

## H.R.3080 - Water Resources Development Act of 2013

113th Congress (2013-2014)

**BILL**

**Sponsor:** [Rep. Shuster, Bill \[R-PA-9\]](#) (Introduced 09/11/2013)

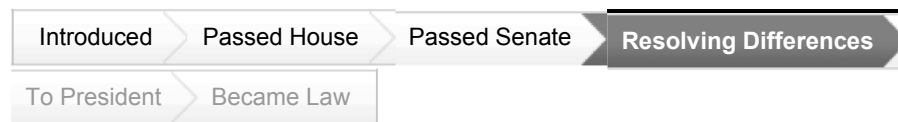
**Cosponsors:** [47](#)

**Latest Action:** 11/14/2013 Pursuant to clause 11 of Rule 1, the Chair removed Mr. Graves (GA) as a conferee on [H.R. 3080](#) and appointed Mr. Graves (MO) to fill the vacancy. Agreed to without objection.

**Committee Reports:** [H. Rept. 113-246](#)

**Major Recorded Votes:** 10/23/2013 : [Passed House](#)

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[Summary \(3\)](#)

[Text \(5\)](#)

[Actions \(89\)](#)

[Titles \(10\)](#)

[Amendments \(12\)](#)

[Cosponsors \(47\)](#)

[Committees \(4\)](#)

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## Summary: H.R.3080 — 113th Congress (2013-2014)

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Passed Senate amended (10/31/2013)

Water Resources Development Act of 2013 - **Title I: Water Resource Projects** - (Sec. 1001) Sets forth the purposes of this title, including (1) authorize projects that are the subject of a completed report of the Chief of Engineers of the Army Corps of Engineers (Corps) contain determination that the relevant project is in the federal interest, results in benefits that exceed the costs, is environmentally acceptable, is technically feasible, and has been recommended to Congress for authorization by the Assistant Secretary of the Army for Civil Works; and authorize the Secretary of the Army (Secretary) to review projects that require increased authorizations and to request an increase of those authorizations after certifying that the increases are necessary and submitting to Congress reports on the proposed increases.

(Sec. 1002) Authorizes the Secretary to carry out projects for water resources development, conservation, and other purposes if: (1) each project is carried out substantially in accordance with the plan for the project and is subject to any conditions described in the project report and (2) a report of the Chief of Engineers has been completed and after November 8, 2007, but prior to the enactment of this Act, the Assistant Secretary of the Army for Civil Works has submitted to Congress a recommendation to authorize construction of the project.

(Sec. 1003) Authorizes the Secretary to modify the cost of an authorized project subject to the cost limitation of the Water Resources Development Act (WRDA) of 1986 by submitting a certification and additional information specified by this Act and after receiving an appropriation of funds to initiate or continue project construction. Requires the Secretary, for projects under construction, to certify that a temporary stop or delay resulting from a failure to increase the authorized cost of such project will increase costs and exceed the authorized cost of such project.

Authorizes the Secretary to complete construction of an authorized water resources project that would otherwise exceed the cost limitation of the WRDA of 1986 if the project is 70% complete and the cost of completing the project is less than \$5 million.

Terminates the authority of the Secretary to modify project costs three years after the enactment of this Act.

(Sec. 1004) Sets forth procedures, effective until December 31, 2018, for expedited consideration of water resources projects by Congress.

**Title II: Water Resources Policy Reforms** - (Sec. 2001) States that the purposes of this title are to: (1) reform the implementation of water resources projects by the Corps, (2) make other technical changes to the water resources policy of the Corps, and (3) implement reforms.

(Sec. 2002) Exempts safety assurance reviews conducted under the WRDA of 2007 from the Federal Advisory Committee Act.

(Sec. 2003) Amends the River and Harbor Act of 1960 to increase: (1) from \$35 to \$50 million the limitation on allotments for the construction of small river and harbor improvement projects, and (2) from \$7 to \$10 million the allotment for a project at any single locality.

Amends the River and Harbor Act of 1968 to increase from \$5 to \$10 million the cost limit for shore damage prevention or mitigation projects.

Amends the WRDA of 1992 to increase from \$5 to \$10 million the total federal cost associated with construction of projects for regional sediment management. Increases the authorization of appropriations for such projects.

Amends the Flood Control Act of 1948 to increase from \$7 to \$10 million the limit on allotments for small flood control projects at any single locality.

Amends the WRDA of 1986 to increase from \$5 to \$10 million the expenditure limit for water resources projects for the restoration of environmental quality.

Amends the WRDA of 1996 to increase from \$5 to \$10 million the limit on allotments for an aquatic ecosystem restoration project at any single locality.

Amends the Flood Control Act of 1960 to increase from \$15 to \$50 million the limit on expenditures for the compilation and dissemination of information relating to floods and flood damage.

(Sec. 2004) Requires the Secretary to publish in the Federal Register and on a publicly available website: (1) the criteria the Secretary uses for prioritizing annual funding for continuing authority program projects, and (2) an annual report on the status of each continuing authority program.

(Sec. 2005) Amends the WRDA of 1986 to: (1) modify mitigation requirements to conform to policy guidance issued by the Corps relating to ecological resources, and (2) require that a determination of whether a proposed project will have negligible adverse impacts on fish and wildlife is to be made without consideration of proposed mitigation.

