Public Law 113–121
113th Congress

An Act
To provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Water Resources Reform and Development Act of 2014”.

(b) TABLE OF CONTENTS.—
Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.

TITLE I—PROGRAM REFORMS AND STREAMLINING

Sec. 1001. Vertical integration and acceleration of studies.
Sec. 1002. Consolidation of studies.
Sec. 1003. Expedited completion of reports.
Sec. 1004. Removal of duplicative analyses.
Sec. 1005. Project acceleration.
Sec. 1006. Expediting the evaluation and processing of permits.
Sec. 1007. Expediting approval of modifications and alterations of projects by non-Federal interests.
Sec. 1008. Expediting hydropower at Corps of Engineers facilities.
Sec. 1009. Enhanced use of electronic commerce in Federal procurement.
Sec. 1010. Determination of project completion.
Sec. 1011. Prioritization.
Sec. 1012. Transparency in accounting and administrative expenses.
Sec. 1013. Evaluation of project Partnership Agreements.
Sec. 1014. Study and construction of water resources development projects by non-Federal interests.
Sec. 1015. Contributions by non-Federal interests.
Sec. 1016. Operation and maintenance of certain projects.
Sec. 1017. Acceptance of contributed funds to increase lock operations.
Sec. 1018. Credit for in-kind contributions.
Sec. 1019. Clarification of in-kind credit authority.
Sec. 1020. Transfer of excess credit.
Sec. 1021. Crediting authority for federally authorized navigation projects.
Sec. 1022. Credit in lieu of reimbursement.
Sec. 1023. Additional contributions by non-Federal interests.
Sec. 1024. Authority to accept and use materials and services.
Sec. 1025. Water resources projects on Federal land.
Sec. 1026. Clarification of impacts to other Federal facilities.
Sec. 1027. Clarification of mitigation authority.
Sec. 1028. Clarification of interagency support authorities.
Sec. 1029. Clarification of munition disposal authorities.
Sec. 1030. Continuing authority.
Sec. 1031. Tribal partnership program.
Sec. 1032. Territories of the United States.
Sec. 1033. Corrosion prevention.
Sec. 1034. Advanced modeling technologies.
Sec. 1035. Recreational access.
Sec. 1036. Non-Federal plans to provide additional flood risk reduction.
Sec. 1037. Hurricane and storm damage reduction.
Sec. 1038. Reduction of Federal costs for hurricane and storm damage reduction projects.
Sec. 1039. Invasive species.
Sec. 1040. Fish and wildlife mitigation.
Sec. 1041. Mitigation status report.
Sec. 1042. Reports to Congress.
Sec. 1043. Non-Federal implementation pilot program.
Sec. 1044. Independent peer review.
Sec. 1045. Report on surface elevations at drought affected lakes.
Sec. 1046. Reservoir operations and water supply.
Sec. 1047. Special use permits.
Sec. 1048. America the Beautiful National Parks and Federal Recreational Lands Pass program.
Sec. 1049. Applicability of spill prevention, control, and countermeasure rule.
Sec. 1050. Namings.
Sec. 1051. Interstate water agreements and compacts.
Sec. 1052. Sense of Congress regarding water resources development bills.

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Sec. 2006. Preserving the Inland Waterway Trust Fund.
Sec. 2007. Inland waterways oversight.
Sec. 2008. Assessment of operation and maintenance needs of the Atlantic Intracoastal Waterway and the Gulf Intracoastal Waterway.
Sec. 2009. Inland waterways riverbank stabilization.
Sec. 2010. Upper Mississippi River protection.
Sec. 2011. Corps of Engineers lock and dam energy development.
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Subtitle B—Levee Safety
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Sec. 3012. Management of flood risk reduction projects.
Sec. 3013. Vegetation management policy.
Sec. 3014. Levee certifications.
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Sec. 3016. Levee safety.
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Sec. 7002. Authorization of final feasibility studies.
Sec. 7003. Authorization of project modifications recommended by the Secretary.
Sec. 7004. Expedited consideration in the House and Senate.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means the Secretary of the Army.
(b) ADMINISTRATION.—Any assignment under subsection (a) shall be subject to such terms and conditions as the Secretary determines to be appropriate and necessary in the public interest.

SEC. 4013. TECHNICAL CORRECTIONS.

(a) RARITAN RIVER.—Section 102 of the Energy and Water Development Appropriations Act, 1998 (Public Law 105–62; 111 Stat. 1327), is repealed.

(b) DES MOINES, BOONE, AND RACCOON RIVERS.—The boundaries for the project referred to as the Des Moines Recreational River and Greenbelt, Iowa, under the heading “CORPS OF ENGINEERS—CIVIL” under the heading “DEPARTMENT OF THE ARMY” under the heading “DEPARTMENT OF DEFENSE—CIVIL” in chapter IV of title I of the Supplemental Appropriations Act, 1985 (99 Stat. 313), are revised to include the entirety of sections 19 and 29, situated in T. 89 N., R. 28 W.

(c) SOUTH FLORIDA COASTAL AREA.—Section 109 of title I of division B of the Miscellaneous Appropriations Act, 2001 (114 Stat. 2763A–221; 121 Stat. 1217) is amended—

(1) in subsection (a), by inserting “and unincorporated communities” after “municipalities”;

(2) by redesignating subsection (f) as subsection (g); and

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

“(f) PRIORITY.—In providing assistance under this section, the Secretary shall give priority to projects sponsored by current non-Federal interests, incorporated communities in Monroe County, Monroe County, and the State of Florida.”.


