

**Water Resources Development Act of 2016  
Amendment in the Nature of a Substitute  
Summary of Changes from Reported Bill**

Revises section 1008, relating to section 408 approvals to require the Corps avoid duplication of reviews and to authorize the Corps to accept contributed funds to carry out a review.

Revises section 1010, relating to contributed funds, to allow the Corps to accept contributed funds to update reservoir operational manuals at Corps reservoirs, except in the Upper Missouri River, the ACT-ACF rivers, and the Stones River.

Revises section 1012, relating to modifications of Corps Reservoirs to increase water supply, to provide protections for existing water users and to exclude the Stones River.

Revises section 1018, relating to fish and wildlife mitigation, to clarify that revisions to requirements related to programmatic mitigation plans do not affect existing projects. Also requires development of habitat connectivity measures in consultation with public and other agencies.

Strikes section 1032, relating to modifications of rule curves and reservoir operational manuals at Corps and Bureau of Reclamation Reservoirs. This section is being revised to apply to non-Corps reservoirs only and an agreed upon version will be incorporated into a manager's amendment.

Adds section 1038, to remove the sunset from an existing program that encourages use of Corps lakes for recreation.

Adds section 1040, to repeal section 2008 of WRDA 2007 to give the costs set forth in WRDAs legal effect.

Adds section 1041, to amend section 203 of WRDA 2000 to expand the Corps' authority to carry out studies for Indian tribes and to authorize a tribal continuing authority program to construct cost-shared projects with Indian tribes, with a \$10 million cap on federal participation

Adds section 1042, to amend section 1156 of WRDA 1986, which waives the first \$200,000 in cost share for territories, to include planning assistance and Indian tribes.

Adds section 1043, to allow local governments to participate in feasibility studies in their watershed, if the other sponsors of the study agree and if the local government provides their cost-share.

Adds section 1044, to amend section 1022 of WRRDA 2014 to clarify that projects being constructed under section 211 of WRDA 1996 remain eligible for credit and clarify that credit may be used for any other water resources development projects.

Adds section 1045, to clarify that the change in cost sharing for studies under section 206 of WRDA 1996 does not apply retroactively to studies initiated before October 2006 that did not have a cost-sharing agreement before 2014.

Adds section 1046, to waive fees for easements across Corps lands for rural electric co-ops.

Adds section 1047, to direct the Corps to do a study on the performance of innovative materials.

Revises section 2004, relating to dredged material disposal, to add a reference to the Federal Standard.

Revises section 2009, to make the 10% set aside from the Harbor Maintenance Trust Fund for emerging harbors permanent.

Revises section 2010, to make the authority to provide additional funds for donor ports and energy transfer ports permanent. Also clarifies how payments are to be administered.

Adds section 3005, to direct the Corps to expedite the completion of four authorized flood control projects.

Adds section 3006, to clarify that certain dam repairs along the Cumberland River are dam safety projects.

Adds section 3007, to authorize the Assistant Secretary for Indian Affairs, in consultation with the Corps, to carry out a program to address the safety of federal dams in Indian country. ( S. 2717, reported from Indian Affairs).

Revises section 4002, to authorize the Corps to provide assistance for watercraft inspection stations to protect the Arkansas River Basin and the South Platte River Basin from invasive species.

Revises section 4013, to further amend the coastal resiliency program authorized by WRRDA 2014 to require consultation and data-sharing with state organizations authorized to study and issue recommendations on protection of Federal assets in the coastal area.

Adds section 4015, to direct the Corps to conduct a study of the coastal areas located within the geographical boundaries of the South Atlantic Division of the Corps to identify the risks and vulnerabilities of those areas to increased hurricane and storm damage as a result of sea level rise.

Adds section 4016, to direct the Corps to conduct studies to determine the feasibility of implementing projects for flood risk management and other water resource related purposes within the Kanawha River Basin, West Virginia, Virginia, and North Carolina.

Adds section 4017, to direct the Corps to consider, as appropriate, all measures for coastal risk reduction, including natural, nature-based, nonstructural, and structural measures, when developing projects for coastal risk reduction.

Adds section 4018, to direct the Secretary of Commerce to provide assistance to develop and implement nonregulatory resilient waterfront community plans. (S. 1935 as passed the Senate)

Revises section 5001, relating to deauthorizations, to make technical corrections.

Revises section 5002, relating to conveyances, to add a conveyance at the Pensacola Dam and Reservoir, Grand River, Oklahoma.

Revises section 6001, relating to the authorization of Chief's Reports for Water Resources Development Projects to add Chief's Reports completed after committee markup.

Revises section 6002, relating to the authorization of modifications to projects based on post-authorization change reports to add reports completed after committee markup.

Revises section 6003, relating to studies and project modifications submitted to Congress under section 7001 of WRDA 2014 to add a study and to revise a project modification.

Adds section 6004, to direct the Corps to expedite the completion of two feasibility studies.

Adds section 6005, to extend the authority in section 7004 of WRDA 2014 to expedite consideration of Chief's Reports from 2018 to 2020.

Adds section 7114, to extend the authorization for small system technical assistance under the Safe Drinking Water Act SRF to fiscal year 2021.

Adds section 7115, to make Indian tribes eligible for the new small and disadvantaged community assistance program and lead pipe replacement program in the Safe Drinking Water Act.

Adds section 7116, to make tribal operator training and certification programs eligible for assistance from tribal set-asides under section 1442(e) and 1452(i) of the Safe Drinking Water Act.

Adds section 7117, to require use of American materials when using funds from the Safe Drinking Water state revolving fund (same language as in appropriations bills and as applies to Clean Water SRF)

Revises section 7203, related to integrated plans, to require information sharing and a report to Congress.

Revises section 7205, related to updates to EPA's Financial Capability Guidance to make clarifying edits.

Revises section 7302, relating to WIFIA, to allow all borrowers to finance their fees and to allow loans for projects to address drought.

Adds Part IV to Subtitle F of title VII , to authorize \$5 million a year for each of fiscal years 2017 through 2022 for the Secretary of the Interior to establish a nonregulatory program to help coordinate funding for restoration and protection efforts of the four State Delaware River Basin region (S. 921 as reported by the EPW Committee).

Adds title VIII—MISCELLANEOUS PROVISIONS

Section 8001, authorizes EPA to approve state permitting programs for coal combustion residuals. (same text as was hot-lined before the recess)

Section 8002, approves a settlement agreement relating to water rights and water storage among the Choctaw Nation of Oklahoma and the Chickasaw Nation and the State of Oklahoma.