Authorizes the Secretary to: (1) develop one or more programmatic mitigation plans or use qualified mitigation plans developed by other entities to address the potential impacts on ecological resources, fish, and wildlife associated with existing or future water resources development projects; (2) use funds made available for preconstruction engineering and design prior to project authorization to satisfy mitigation requirements through third party mechanisms or to acquire interests in land necessary for meeting mitigation requirements; and provide technical assistance to states and local governments to establish third-party mitigation instruments to target mitigation payments to high-priority ecosystem restoration actions.

(Sec. 2006) Requires the Secretary, in reporting on water resources projects that require mitigation, to: (1) use a uniform methodology for determining the status of all projects in the report, (2) use a methodology that describes both a qualitative and quantitative status for all projects in the report, and (3) provide specific dates for and participants in consultation meetings required by the WRDA of 1986.

(Sec. 2007) Amends the WRDA of 2007 to revise requirements relating to the independent peer review process.

(Sec. 2008) Amends the WRDA of 1990 to exclude operations and maintenance functions at navigation facilities from contracting restrictions.

(Sec. 2009) Declares that it is the policy of the United States that: (1) the development of non-federal hydroelectric power at Corps civil works projects, including locks and dams, shall be given priority; (2) approval of non-federal hydroelectric power shall be completed by the Corps in a timely and consistent manner; and (3) approval of hydropower at civil works projects shall not diminish other priorities and missions of the Corps.

Requires the Secretary to report to the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works on activities for the development of hydroelectric power by a non-federal interest (defined generally by the WRDA of 2007 to include a state, local government, federally-recognized Indian tribe, and nonprofit entity).

(Sec. 2010) Allows the sharing of non-federal credits across all projects included under the ecosystem restoration program in the WRDA of 2007. Provides that the costs of land, easements, rights-of-way, relocations, and dredged material disposal areas that are in excess of the non-federal cost share for a project may be applied to another study, program, or project.

(Sec. 2011) Authorizes the Secretary to apply credit for in-kind contributions by a non-federal interest that exceeds the required non-federal cost-share for a water resources study or project toward the required non-federal cost-share for a different water resources study or project. Terminates such authority 10 years after the enactment of this Act.

(Sec. 2012) Allows the Secretary to provide credit for work undertaken by non-federal interests without project-specific legislative authority.

(Sec. 2013) Amends the WRDA of 1996 to authorize the Secretary to provide the non-federal interest of a flood damage reduction project credit in lieu of reimbursement.

(Sec. 2014) Authorizes the Secretary to carry out activities to: (1) improve the efficiency of the operations and maintenance of dams and related infrastructure operated by the Corps; and (2) maximize authorized project purposes and related project benefits (i.e., environmental protection and restoration, increased water supply storage, increased hydropower generation, reduced flood risk, additional navigation, and improved recreation).

(Sec. 2015) Amends the Water Supply Act of 1958 to express concern about the operation of water resources projects in the Apalachicola-Chattahoochee-Flint River System and the Alabama-Coosa-Tallapoosa River System and to urge the governors of states in which there are disputes relating to water resources projects to reach agreement on an interstate water compact as soon as possible.

(Sec. 2016) Directs the Comptroller General (GAO) to initiate an assessment of the water storage pricing formulas of the Corps to determine whether such formulas produce equitable water storage costs and benefits and report to Congress on such assessment.

(Sec. 2017) Authorizes the Secretary to carry out measures to improve fish species habitat within the footprint of and downstream of a water resources project constructed by the Secretary that includes a fish hatchery. Specifies cost sharing by non-federal interests for acquisition of required land and for operation and maintenance. Authorizes appropriations.

(Sec. 2018) Directs the Secretary, at the request of a non-federal interest, to include as part of a regional or watershed study any federal land that is located within the geographic scope of that study.

(Sec. 2019) Allows the Corps to work with state and local governments on comprehensive water resources planning activities and to provide technical assistance for such efforts.

(Sec. 2020) Requires the Secretary to carry out a comprehensive review of national guidelines to determine whether current federal policy relating to levee vegetation is appropriate for all regions of the United States. Specifies factors which the Secretary must consider in carrying out such review.

(Sec. 2021) Requires the Secretary, in implementing recommendations of the Flood Protection Structure Accreditation Task Force, to: (1) ensure that at least one program activity carried out by the Corps provides adequate information for reaching a levee accreditation decision and (2) carry out activities under the inspection of completed works program of the Corps in alignment with the schedule established for the national flood insurance program. Authorizes the Secretary to carry out a levee system evaluation and certification of a federally authorized levee for purposes of the national flood insurance program under specified conditions.

(Sec. 2022) Requires the Secretary to carry out measures necessary to restore components of authorized and constructed flood and hurricane storm damage reduction projects to authorized levels of protection for reasons including settlement, subsidence, sea-level rise, and new datum, subject to a feasibility determination; and (2) report to congressional committees on such measures. Terminates the Secretary's authority to carry out such measures 10 years after the enactment of this Act. Authorizes appropriations.

