by the Corps and are recommended by the Chief of Engineers (Chief's Reports).]	Sec. 401. Project authorizations.  This section authorizes construction for 13 projects for which a Chief of Engineer's Report or other decision document has been submitted to Congress (Chief's Reports).	<i>[ These study issues are project/location-specific, and while they may be of interest to some NWC Members, they do not appear to be issues specifically raised by NWC Members to NWC.]</i>
[See similar provisions in Section 402 of the House bill involving the use of funds available in the revolving fund established by the first section of the Civil Functions Appropriations Act of 1954.]	Sec. 402. Facility investment.  This section authorizes the Secretary to design and construct facilities at specified locations, using funds available in the revolving fund established by the first section of the Civil Functions Appropriations Act of 1954.	<i>[ These provisions are location/regionally-specific, and do not appear to be issues raised by NWC Members to NWC.]</i>