

AMENDMENT TO RULES COMMITTEE PRINT 115-

72

OFFERED BY MR. SHUSTER OF PENNSYLVANIA

Strike section 119 and insert the following:

1 **SEC. 119. ACKNOWLEDGMENT OF CREDIT.**

2 (a) CREDIT.—Section 7007(a) of the Water Re-
3 sources Development Act of 2007 (121 Stat. 1277; 128
4 Stat. 1226) is amended—

5 (1) by striking “before, on, or after the date of
6 the execution of the partnership agreement for the
7 study or project”; and

8 (2) by adding at the end the following: “Not-
9 withstanding section 221(a)(4)(C)(i) of the Flood
10 Control Act of 1970 (42 U.S.C. 1962d-
11 5b(a)(4)(C)(i)), the Secretary may provide credit for
12 work carried out during the period beginning on No-
13 vember 8, 2007, and ending on the date of enact-
14 ment of the Water Resources Development Act of
15 2018 by the non-Federal interest for a project under
16 this title if the Secretary determines that the work
17 is integral to the project and was carried out in ac-
18 cordance with the laws specified in section
19 5014(i)(2)(A) of the Water Resources Reform and

1 Development Act of 2014 (128 Stat. 1331) and all
2 other applicable Federal laws.”.

3 (b) APPLICATION OF CREDIT.—Section 7007(d) of
4 the Water Resources Development Act of 2007 (121 Stat.
5 1277; 128 Stat. 1226) is amended by inserting “, or may
6 be applied to reduce the amounts required to be paid by
7 the non-Federal interest under the terms of the deferred
8 payment agreements for the projects authorized in section
9 7012(a)(1)” before the period at the end.

Page 23, line 12, strike “note(b)(8))” and insert
“note)”.

At the end of title I, add the following:

10 **SEC. 144. OLD RIVER CONTROL STRUCTURE, LOUISIANA.**

11 (a) IN GENERAL.—Not later than 180 days after the
12 date of enactment of this Act, the Secretary shall submit
13 to the Committee on Transportation and Infrastructure
14 of the House of Representatives and the Committee on
15 Environment and Public Works of the Senate a report on
16 the structure and operations plan for the Old River control
17 structure authorized by the Flood Control Act of 1954 (68
18 Stat. 1258) based on the best available science, improved
19 monitoring capabilities, and other factors as determined
20 by the Secretary, including consideration of—

21 (1) flood control;

- 1 (2) navigational conditions;
- 2 (3) water supply; and
- 3 (4) ecosystem restoration and ecological produc-
- 4 tivity.

5 (b) PUBLIC PARTICIPATION.—In developing the re-

6 port required by subsection (a), the Secretary shall provide

7 opportunity for public input and stakeholder engagement,

8 including public meetings.

9 **SEC. 145. DREDGE PILOT PROGRAM.**

10 (a) IN GENERAL.—The Secretary is authorized to

11 carry out a pilot program to award contracts with a dura-

12 tion of up to five years for the operation and maintenance

13 of harbors and inland harbors referred to in section

14 210(a)(2) of the Water Resources Development Act of

15 1986 (33 U.S.C. 2238(a)(2)).

16 (b) SCOPE.—In carrying out the pilot program under

17 subsection (a), the Secretary may award a contract de-

18 scribed in such subsection, which may address one or more

19 harbors or inland harbors in a geographical region, if the

20 Secretary determines that the contract provides cost sav-

21 ings compared to the awarding of such work on an annual

22 basis.

23 (c) REPORT TO CONGRESS.—Not later than one year

24 after the date on which the first contract is awarded pur-

25 suant to the pilot program carried out under subsection

1 (a), the Secretary shall submit to Congress a report evalu-
2 ating, with respect to the pilot program and any contracts
3 awarded under the pilot program—

4 (1) cost effectiveness;

5 (2) reliability and performance;

6 (3) cost savings attributable to mobilization and
7 demobilization of dredge equipment; and

8 (4) response times to address navigational im-
9 pediments.

