



COMMITTEE ON

TRANSPORTATION & INFRASTRUCTURE

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Amendment in the Nature of a Substitute (ANS) to the Water Resources Development Act of 2024 Section-by-Section

Section 1. Short Title; Table of Contents

This section provides that the Act may be cited as the “Water Resources Development Act of 2024.” The section also provides the table of contents for the bill.

Section 2. Secretary Defined.

This section defines the term “Secretary” as Secretary of the Army.

Title I — General Provisions

Section 101. Continuing Authorities Program.

This section modifies the per project and programmatic authorization levels for the United States Army Corps of Engineers’ (Corps’) continuing authorities programs and adds stormwater management, drought resilience, and a pilot program for alternative project delivery of continuing authorities program projects.

Section 102. Community Project Advisor.

This section directs the Secretary of the Army (Secretary) to create a new community project advisor program to assist non-Federal interests with water resources development projects.

Section 103. Minimum Real Estate Interest.

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.

Section 104. Study of Water Resources Development Projects by Non-Federal Interests.

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.

Section 105. Construction of Water Resources Development Projects by Non-Federal Interests.

This section clarifies requirements for a non-Federal interest carrying out construction of an authorized project.

Section 106. Review Process.

This section directs the Secretary to establish a single office within the Corps and provide technical direction to support non-Federal repairs of a Corps-built structure.

Section 107. Electronic Submission and Tracking of Permit Applications.

This section directs the Secretary to implement an electronic tracking and submission system for environmental reviews.

Section 108. Vertical Integration and Acceleration of Studies.

This section raises the allowable cost of feasibility studies for large projects to five million dollars and clarifies when the study timeframe begins.

Section 109. Systemwide Improvement Framework and Encroachments.

This section revises the process to bring a levee system back into compliance for assistance and manages pre-existing encroachments.

Section 110. Fish and Wildlife Mitigation.

This section clarifies the Secretary's requirements to provide transparent mitigation to the public and explicitly authorizes third party implementation of mitigation obligations.

Section 111. Harbor Deepening.

This section modifies the depth at which Federal ports and harbors projects can receive Federal support for construction and operation and maintenance.

Section 112. Emerging Harbors.

This section requires the Secretary to issue guidance to develop a mechanism to accept funds from a non-Federal interest for the purpose of maintenance dredging.

Section 113. Remote and Subsistence Harbors.

This section supports project completion for remote and subsistence harbors.

Section 114. Additional Projects for Underserved Community Harbors.

This section directs the Corps to provide assistance to certain community harbor projects.

Section 115. Inland Waterways Regional Dredge Pilot Program.

This section modifies the Inland Waterways Regional Dredge Pilot Program.

Section 116. Dredged Material Disposal Facility Partnerships.

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.

Section 117. Maximization of Beneficial Use.

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.

Section 118. Economic, Hydraulic, and Hydrologic Modeling.

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.

Section 119. Forecast-Informed Reservoir Operations.

This section directs the Secretary to incorporate the use of forecasted-informed reservoir operations (FIRO) in managing Corps facilities and identifies additional areas for integrating FIRO.

Section 120. Updates to Certain Water Control Manuals.

This section directs the Secretary to update water control manuals, when incorporating the use of forecast-informed reservoir operations into such manuals.

Section 121. Water Supply Mission.

This section elevates water supply as a primary mission of the Corps, while maintaining the priority of existing missions.

Section 122. Real Estate Administrative Fees.

This section directs the Secretary to develop guidance to standardize processes for developing, updating, and tracking real estate administrative fees administered by the Corps.

Section 123. Challenge Cost-Sharing Program for Management of Recreation Facilities.

This section authorizes a private, non-profit entity to partner with the Corps on the operation and management of a Corps recreation facility.

Section 124. Retention of Recreation Fees.

This section authorizes Corps recreation facilities to retain a certain amount of the recreation fees collected.

Section 125. Databases of Corps Recreational Sites.

This section directs the Secretary to regularly update publicly available databases with information about Corps recreational sites, such as the operational status and the recreational opportunities available at these sites.

Section 126. Service of Volunteers.

This section authorizes the Secretary to recognize the contributions of volunteers at Corps recreation sites.