(Sec. 2023) Authorizes the Secretary to assume operation and maintenance activities for a navigation channel that is deepened by a non-federal interest prior to December 31, 2012, if: (1) the Secretary determines that requirements of the WRDA of 1986 are met, (2) the Secretary determines that the activities carried out by the non-federal interest are economically justified and environmentally acceptable, and (3) the deepening activities have been carried out on a federal navigation channel that exists as of the date of enactment of this Act and have been authorized by Congress.

(Sec. 2024) Directs the Secretary to carry out a study to: (1) compare domestic and international dredging markets, including costs, technologies, and management approaches; (2) analyze past and existing practices, technologies, and management approaches used in dredging in the United States; and (3) develop recommendations relating to dredging.

(Sec. 2025) Requires the Secretary to establish and implement a pilot program to evaluate the cost-effectiveness and project delivery efficiency of allowing non-federal interests to carry out flood risk management, hurricane and storm damage reduction, coastal harbor and channel and inland harbor navigation projects, and aquatic ecosystem restoration projects.

(Sec. 2026) Requires the Secretary to: (1) establish and implement a pilot program to evaluate the cost-effectiveness and project delivery efficiency of allowing non-federal interests to carry out feasibility studies for flood risk management, hurricane and storm damage reduction, aquatic ecosystem restoration, and coastal harbor and channel and inland harbor navigation; (2) notify congressional committees on the initiation of each feasibility study under the pilot program; (3) monitor and audit each feasibility study carried out by a non-federal interest; (4) report to congressional committees on the results of the pilot programs. Terminates the Secretary's authority to commence a feasibility study five years after the enactment of this Act. Authorizes appropriations for FY2014-FY2018.

(Sec. 2027) Requires the Secretary to issue guidance on the cost-sharing procedures for the Tribal Partnership Program. Extends such Program through FY2023.

(Sec. 2028) Authorizes the Secretary to enter into a cooperative agreement with one or more federally recognized Indian tribes that are located, in whole or in part, within the boundaries of the Columbia River Basin to carry out activities to protect fish, wildlife, water quality, and cultural resources.

(Sec. 2029) Authorizes the Secretary to implement any response action deemed necessary at a site where: (1) the Secretary has carried out a project under his or her civil authority that includes placing sand on a beach, and (2) military munitions originally released by Department of Defense (DOD) activities and deposited on the beach pose a threat to human health or the environment. Requires DOD to pay for such response action.

(Sec. 2030) Amends the WRDA of 1976 to modify the authority of the Secretary to provide periodic beach nourishment for authorized water resources development projects to authorize the Secretary to review the feasibility of extending periodic nourishment beyond the current 5-year limit by a period of not more than 15 years. Requires a non-federal interest to submit a plan to the Secretary for reducing the risk to people and property during the life of beach nourishment project.

(Sec. 2031) Amends the WRDA of 1992 to: (1) expand the authority of the Secretary to transport and place dredged material to carry out projects identified in regional sediment management plans; (2) authorize the Secretary to reduce the non-federal share of the construction costs of a project if the Secretary determines that, through the beneficial use of sediment at another federal project, there will be an associated reduction or avoidance of federal costs; (3) authorize the Secretary to consider benefits related to flood and storm damage reduction when considering the reasonableness of associated costs; and (4) authorize the Secretary to cooperate with states in the preparation of sediment management plans involving multiple states.

(Sec. 2032) Requires that water resources project feasibility studies be completed not later than three years after initiation and that such studies have a maximum federal cost share of \$3 million.

(Sec. 2033) Amends the WRDA of 2007 to expand requirements with respect to acceleration of water resource projects and feasibility studies that require an environmental impact statement under the National Environmental Policy Act of 1969 (NEPA). Defines "environmental review process" to mean the process of preparing an environmental impact statement, environmental assessment, categorical exclusion, or other document under NEPA, and the process of completing any environmental permit, approval, review, or study required by a federal law other than NEPA. Sets forth new requirements relating to federal agency and state and local participation in the environmental review process.

Designates the Corps as the lead federal agency in the environmental review process for a water resource project. Allows a non-federal interest to serve with the Corps as a joint lead agency for purposes of preparing any environmental document under NEPA. Requires the Corps, as lead agency, to: (1) identify any other federal or non-federal agencies that may have an interest in a water resource project and invite those agencies to participate in the environmental review process for the project; (2) establish a plan for coordinating public and agency participation in, and comment on, the environmental review process for a water resource project; and (3) identify and resolve issues that delay completion of the environmental review process.

Authorizes the Secretary to convene a meeting with relevant agencies to establish a schedule of deadlines to complete decisions regarding water resource project. Allows a cooperating agency or non-federal interest to request an issue resolution meeting to be conducted by the Secretary. Sets forth procedures for issue resolution for the completion of a water resource project.

Requires the Secretary to: (1) issue guidance on programmatic approaches to the environmental review process, (2) establish a program measure and report on progress made toward improving and expediting the planning and environmental review process, and (3) survey the use by the Corps of categorical exclusions under NEPA in water resource projects since 2005 and publish a review of such survey.

Expresses the sense of Congress calling for cooperation by the Secretary and other federal agencies in the environmental review process.

Requires the Comptroller General and the Inspector General of the Corps to assess and report on water resource project acceleration reform.

Terminates the authority for acceleration of water resource projects 10 years after the enactment of this Act.

