

**AMENDMENT TO H.R. \_\_\_\_\_**  
**OFFERED BY MR. WOODALL OF GEORGIA**

At the end of title III, add the following:

1 **SEC. \_\_\_\_ . SAVANNAH RIVER, SOUTH CAROLINA.**

2 (a) **DEFINITIONS.**—In this section:

3 (1) **NEW SAVANNAH BLUFF LOCK AND DAM.**—

4 The term “New Savannah Bluff Lock and Dam”  
5 means—

6 (A) the lock and dam at New Savannah  
7 Bluff, Savannah River, Georgia and South  
8 Carolina; and

9 (B) the appurtenant features to the lock  
10 and dam, including—

11 (i) the adjacent approximately 50-acre  
12 park and recreation area with improve-  
13 ments made under the project for naviga-  
14 tion, Savannah River below Augusta, Geor-  
15 gia, authorized by the first section of the  
16 Act of July 3, 1930 (46 Stat. 924) and the  
17 first section of the Act of August 30, 1935  
18 (49 Stat. 1032); and

19 (ii) other land that is part of the  
20 Project and that the Secretary determines

1 to be appropriate for conveyance under  
2 this section.

3 (2) NON-FEDERAL ENTITY.—The term “non-  
4 Federal entity” means—

5 (A) the city of North Augusta, South  
6 Carolina;

7 (B) Aiken County, South Carolina; and

8 (C) the city of Augusta, Georgia.

9 (3) PROJECT.—The term “Project” means the  
10 project for navigation, Savannah Harbor expansion,  
11 Georgia, authorized by section 7002(1) of the Water  
12 Resources Reform and Development Act of 2014  
13 (128 Stat. 1364).

14 (4) SECRETARY.—The term “Secretary” means  
15 the Secretary of the Army.

16 (b) PROJECT MODIFICATIONS.—Notwithstanding  
17 any other provision of law, the Project is modified such  
18 that—

19 (1) until the date on which the New Savannah  
20 Bluff Lock and Dam is conveyed under subsection  
21 (c), the Secretary shall not remove or modify the  
22 New Savannah Bluff Lock and Dam as part of the  
23 Project;

24 (2) on conveyance of the New Savannah Bluff  
25 Lock and Dam under subsection (c), the features of

1 the Project associated with New Savannah Bluff  
2 Lock and Dam shall be deauthorized; and

3 (3) the transfer of amounts under subsection  
4 (c)(2)(D) and the expenditure of funds by non-Fed-  
5 eral sponsors in accordance with subsection (e)(2)—

6 (A) shall fully satisfy all Federal and non-  
7 Federal obligations and legal requirements re-  
8 lating to mitigation of endangered and anad-  
9 romous fish species for the Project; and

10 (B) shall not be subject to judicial review.

11 (c) CONVEYANCE OF NEW SAVANNAH BLUFF LOCK  
12 AND DAM.—

13 (1) IN GENERAL.—The Secretary shall convey  
14 to the non-Federal entities, jointly by quitclaim  
15 deed, all right, title and interest of the United States  
16 in and to the New Savannah Bluff Lock and Dam,  
17 subject to the execution of an agreement between  
18 the Secretary and those entities by the earlier of—

19 (A) September 30, 2021; and

20 (B) 180 days after the date on which  
21 funds are made available under subsection (d).

22 (2) AGREEMENT.—The agreement referred to  
23 in paragraph (1) shall include the following terms  
24 and conditions:

1 (A) An agreement by the non-Federal enti-  
2 ties to assume responsibility for all operation,  
3 maintenance, repair, and rehabilitation for the  
4 New Savannah Bluff Lock and Dam.

5 (B) An agreement by the non-Federal enti-  
6 ties that operation of releases from the New Sa-  
7 vannah Bluff Lock and Dam shall be consistent  
8 with a final applicable water control plan for  
9 the Savannah River issued by the Corps of En-  
10 gineers to ensure synchronization with the oper-  
11 ations of J. Strom Thurmond Dam, Georgia  
12 and South Carolina.

13 (C) An agreement by the non-Federal enti-  
14 ties to hold and save the United States free  
15 from any claim for damages in connection with  
16 the New Savannah Bluff Lock and Dam, in-  
17 cluding the construction, operation, mainte-  
18 nance, repair, rehabilitation, replacement or  
19 conveyance of the Lock and Dam.