10 (d) SUNSET.—The authority of the Secretary to enter
11 into contracts pursuant to the pilot program carried out
12 under subsection (a) shall expire on the date that is 10
13 years after the date of enactment of this Act.

14 **SEC. 146. DISPOSITION OF PROJECTS.**

15 (a) IN GENERAL.—In carrying out a disposition
16 study for a project of the Corps of Engineers, or a sepa-
17 rable element of such a project, including a disposition
18 study under section 216 of the Flood Control Act of 1970
19 (33 U.S.C. 549a), the Secretary shall consider modifica-
20 tions that would improve the overall quality of the environ-
21 ment in the public interest, including removal of the
22 project or separable element of a project.

23 (b) DISPOSITION STUDY TRANSPARENCY.—The Sec-
24 retary shall carry out disposition studies described in sub-
25 section (a) in a transparent manner, including by—

1 (1) providing opportunities for public input; and

2 (2) publishing the final disposition studies.

3 (c) REMOVAL OF INFRASTRUCTURE.—For disposition
4 studies described in subsection (a) in which the Secretary
5 determines that a Federal interest no longer exists, and
6 makes a recommendation of removal of the project or sep-
7 arable element of a project, the Secretary is authorized
8 to pursue removal of the project or separable element of
9 a project using—

10 (1) existing authorities, as considered appro-
11 priate by the Secretary; or

12 (2) partnerships with other Federal agencies
13 and non-Federal entities with appropriate capabili-
14 ties to undertake infrastructure removal.

Page 52, after line 24, insert the following:

15 (21) Project for flood damage reduction, West-
16 minster-East Garden Grove, California.

17 (22) Project for hurricane and storm damage
18 risk reduction and ecosystem restoration, Southwest
19 Coastal Louisiana, Louisiana, authorized by section
20 1401(8) of the Water Resources Development Act of
21 2016 (130 Stat.1715).

22 (23) Project for navigation and channel deep-
23 ening, Baptiste Collette Bayou, Louisiana, under

1 section 203 of the Water Resources Development
2 Act of 1986 (33 U.S.C. 2231).

3 (24) Project for navigation and channel deep-
4 ening, Houma Navigation Canal, Louisiana, under
5 section 203 of the Water Resources Development
6 Act of 1986 (33 U.S.C. 2231).

7 (25) Project for navigation and channel deep-
8 ening, Bayou Lafourche, Louisiana, under section
9 203 of the Water Resources Development Act of
10 1986 (33 U.S.C. 2231).

At the end of title III, add the following:

11 **SEC. 311. BOSTON HARBOR RESERVED CHANNEL**
12 **DEAUTHORIZATIONS.**

13 (a) 40-FOOT RESERVED CHANNEL.—

14 (1) IN GENERAL.—The portions of the project
15 for navigation, Boston Harbor, Massachusetts, au-
16 thorized by the first section of the Act of October
17 17, 1940 (54 Stat. 1198, chapter 895) and modified
18 by section 101 of the River and Harbor Act of 1958
19 (72 Stat. 297), section 101(a)(13) of the Water Re-
20 sources Development Act of 1990 (104 Stat. 4607),
21 and section 7002(1) of the Water Resources Reform
22 and Development Act of 2014 (128 Stat. 1365) de-
23 scribed in paragraph (2) are no longer authorized
24 beginning on the date of enactment of this Act.