(Sec. 2034) Amends the WRDA of 1986 to require the Secretary to determine a set of milestones needed for the completion of a feasibility study under such Act, including all major actions, report submissions and responses, reviews, and comment periods. Requires each District Engineer to establish a detailed project schedule that lists all deadlines for milestones relating to feasibility studies and to provide such schedule to each relevant non-federal interest.

(Sec. 2035) Requires the Secretary to: (1) provide to a non-federal interest, upon request, a detailed accounting of federal expenses associated with a water resources project; and (2) contract with the National Academy of Public Administration to carry out a study on the efficiency of the current staff salaries and administrative expense procedures of the Corps.

(Sec. 2036) Requires the Secretary to notify a non-federal interest when construction of a water resources project is completed so that the non-federal interest may commence responsibilities for operating and maintaining the project. Allows the non-federal interest to appeal such project completion determination in writing with a detailed explanation of the basis for questioning the completeness of the project.

(Sec. 2037) Requires the Secretary to contract with the National Academy of Public Administration to carry out a comprehensive review of the process for preparing, negotiating, and approving Project Partnership Agreements and the Project Partnership Agreement template, which shall include: (1) a review of the process for preparing, negotiating, and approving Project Partnership Agreements; (2) an evaluation of how the concerns of a non-federal interest relating to the Agreement and suggestions for modifications to the agreement are accommodated; (3) recommendations for how such concerns and modifications can be better accommodated; (4) recommendations for how the Agreement template can be made more efficient; and (5) recommendations to make the process for preparing, negotiating, and approving Project Partnership Agreements more efficient. Requires the Secretary to report such findings to Congress.

(Sec. 2038) Amends the WRDA of 1996 to enable the Corps to participate with federal or international organizations and foreign governments to address issues relating to water resources, infrastructure development, and environmental protection.

(Sec. 2039) Requires the Secretary to: (1) establish a five-year pilot program for the acceptance and expenditure of funds by non-federal interests to increase the hours of operation of locks at water resources development projects, and (2) publish notification in the Federal Register of any proposed modification to the operation of a lock. Requires reporting on and review of such pilot program.

(Sec. 2040) Amends requirements relating to the authority of the Corps for post-disaster rehabilitation to permit the Corps to rebuild a damaged project to the design level of protection (currently, restoration is permitted to restore adequate functioning) or implement nonstructural alternatives if requested by the non-federal project sponsor.

(Sec. 2041) Provides that a levee system shall remain eligible for rehabilitation assistance as long as the levee system sponsor continues to make satisfactory progress on an approved system-wide improvement framework or letter of intent.

(Sec. 2042) Amends the WRDA of 2000 to: (1) make permanent the funding for processing permits for water resources projects, (2) require a standard decision document for evaluating all permits, and (3) set forth reporting requirements on the process for issuing permits.

(Sec. 2043) Directs the Secretary to: (1) establish and carry out a five-year pilot program for national riverbank stabilization and erosion prevention along inland and intracoastal waterways; (2) carry out a study of the options and technologies available to prevent the erosion and degradation of such riverbanks; and (3) develop a pilot program for the construction of riverbank stabilization and erosion prevention projects on public land along inland and intracoastal waterways, subject to a feasibility determination by the Secretary. Authorizes appropriations for FY2014-FY2019.

(Sec. 2044) Directs the Secretary to grant priority to projects and studies with a primary purpose of hurricane and storm damage risk reduction that: (1) address an imminent threat to life and property, (2) prevent storm surge from inundating populated areas and loss of coastal wetlands, (3) protect emergency hurricane evacuation routes or shelters, (4) prevent adverse impacts to publicly-owned or funded infrastructure and

assets, (5) minimize federal disaster relief costs, and (6) address hurricane and storm damage risk reductions in presidentially-declared or disaster areas. Provides for expedited consideration of previously authorized water resources projects and criteria for prioritizing new studies for hurricane and storm damage reduction.

(Sec. 2045) Directs the Secretary to give funding priority to authorized projects for ecosystem restoration that: (1) address an identified threat to public health, safety, or welfare; (2) preserve or restore ecosystems of national significance; (3) preserve or restore habitats of importance for federally protected species, including migratory birds; and (4) contribute to other ongoing or planned federal, state, or local restoration initiatives.

(Sec. 2046) Authorizes the Secretary to: (1) issue special permits for uses such as group activities, recreation events, motorized recreation vehicles, and other recreation uses deemed appropriate and to collect fees for such permits; and (2) enter into an agreement with a state or local government to provide for cooperative management of a public recreation area.

(Sec. 2047) Charges the Secretary with responsibility for 65% of the costs of the operation, maintenance, repair, rehabilitation, and replacement of any flood gate and any pumping station that was constructed as a feature of an authorized hurricane and storm damage reduction project and that crosses an inland or intracoastal waterway.

(Sec. 2048) Requires the Secretary to develop guidance and procedures for the certification of qualified contractors for the application or removal of protective coatings.

(Sec. 2049) Revises the requirements for providing Congress with a list of, and a report on, authorized water resources projects that have received no funding obligations during the preceding five-fiscal years (project deauthorization). Requires such list to be provided to non-federal interests associated with a project.