20 (D) On execution of the agreement, the  
21 Secretary shall transfer to the non-Federal enti-  
22 ties \$53,000,000 reserved under subsection (d)  
23 for the operation, maintenance, repair, rehabili-  
24 tation, and replacement of the New Savannah  
25 Bluff Lock and Dam.

1           (E) The Secretary shall transfer  
2           \$22,000,000 contributed by the Georgia Ports  
3           Authority under the Project Partnership Agree-  
4           ment with the Department of the Army dated  
5           October 8, 2014 for the Project to the non-Fed-  
6           eral entities for the operation, maintenance, re-  
7           pair, rehabilitation, and replacement of the New  
8           Savannah Bluff Lock and Dam.

9           (F) Any additional terms or conditions  
10          that the Secretary considers appropriate to pro-  
11          tect the interests of the United States.

12          (d) RESERVATION OF AMOUNTS.—Of the amounts  
13          made available for construction of the Project for fiscal  
14          year 2021, the Secretary shall reserve \$53,000,000 for  
15          purposes of the transfer under subsection (c)(2)(D).

16          (e) PROJECT MITIGATION MEASURES.—

17           (1) IN GENERAL.—The Secretary shall use not  
18           more than \$25,000,000 of the amounts contributed  
19           by the Georgia Ports Authority under the Project  
20           Partnership Agreement with the Department of the  
21           Army dated October 8, 2014 for the Project to im-  
22           plement monitoring and construction of mitigation  
23           measures below New Savannah Bluff Lock and Dam  
24           to facilitate the viability of healthy populations of

1       endangered and anadromous fish in the Savannah  
2       River.

3           (2) TRANSFER.—Any amounts under para-  
4       graph (1) that are not obligated for mitigation meas-  
5       ures by the date that is 3 years after the conveyance  
6       of the New Savannah Bluff Lock and Dam under  
7       subsection (c) shall be transferred to the non-Fed-  
8       eral entities for the operation, maintenance, repair,  
9       rehabilitation, and replacement for the New Savan-  
10      nah Bluff Lock and Dam.

11      (f) FAILURE TO EXECUTE AGREEMENT.—If the Sec-  
12      retary and the non-Federal entities fail to execute the  
13      agreement described in subsection (c) by January 1,  
14      2023—

15           (1) this section shall have no force or effect;  
16      and

17           (2) the Corps of Engineers may proceed to a  
18      preferred alternative in accordance with applicable  
19      law, subject to the condition that no funds shall be  
20      authorized to be appropriated for the removal, dis-  
21      assembly, or any action to reduce the New Savannah  
22      Bluff Lock and Dam structure before January 1,  
23      2023.

24      (g) CONFORMING AMENDMENTS.—Section 1319 of  
25      the WIIN Act (130 Stat. 1703) is amended—

1 (1) in subsection (b)(1)—

2 (A) in subparagraph (A), by striking “;  
3 and” and inserting a period;

4 (B) by striking subparagraph (B); and

5 (C) in the matter preceding subparagraph  
6 (A), by striking “this Act” and all that follows  
7 through “the New” in subparagraph (A) and  
8 inserting “this Act, the New”; and

9 (2) in subsection (c)(1)—

10 (A) by striking subparagraph (B);

11 (B) in subparagraph (A), in clause (ii)(I),  
12 by striking “(ii)(I) construction” and inserting  
13 the following:

14 “(B)(i) construction”;

15 (C) in subparagraph (B) (as so redesign-  
16 nated)—

17 (i) by striking “(II) removal” and in-  
18 serting the following:

19 “(ii) removal”; and

20 (ii) in clause (ii) (as so redesignated),  
21 by striking “; and” and inserting a period;

22 (D) in the matter preceding subparagraph  
23 (A), by striking “to be necessary” and all that  
24 follows through “repair of the lock wall” in the  
25 matter preceding subclause (I) of subparagraph

1           (A)(i) and inserting the following: “to be nec-  
2           essary—  
3                   “(A) repair of the lock wall”; and  
4                   (E) in subparagraph (A), by redesignating  
5           subclauses (I) and (II) as clauses (i) and (ii),  
6           respectively, and indenting appropriately.