Section 127. Non-Recreation Outgrant Policy.

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.

Section 128. Improvements to National Dam Safety Program.

This section modifies the National Dam Inventory to include low-head 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.

Section 129. Rehabilitation of Corps of Engineers Constructed Dams.

This section reauthorizes current authority for rehabilitating certain Corps-constructed dams.

Section 130. Treatment of Projects in Covered Communities.

This section provides support for certain communities in delivering projects for hurricane and storm damage risk reduction.

Section 131. Ability to Pay.

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.

Section 132. Tribal Partnership Program.

This section makes the Tribal Partnership Program permanent and increases its authorization and areas of function.

Section 133. Funding to Process Permits.

This section amends Section 214 of the *Water Resources Development Act (WRDA) of 2000* to include Indian Tribes.

Section 134. Project Studies Subject to Independent External Peer Review.

This section modifies the Independent External Peer Review program parameters and makes the program permanent.

Section 135. Control of Aquatic Plant Growths and Invasive Species.

This section authorizes the Secretary to work with states on monitoring and contingency planning for invasive species and adds the Connecticut River Basin to the program.

Section 136. Remote Operations at Corps Dams.

This section implements certain requirements for the use of remote operation activities at civil works dam projects.

Section 137. Harmful Algal Bloom Demonstration Program.

This section directs the Secretary to prioritize program activities 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.

Section 138. Support of Army Civil Works Missions.

This section authorizes the Secretary to enter into contracts or cooperative agreements with certain universities to conduct research in support of Corps civil works missions.

Section 139. National Coastal Mapping Program.

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, environmental restoration, and emergency operations projects.

Section 140. Watershed and River Basin Assessments.

This section includes additional locations for watershed-based studies under Section 729 of the *WRDA of 1986* and authorizes their conversion to feasibility studies.

Section 141. Removal of Abandoned Vessels.

This section authorizes the Secretary to remove abandoned vessels.

Section 142. Corrosion Prevention.

This section encourages the Secretary to coordinate with apprenticeship programs and utilize National standard best practices when conducting corrosion prevention activities.

Section 143. Missouri River Existing Features Protection.

This section requires the Secretary to mitigate for certain actions in the Missouri River.

Section 144. Federal Breakwaters and Jetties.

This section authorizes the Secretary to repair and maintain pile dikes.

Section 145. Temporary Relocation Assistance Pilot Program.

This section adds the Norfolk Coastal Storm Risk Management project to a relocation assistance program.

Section 146. Easements for Hurricane and Storm Damage Reduction Projects

This section directs the Secretary to provide flexibility and transparency for real estate requirements for hurricane and storm damage reduction projects.

Section 147. Shoreline and Riverine Protection and Restoration.

This section adds the shoreline of the State of Connecticut to Section 212 of the *WRDA of 1999* for the purpose of carrying out studies and projects to reduce flood and storm damage hazards and restore shorelines.

Section 148. Sense of Congress Related to Water Data.

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.

Section 149. Sense of Congress Relating to Comprehensive Benefits.

This section expresses a sense of Congress that the Secretary should 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.

Section 150. Reporting and Oversight.

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.

Title II — Studies and Reports

Section 201. Authorization of Proposed Feasibility Studies.

This section authorizes the Secretary to carry out 159 new feasibility studies.

Section 202. Expedited Completion.

This section directs the Secretary to expedite completion of 13 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 two post-authorization change reports for existing projects.

Section 203. Expedited Modification of Existing Feasibility Studies.

This section directs the Secretary to expedite modifications to the scope of five authorized feasibility studies.

Section 204. Corps of Engineers Reports.

This section directs the Secretary to develop various reports to Congress, including recreational access on Corps facilities for individuals with disabilities; turbidity in the Willamette Valley; Soo Locks security; sea grass rehabilitation; shoreline use permits; and fuel efficiency.

Section 205. GAO Studies.

This section directs the Comptroller General of the United States to initiate and complete several studies, including: a review of donor port funding under the *Water Resources Reform and Development Act of 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.

Section 206. Annual Report on Harbor Maintenance Needs and Trust Fund Expenditures.

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.

Section 207. Examination of Reduction of Microplastics.

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.