Establishes the Infrastructure Deauthorization Commission as an independent commission to review and evaluate suggested deauthorization of water resources projects. Provides for congressional disapproval of Commission recommendations.

(Sec. 2050) Requires the Secretary to complete and submit to Congress reports required by this Act by their due dates. Imposes a penalty upon the General Expenses Account of the civil works program of the Corps for any report which is not submitted within 180 days of its due date. Allows a waiver of such penalty if the Secretary certifies that a major modification has been made to the report that requires additional analysis, amounts have not been appropriated to carry out the report, or additional information is required from an entity other than the Corps and is not available in time to complete the report by its deadline. Authorizes appropriations.

(Sec. 2051) Amends the Indian Self-Determination and Education Assistance Act to allow as costs for tribal water projects interest payments on the retirement of principal, and the costs of issuance and insurance for debt financing instruments.

(Sec. 2052) Directs the Secretary to: (1) carry out a review of the federal response to invasive species, including aquatic weeds, aquatic plants, and other aquatic invasive species, that have an impact on water resources; and (2) make recommendations to Congress and state agencies for improving federal and state laws to more effectively respond to threats posed by invasive species.

(Sec. 2053) Directs the Comptroller General to carry out a study to identify all federal programs relating to wetlands conservation and report to Congress on options for maximizing wetlands conservation benefits while reducing redundancy, increasing efficiencies, and reducing costs.

(Sec. 2054) Directs the Comptroller General, in consultation with the Corps, the Southeastern Power Administration, federal hydropower customers, downstream communities, and other stakeholders, to carry out a study to evaluate the structural modifications made at federal dams in the Cumberland River Basin beginning on January 1, 2000, and report to Congress on the study and on design criteria that will provide for the safety of downstream communities.

(Sec. 2055) Requires the Secretary, if requested by a non-federal interest, to construct a locally-preferred plan that provides a higher level of protection than a flood risk management project if the Secretary determines that the plan is technically feasible and environmentally acceptable and that the benefits exceed the costs of the plan.

(Sec. 2056) Requires the Secretary, in consultation with specified federal officials, to improve forecasting on the Mississippi River by: (1) updating forecasting technology deployed on the Mississippi River and its tributaries, (2) constructing additional sedimentation ranges on the Mississippi River, and (3) deploying additional automatic identification system base stations at river gage sites.

(Sec. 2057) Authorizes the Secretary to carry out activities outside of the authorized federal navigation channel along the Mississippi River if such activities are necessary for safe and reliable navigation in the federal channel. Requires the Secretary to report to Congress on: (1) a description of activities undertaken and associated costs, and (2) a comprehensive description of how the activities are necessary for maintaining safe and reliable navigation in the federal channel.

(Sec. 2058) Prohibits the Secretary from taking any action to establish a permanent physical barrier to prevent public access to waters downstream of a dam owned by the Corps.

(Sec. 2059) Authorizes the Secretary to complete construction of a water resources development project using funds contributed by state political subdivisions.

(Sec. 2060) Expresses the sense of Congress that the lock and dam located at mile 357.5 on the Tennessee-Tombigbee Waterway should be known and designated as the Donald G. Waldon Lock and Dam.

(Sec. 2061) Directs the Secretary to carry out activities to enable non-federal interests to anticipate and accurately budget for annual operations, maintenance, and other costs.

(Sec. 2062) Authorizes a non-federal interest for a navigation project to: (1) carry out operation and maintenance activities for such project subject to all applicable requirements that would apply to the Secretary; and (2) receive credit for the costs incurred in carrying out such activities.

(Sec. 2063) Amends the WRDA of 2007 to require the Secretary to allocate not more than 1.5% of funds from the general expenses account of the civil works program of the Corps to the Susquehanna River Basin Commission, Delaware River Basin Commission, and the Interstate Commission on the Potomac River Basin to fulfill the equitable funding requirements of the respective interstate compacts on an annual basis.

(Sec. 2064) Prohibits charging a fee for surplus water under a contract for surplus water stored on the Missouri River. Makes an offsetting rescission of funds previously made available, but remaining unobligated, for operations and maintenance of the Corps (excluding funds designated as an emergency requirement).

**Title III: Project Modifications** - (Sec. 3001) Establishes the purpose of this title as modifying existing water resources project authorizations without affecting their authorized costs.

(Sec. 3002) Amends the Energy and Water Development and Related Agencies Appropriations Act, 2009 to allow a designee of the Colorado Department of Natural Resources to modify the Chatfield Reservoir Project.

(Sec. 3003) Amends the WRDA of 2007 to authorize the Secretary to reimburse members of the Missouri River Recovery Implementation Committee for travel expenses.

(Sec. 3004) Requires the Secretary to include specific project recommendations in the report on the study of flood and storm damage risk reduction in the areas affected by Hurricane Sandy.

(Sec. 3005) Directs the Secretary to consult with, and consider the activities being implemented by, other federal agencies, conservation districts, the Yellowstone River Conservation District Council, and Montana in carrying out the Lower Yellowstone Project.

(Sec. 3006) Deauthorizes specified water resources projects in: (1) Somerset County, Maryland; (2) Deal Island, Maryland; (3) Georges River, Maine; (4) Warwick Cove, Rhode Island; (5) Clatsop County, Oregon; (6) Port of Hood River, Oregon; (7) Eightmile River, Connecticut; (8) Burnham Canal, Wisconsin; and (9) Walnut Creek, California.