1 (2) AREAS DESCRIBED.—

2 (A) FIRST AREA.—The first areas de-
3 scribed in this paragraph are—

4 (i) beginning at a point N.
5 2950154.45, E. 785995.64;

6 (ii) running southwesterly about
7 1451.63 feet to a point N. 2950113.83, E.
8 784544.58;

9 (iii) running southeasterly about
10 54.00 feet to a point N. 2950059.85, E.
11 784546.09;

12 (iv) running southwesterly about
13 1335.82 feet to a point N. 2950022.48, E.
14 783210.79;

15 (v) running northwesterly about 83.00
16 feet to a point N. 2950105.44, E.
17 783208.47;

18 (vi) running northeasterly about
19 2787.45 feet to a point N. 2950183.44, E.
20 785994.83; and

21 (vii) running southeasterly about
22 29.00 feet to the point described in clause
23 (i).

24 (B) SECOND AREA.—The second areas de-
25 scribed in this paragraph are—

1 (i) beginning at a point N.
2 2950502.86, E. 785540.84;

3 (ii) running northeasterly about 46.11
4 feet to a point N2950504.16, E785586.94;

5 (iii) running southwesterly about
6 25.67 feet to a point N. 2950480.84, E.
7 785576.18;

8 (iv) running southwesterly to a point
9 N. 2950414.32, E. 783199.83;

10 (v) running northwesterly about 8.00
11 feet to a point N. 2950422.32, E.
12 783199.60;

13 (vi) running northeasterly about
14 2342.58 feet to a point N. 2950487.87, E.
15 785541.26; and

16 (vii) running northwesterly about
17 15.00 feet to the point described in clause
18 (i).

19 (b) 35-FOOT RESERVED CHANNEL.—

20 (1) IN GENERAL.—The portions of the project
21 for navigation, Boston Harbor, Massachusetts, au-
22 thorized by the first section of the Act of October
23 17, 1940 (54 Stat. 1198, chapter 895) and modified
24 by section 101 of the River and Harbor Act of 1958
25 (72 Stat. 297) described in paragraph (2) are no

1 longer authorized beginning on the date of enact-
2 ment of this Act.

3 (2) AREAS DESCRIBED.—

4 (A) FIRST AREA.—The first areas de-
5 scribed in this paragraph are—

6 (i) beginning at a point N.
7 2950143.44, E. 787532.14;

8 (ii) running southeasterly about 22.21
9 feet to a point N. 2950128.91, E.
10 787548.93;

11 (iii) running southwesterly about
12 4,339.42 feet to a point N. 2950007.48, E.
13 783211.21;

14 (iv) running northwesterly about
15 15.00 feet to a point N. 2950022.48, E.
16 783210.79; and

17 (v) running northeasterly about
18 4,323.05 feet to the point described in
19 clause (i).

20 (B) SECOND AREA.—The second areas de-
21 scribed in this paragraph are—

22 (i) beginning at a point N.
23 2950502.86, E. 785540.84;

1 (ii) running southeasterly about 15.00
2 feet to a point N. 2950487.87, E.
3 785541.26;

4 (iii) running southwesterly about
5 2342.58 feet to a point N. 2950422.32, E.
6 783199.60;

7 (iv) running southeasterly about 8.00
8 feet to a point N. 2950414.32, E.
9 783199.83;

10 (v) running southwesterly about
11 1339.12 feet to a point N. 2950376.85, E.
12 781861.23;

13 (vi) running northwesterly about
14 23.00 feet to a point N. 2950399.84, E.
15 781860.59; and

16 (vii) running northeasterly about
17 3681.70 feet to the point described in
18 clause (i).

19 **SEC. 312. CONTINUED AUTHORIZATION OF CERTAIN**
20 **PROJECTS.**

21 Notwithstanding the third sentence of section
22 1001(b)(2) of the Water Resources Development Act of
23 1986 (33 U.S.C. 579a(b)(2)), projects and separable ele-
24 ments of projects identified in the fiscal year 2017 report
25 prepared in accordance with such section and submitted

1 to Congress on December 15, 2016, shall not be deauthor-
2 ized unless such projects and separable elements meet the
3 requirements of section 1301(b)(1)(A) of the Water Re-
4 sources Development Act of 2016 (130 Stat. 1687).