Section 208. Post-Disaster Watershed Assessment for Impacted Areas.

This section directs the Secretary to carry out additional post-disaster watershed assessments.

Section 209. Upper Barataria Basin and Morganza to the Gulf of Mexico Connection, Louisiana.

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.

Section 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.

Section 211. New Jersey Hot Spot Erosion Mitigation.

This section directs the Secretary to study the effects of hot spot erosion on authorized coastal storm risk management projects in the State of New Jersey and provide recommendations for mitigating the effects.

Section 212. Oceanside, California.

This section directs the Secretary to expedite completion of the Oceanside, California shoreline study and produce a recommended plan.

Section 213. Coastal Washington.

This section authorizes the Secretary to carry out comprehensive studies for riverine and coastal flooding in the State of Washington.

Section 214. Cherryfield Dam, Narraguagus River, Maine.

This section directs the Secretary to perform a disposition study for the deauthorization and potential removal of the Cherryfield Local Protection Project, Narraguagus River, Maine.

Section 215. Poor Farm Pond Dam, Worcester, Massachusetts.

This section directs the Secretary to perform a disposition study for the deauthorization and potential removal of the Poor Farm Pond Dam, Worcester, Massachusetts.

Section 216. National Academy of Sciences Study on Upper Rio Grande Basin.

This section directs the Secretary to enter into an agreement with the National Academy of Sciences and prepare a report studying the dams and reservoirs in the Upper Rio Grande Basin and recommendations for future management and operation strategies to enhance resiliency.

Section 217. Chambers, Galveston, and Harris Counties, Texas.

This section directs the Secretary to carry out a disposition study for excess easements held for placement of dredged material for the Houston Ship Channel Expansion Channel Improvement Project.

Section 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.

Title III — Deauthorizations and Modifications

Section 301. Deauthorization of Inactive Projects.

This section establishes a process for the deauthorization of certain water resources development projects not yet initiated or appropriated.

Section 302. General Reauthorizations.

This provision provides additional authorizations of Federal appropriations for several Corps programs.

Section 303. Conveyances.

This section authorizes three conveyances.

Section 304. Lakes Program.

This section includes additional locations in the Corps' Lakes Program authority under Section 602 of the *WRDA of 1986*.

Section 305. Maintenance of Navigation Channels.

This section amends Section 509(a) of the *WRDA of 1996* to include additional projects for the Secretary to examine to determine if Federal assumption of maintenance is merited.

Section 306. Asset Divestiture.

This section amends Section 109 of the *River and Harbor Act of 1950* to include terms and conditions for the transfer of bridges owned by the Secretary and requires a report on the existing bridge inventory.

Section 307. Upper Mississippi River Restoration Program.

This section amends the authorization for the Upper Mississippi River Restoration Program.

Section 308. Coastal Community Flood Control and Other Purposes.

This legislation modifies repayment terms under the *WRDA of 1986*, specifying adjustments to pre-payment conditions and refund protocols for non-Federal contributions exceeding required amounts.

Section 309. Shore Protection and Restoration.

This section adds Fire Island, New York to the Shore Protection and Restoration authority under Section 8327 of the *WRDA of 2022*.

Section 310. Hopper Dredge McFarland Replacement.

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.

Section 311. Acequias Irrigation Systems.

This section modifies the authorization for the Acequias Rehabilitation and Restoration program.

Section 312. Pacific Region.

This section amends Section 444 of the *WRDA of 1996* to include Hawaii.

Section 313. Selma, Alabama.

This section modifies the Selma Flood Risk Management and Bank Stabilization project.

Section 314. Barrow, Alaska.

This section specifies the floodplain management plan requirements for a coastal erosion project in Barrow, Alaska.

Section 315. San Francisco Bay, California.

This section clarifies additional areas for inclusion in the study of San Francisco Bay, California and directs the Secretary to evaluate measures to increase shoreline resiliency.

Section 316. Santa Ana River Mainstem, California.

This section modifies the Santa Ana River Mainstem Project, requiring modification of the Santiago Creek Channel portion of the project, and requires an update by the Corps on the larger project.

Section 317. Faulkner Island, Connecticut.

This section modifies the authorization for the Faulkner, Connecticut shoreline protection project.