(Sec. 3007) Amends the Energy and Water Development Appropriations Act of 1998 to repeal a provision that prohibited the Secretary from constructing the Oak Way or Sky Top detention structures in Berkeley Heights, New Jersey, as part of the flood control project for the Gre Brook Sub-Basin of the Raritan River Basin.

(Sec. 3008) Authorizes the Secretary to reassign unused irrigation storage within a reservoir on the Red River Basin to municipal and industrial water supply if the non-federal interest has already contracted for a share of municipal and industrial water supply on the same reservoir.

(Sec. 3009) Modifies the project for Point Judith Harbor of Refuge, Narragansett, Rhode Island, to add shore protection and erosion control project purposes.

(Sec. 3010) Directs the Secretary to convey 59 acres of land and the improvements thereon, including the Hammond Marina, to Warrenton, Oregon. Excludes that land, after conveyance, from the Hammond Small Boat Basin, Oregon, navigation project.

(Sec. 3011) Establishes a Metro East Flood Risk Management Program, Illinois, that is composed of: (1) the Prairie du Pont Drainage and Levee District and Fish Lake Drainage and Levee District project, (2) the East St. Louis project, and (3) the Wood River Drainage and Levee District project.

(Sec. 3012) Amends the Miscellaneous Appropriations Act, 2001 to require the Secretary to give priority to assisting Florida Keys Water Quality Improvement projects sponsored by Florida, Monroe County, Florida, and Monroe County's incorporated communities.

(Sec. 3013) Revises the boundaries of the Des Moines Recreational River and Greenbelt, Iowa, project.

(Sec. 3014) Authorizes the Secretary to convey to Virginia two parcels of land and the improvements thereon that lie within the Craney Island Eastward Expansion navigation project and are located along the eastern side of the Craney Island Dredged Material Management Area in Portsmouth, Virginia.

(Sec. 3015) Modifies the Los Angeles County Drainage Area, California, flood control project to authorize the Secretary to include measures for flood risk reduction, ecosystem restoration, and recreation in the Compton Creek watershed.

(Sec. 3016) Authorizes the Secretary to convey the upland, tideland, and submerged land known as the Oakland Inner Harbor Tidal Canal, California, to a multicounty public entity that is eligible to hold title to real property.

(Sec. 3017) Amends the WRDA of 1992 to redesignate the Lower Mississippi River Museum and Riverfront Interpretive Site as the Jesse Brent Lower Mississippi River Museum and Riverfront Interpretive Site.

(Sec. 3018) Amends the WRDA of 2007 to direct the Secretary to adopt Louisiana's Comprehensive Master Plan for a Sustainable Coast to protect, preserve, and restore the coastal Louisiana ecosystem until the implementation of the Secretary's comprehensive plan is complete.

Requires the coastal Louisiana ecosystem science and technology program to examine a system-wide approach to coastal sustainability.

Prohibits the Corps from using funds from its General Investigations Account to study, without the approval of the Governors of Louisiana and Mississippi, the construction of a storm surge barrier across the Lake Pontchartrain land bridge that would result in unmitigated induced flooding in Mississippi coastal communities.

(Sec. 3019) Amends the WRDA of 1974 to require the Four Mile Run flood protection project, in the city of Alexandria and Arlington County, Virginia, to provide protection from flood flows of 18,000, rather than 27,000, cubic feet per second.

(Sec. 3020) Deauthorizes that portion of the flood protection project on the East Fork of the Trinity River, Texas, authorized by the Flood Control Act of 1962, that consists of Kaufman county Levees K5E and K5W.

(Sec. 3021) Exempts a parcel of land within the Seward Harbor, Alaska, navigation project from the navigational servitude, but permits the federal government to enter that land to operate and maintain the general navigation features of the project.

**Title IV: Water Resources Studies** - (Sec. 4002) Sets conditions on the initiation of new studies to determine the feasibility of carrying out water resources development projects or watershed and river basin assessments. Requires the Secretary to certify to Congress that a study (1) has been requested by an eligible non-federal interest that can provide financial support for the study, (2) is for an area that is likely to include a project with a federal interest, (3) addresses a high-priority water resource issue, and (4) can be completed within three years for a maximum cost of \$3 million.

Prohibits any spending on a study until Congress appropriates funds to initiate it.

(Sec. 4003) Requires new authorization from Congress before any project evaluated in a study under this title is constructed.

**Title V: Regional and Nonproject Provisions** - (Sec. 5002) Directs the Secretary to plan, design, and construct projects for aquatic ecosystem restoration within the coastal waters of the northeastern United States from Virginia to Maine, including associated bays, estuaries, and critical riverine areas.

Set the non-federal share of the cost of carrying out such a project at 35% and the maximum federal allocation for such a project at \$10 million.

Authorizes appropriations for FY2014-FY2023 for planning, designing, and constructing such projects.

(Sec. 5003) Amends the WRDA of 1996 to include Delaware, Maryland, New York, Pennsylvania, Virginia, West Virginia, and the District of Columbia in the Chesapeake Bay Environmental Restoration and Protection Program. Requires the establishment of at least one project in each of those jurisdictions.