(e) CENTRAL AND SOUTHERN FLORIDA CANAL.—

(1) IN GENERAL.—The Secretary shall consider any amounts and associated program income provided prior to the date of enactment of this Act by the Secretary of the Interior to the non-Federal interest for the acquisition of areas identified in section 316(b)(2) of the Water Resources Development Act of 1996 (110 Stat. 3715)—

(A) as satisfying the requirements of that paragraph; and

(B) as part of the Federal share of the cost of implementing the plan under that subsection.

(2) NON-FEDERAL COST SHARE.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations provided for the project as part of the non-Federal share of the cost of implementing the plan under section 316(b)(2) of the Water Resources Development Act of 1996 (110 Stat. 3715).

(3) CONFORMING AMENDMENT.—Section 316(b)(2) of the Water Resources Development Act of 1996 (110 Stat. 3715) is amended in the first sentence by striking “shall pay” and inserting “may pay up to”.

(f) SOUTH PLATTE RIVER WATERSHED.—Section 116 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (123 Stat. 608) is amended in the matter preceding
(i) a report described in section 105(d)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(d)(2)); and

(ii) where applicable, any associated report of the Chief of Engineers.

(3) FEASIBILITY STUDY.—The term “feasibility study” has the meaning given that term in section 105 of the Water Resources Development Act of 1986 (33 U.S.C. 2215).

(4) NON-FEDERAL INTEREST.—The term “non-Federal interest” has the meaning given that term in section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5).

SEC. 7002. AUTHORIZATION OF FINAL FEASIBILITY STUDIES.

The following final feasibility studies for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plan, and subject to the conditions, described in the respective reports designated in this section:

(1) NAVIGATION.—

<table>
<thead>
<tr>
<th>A. State</th>
<th>B. Name</th>
<th>C. Date of Report of Chief of Engineers</th>
<th>D. Estimated Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. TX, LA</td>
<td>Sabine Neches Waterway, Southeast</td>
<td>July 22, 2011</td>
<td>Federal: $748,070,000</td>
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<td></td>
<td>Texas and Southwest Louisiana</td>
<td></td>
<td>Non-Federal: $365,970,000</td>
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<td>Total: $1,114,040,000</td>
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<tr>
<td>2. FL</td>
<td>Jacksonville Harbor-Milepoint</td>
<td>Apr. 30, 2012</td>
<td>Federal: $27,870,000</td>
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<td></td>
<td></td>
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<td>Non-Federal: $9,290,000</td>
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<td>Total: $37,160,000</td>
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<tr>
<td>3. GA</td>
<td>Savannah Harbor Expansion Project</td>
<td>Aug. 17, 2012</td>
<td>Federal: $492,000,000</td>
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<td></td>
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<td>Non-Federal: $214,000,000</td>
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<td>Total: $706,000,000</td>
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<td>4. TX</td>
<td>Freeport Harbor</td>
<td>Jan. 7, 2013</td>
<td>Federal: $121,000,000</td>
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<td>Non-Federal: $118,300,000</td>
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<td>Total: $239,300,000</td>
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<tr>
<td>A. State</td>
<td>B. Name</td>
<td>C. Date of Report of Chief of Engineers</td>
<td>D. Estimated Costs</td>
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<tr>
<td>1. MD</td>
<td>Mid-Chesapeake Bay Island</td>
<td>Aug. 24, 2009</td>
<td>Federal: $1,240,750,000 Non-Federal: $668,100,000 Total: $1,908,850,000</td>
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<tr>
<td>2. FL</td>
<td>Central and Southern Florida Project, Comprehensive Everglades Restoration Plan, Caloosahatchee River (C–43) West Basin Storage Project, Hendry County</td>
<td>Mar. 11, 2010 and Jan. 6, 2011</td>
<td>Federal: $313,300,000 Non-Federal: $313,300,000 Total: $626,600,000</td>
</tr>
<tr>
<td>3. LA</td>
<td>Louisiana Coastal Area</td>
<td>Dec. 30, 2010</td>
<td>Federal: $1,026,000,000 Non-Federal: $601,000,000 Total: $1,627,000,000</td>
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<tr>
<td>4. MN</td>
<td>Marsh Lake</td>
<td>Dec. 30, 2011</td>
<td>Federal: $6,760,000 Non-Federal: $3,640,000 Total: $10,400,000</td>
</tr>
<tr>
<td>A. State</td>
<td>B. Name</td>
<td>C. Date of Report of Chief of Engineers</td>
<td>D. Estimated Costs</td>
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<td>7. FL</td>
<td>Central and Southern Florida Project, Broward County Water Preserve Area</td>
<td>May 21, 2012</td>
<td>Federal: $448,070,000 Non-Federal: $448,070,000 Total: $896,140,000</td>
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<td>8. LA</td>
<td>Louisiana Coastal Area-Barataria Basin Barrier</td>
<td>June 22, 2012</td>
<td>Federal: $321,750,000 Non-Federal: $173,250,000 Total: $495,000,000</td>
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<td>9. NC</td>
<td>Neuse River Basin</td>
<td>Apr. 23, 2013</td>
<td>Federal: $23,830,000 Non-Federal: $12,830,000 Total: $36,660,000</td>
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