Section 318. Broadkill Beach, Delaware.

This section modifies a project under Section 401(3) of the *WRDA of 2020* to include Delaware Bay coastline, Delaware and New Jersey Broadkill Beach, Delaware.

Section 319. Federal Triangle Area, Washington, District of Columbia.

This section authorizes the Secretary to accept and expend funds contributed by other Federal agencies to carry out a feasibility study in the Federal Triangle Area.

Section 320. Washington Aqueduct.

This section makes a technical correction to an authority enacted in Section 8146(d) of the *WRDA of 2022*.

Section 321. Washington Metropolitan Area, Washington, District of Columbia, Maryland, and Virginia.

This section modifies the project for water supply, Washington Metropolitan Area, Washington, District of Columbia, Maryland, and Virginia.

Section 322. Northern Estuaries Ecosystem Restoration, Florida.

This section modifies the requirements for the comprehensive plan to restore the northern estuaries in Florida, carried out under Section 8215(b) of the *WRDA of 2022*.

Section 323. Chicago Shoreline Protection, Illinois.

This section requires the Secretary, in coordination with the non-Federal interest, to complete a review of a modified locally preferred plan for the Lake Michigan storm damage reduction and shoreline erosion protection project.

Section 324. Dillard Road, Patoka Lake, Indiana.

This section directs the Secretary to convey 11 easements for Dillard Road, Patoka Lake, Indiana, to the State of Indiana.

Section 325. Port Fourchon Belle Pass Channel, Louisiana.

This section directs the Secretary to promptly review a feasibility study carried out and submitted by a non-Federal interest.

Section 326. Upper St. Anthony Falls Lock and Dam, Minnesota.

This section modifies the St. Anthony Falls Lock and Dam to remove navigation as an authorized purpose.

Section 327. Missouri River Levee System, Missouri.

This section modifies the authorization for the Missouri River Levee System (MRLS) Unit L-385 Project.

Section 328. Table Rock Lake, Missouri and Arkansas.

This section directs the Secretary to permit the presence of certain eligible structures at Table Rock Lake.

Section 329. Missouri River Mitigation, Missouri, Kansas, Iowa, and Nebraska.

This section clarifies mitigation acre requirements for the Missouri River Bank Stabilization and Navigation mitigation project.

Section 330. New York and New Jersey Harbor and Tributaries, New York and New Jersey.

This section modifies the study for flood and storm damage reduction for the New York and New Jersey Harbor and Tributaries project.

Section 331. Western Lake Erie Basin, Ohio, Indiana, and Michigan.

This section expands the study authority under Section 441 of the *WRDA of 1999* for the Western Lake Erie basin.

Section 332. Willamette Valley, Oregon.

This section requires the Secretary to analyze an alternative that ceases hydropower operation at projects in the Willamette River Basin, Oregon.

Section 333. Columbia River Channel, Oregon and Washington.

This section clarifies the authorities for the Columbia River Channel, Oregon.

Section 334. Buffalo Bayou Tributaries and Resiliency Study, Texas.

This section directs the Secretary to expedite the completion of the Buffalo Bayou and Tributaries Resiliency Study, Texas.

Section 335. Matagorda Ship Channel Jetty Deficiency, Port Lavaca, Texas.

This section authorizes the Secretary to carry out repairs for the Matagorda Ship Channel Deficiency, consistent with the 2020 deficiency report for the project.

Section 336. San Antonio Channel, San Antonio, Texas.

This section modifies the Westside Creeks Ecosystem Restoration Project to require the Secretary to implement Alternative 7, as identified in the 2014 final General Re-evaluation Report and Environmental Assessment for the project.

Section 337. Western Washington State, Washington.

This section authorizes funding for environmental infrastructure in Western Washington State, Washington.

Section 338. Environmental Infrastructure.

This section authorizes new and modifies existing environmental infrastructure authorities of the Secretary.

Section 339. Specific Deauthorizations.

This section deauthorizes specific projects or portions of projects.

Title IV — Water Resources Infrastructure

Section 401. Project Authorizations.

This section authorizes 12 projects for construction that have completed technical review by the Corps and are recommended by the Chief of Engineers.

Section 402. Facility Investment.

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, 1954*.