Requires the Secretary, in cooperation with state and local officials and affected stakeholders, to develop a comprehensive Chesapeake Bay restoration plan to guide the implementation of the restoration projects. Requires that plan to give priority to eligible projects that also improve water quality or quantity or that use natural hydrological features and systems.

Removes wastewater treatment and water supply facilities from the eligible projects list.

Requires projects carried out on federal lands to be carried out at the expense of the federal agency that owns the land. Permits the agency to accept non-federal contributions for the work.

(Sec. 5004) Amends the WRDA of 2007 to authorize appropriations for the Rio Grande environmental management program, Colorado, New Mexico, and Texas, through FY2024. Authorizes the Secretary to enter into interagency agreements with the Secretary of State to involve the U.S. Section of the International Boundary and Water Commission in the program.

(Sec. 5005) Amends the WRDA of 2000 to increase the authorization of appropriations for Lower Columbia River and Tillamook Bay ecosystem restoration, Oregon and Washington.

(Sec. 5006) Directs the Secretary to establish a McClellan-Kerr Arkansas River Navigation System Advisory Committee to provide information and recommendations to the Corps relating to the efficiency, reliability, and availability of the operations of the McClellan-Kerr Arkansas River navigation system, Arkansas and Oklahoma. Terminates the Advisory Committee when the Secretary submits a report to Congress demonstrating increases in the efficiency, reliability, and availability of that system.

(Sec. 5007) Authorizes the Secretary to establish a program to prevent and manage aquatic invasive species in the Columbia River Basin, Idaho, Montana, Oregon, and Washington. Directs the Secretary to establish watercraft inspection stations in the Basin at locations having the highest likelihood of preventing the spread of such species into reservoirs operated and maintained by the Secretary.

Authorizes the Secretary to conduct monitoring and contingency planning that includes: (1) conducting risk assessments of each major public and private water resources facility in the Basin, (2) establishing an aquatic invasive species monitoring program in the Basin, (3) establishing a Basin watershed-wide plan for expedited response to an infestation of aquatic invasive species, and (4) monitoring water quality at facilities owned or managed by the Secretary in the Basin.

Directs the Secretary to consult and coordinate with states in the Basin, Indian tribes, and federal agencies.

(Sec. 5008) Directs the Secretary, in coordination with certain other federal agencies, to establish a program to: (1) monitor soil moisture and the snowpack in the Upper Missouri River Basin to help reduce flood risk and improve river and water resource management, (2) restore and maintain existing mid- and high-elevation snowpack monitoring sites operated under the SNOTEL program of the Natural Resources Conservation Service (NRCS), and (3) operate streamflow gauges and related interpretive studies in such Basin under the cooperative water program and the national streamflow information program of the United States Geological Service (USGS).

(Sec. 5009) Authorizes the Secretary to provide planning, design, and construction assistance to up to three federally-recognized Indian tribes in the Upper Missouri River Basin for measures to address shoreline erosion that is jeopardizing existing infrastructure resulting from operation of a reservoir constructed under the Pick-Sloan Missouri River Basin Program. Requires those measures to be economically justified, technically feasible, and environmentally acceptable. Prohibits the federal share of the costs of those measures from being less than 75%.

(Sec. 5010) Directs the Secretary to establish a program to mitigate the impacts of extreme weather events, such as floods and droughts, on communities, water users, and fish and wildlife located in and along the headwaters of the Columbia, Missouri, and Yellowstone Rivers (including the tributaries of those rivers) in Idaho and Montana by carrying out river, stream, and floodplain protection and restoration projects. Requires those projects to emphasize the protection and enhancement of natural riverine processes. Prohibits the non-federal share of project costs from exceeding 35%.

(Sec. 5011) Authorizes the Secretary to implement measures recommended in an efficacy study authorized under the WRDA of 2007 or in interim reports, with modifications or any emergency measures that the Secretary determines to be appropriate to prevent aquatic nuisance species from dispersing into the Great Lakes by way of any hydrologic connection between the Great Lakes and the Mississippi River Basin. Directs the Secretary to report to Congress on any such emergency actions taken.

(Sec. 5012) Directs the Secretary to carry out a pilot program to restore and protect fish and wildlife habitat in the middle Mississippi River in accordance with the project for navigation, Mississippi River between the Ohio and Missouri Rivers (Regulating Works), Missouri and Illinois. Authorizes the Secretary to make feasible improvements to navigation through the project while carrying out the pilot program. Prohibits the federal share of the costs of the program from exceeding 65%.

(Sec. 5013) Amends the WRDA of 1999 to expand the program providing federal design and construction assistance for water-related environmental infrastructure and resource protection and development projects in rural Nevada and Montana to such projects in Idaho, New Mexico, rural Utah, and Wyoming. Includes, as part of the program, technical assistance to small and rural communities for water planning issues relating to water resources access. Increases the authorization of appropriations for the program.

(Sec. 5014) Amends the WRDA of 1986 to increase the authorization of appropriations for projects creating alternative or beneficially modified habitats for fish and wildlife.

Allows the non-federal share of project costs to be provided through in-kind services. Includes as in-kind services non-federal land conservation and restoration efforts that: (1) enhance the viability of Chesapeake Bay oyster restoration efforts by improving water quality (2) are integral to the project to restore and rehabilitate fish habitat in the Chesapeake Bay and its tributaries in Virginia and Maryland.

(Sec. 5015) Amends the Flood Control Act of 1944 to increase the cap on fiscal year expenditures for measures the Secretary undertakes to alleviate bank erosion and related problems associated with reservoir releases along the Missouri River between Fort Peck Dam, Montana and Gavins Point Dam, South Dakota and Nebraska.

(Sec. 5016) Authorizes the Secretary, through the Chief of Engineers, to conduct dredging activities on shallow draft ports located on the Inland Mississippi River to the respective authorized widths and depths of those inland ports on the date of this Act's enactment.

(Sec. 5017) Amends the WRDA of 2007 to include harbor development projects in Alaska and those crucial to a region with the remote or subsistence harbor projects that do not need to be justified solely by national economic development benefits. Requires remote and subsistence harbor projects that are recommended by the Secretary to be given the same budget consideration and priority as those recommended solely by national economic development benefits.

Authorizes the Secretary to plan, design, or construct a navigation project in the noncontiguous states and U.S. territories if the Secretary determines that the project is technically feasible, environmentally sound, and economically justified. Allows non-federal interests to participate in financing such projects if such financing is needed for their implementation. Caps the federal share of carrying out such a project.

(Sec. 5018) Requires the Director of the U.S. Fish and Wildlife Service (FWS) to: (1) lead a multiagency effort to slow the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries by providing high-level technical assistance, coordination, best practices, and support to state and local governments; and (2) submit an annual report to Congress describing the coordinated strategies established and progress made toward goals to control and eliminate Asian carp in such basins and tributaries.

(Sec. 5019) Requires the Tennessee Valley Authority to release, without monetary consideration, certain real estate use restrictions established, pursuant to the Tennessee Valley Authority Act of 1933, on tracts of land at or near Decatur and Guntersville, Alabama.

(Sec. 5020) Amends the WRDA of 1986 to authorize the Cherokee Nation of Oklahoma to design and construct one or more hydroelectric generation facilities at the W.D. Mayo Lock and Dam on the Arkansas River in Oklahoma and market the electricity generated. Prohibits the Cherokee Nation from proceeding with the construction of such a facility before it obtains any required state or federal building permit and the Secretary reviews and approves its plans and specifications for the design and construction of such facility. Authorizes the Secretary to provide technical and construction management assistance to the Cherokee Nation.

(Sec. 5021) Directs the Secretary to report to Congress on the impact of closing the Upper St. Anthony Falls Lock and Dam, located on the Mississippi River in Minneapolis, Minnesota, on the economic and environmental well-being of Minnesota. Requires the Secretary, within one year of this Act's enactment, to close that Lock and Dam if the annual average tonnage that moved through it the preceding five years was more than 1.5 million tons.

(Sec. 5022) Authorizes the Secretary to provide technical assistance to non-federal public entities, including Indian tribes, for the development, construction, operation, and maintenance of channels, harbors, and related infrastructure associated with Arctic deep draft ports. Requires the Secretary to prioritize Arctic deep draft ports identified by the Corps, the Department of Homeland Security (DHS), and DOD.

(Sec. 5023) Directs the Secretary to carry out a study of the greater Mississippi River Basin to: (1) improve the coordinated and comprehensive management of water resource projects in the Basin relating to severe flooding and drought conditions; (2) evaluate the feasibility of any modifications to those water resource projects, consistent with their authorized purposes; and (3) develop new water resource projects to improve the reliability of navigation and more effectively reduce flood risk. Directs the Secretary to report to Congress on that study within one year of this Act's enactment.

(Sec. 5024) Authorizes the Secretary, in concurrence with the Administrator of the Environmental Protection Agency (EPA), to reopen the Cape Arundel Disposal Site selected by the Department of the Army as an alternative dredged material disposal site under the Marine Protection, Research, and Sanctuaries Act of 1972.

Permits the Site to remain open until the earlier of: (1) the date on which it has no remaining disposal capacity, (2) the date on which an environmental impact statement designating an alternative dredged material disposal site for southern Maine has been completed, or (3) the date that is five years after this Act's enactment.

Prohibits the Site from being used for the disposal of more than 80,000 cubic yards from any single dredging project.

**Title VI: Levee Safety** - National Levee Safety Program Act - (Sec. 6004) Directs the Secretary, in consultation with the Administrator of the Federal Emergency Management Agency (FEMA), to establish a national levee safety program that includes:

- a national levee database;
- an inventory and inspection of federal and non-federal levees;
- national levee safety guidelines;
- a hazard potential classification system for federal and non-federal levees;
- research and development;
- a national public education and awareness program;
- the coordination of levee safety, floodplain management, and environmental protection activities;
- the development of state and tribal levee safety programs; and
- the provision to states and Indian tribes of technical assistance and materials that address levee safety and flood risks.

Directs the Secretary to provide grants to states and Indian tribes to establish levee safety programs, conduct levee inventories, and carry out the requirements of this title. Requires the levee safety programs to meet certain guidelines issued by the Secretary. Directs the Secretary to implement quantifiable performance measures and metrics to assess the effectiveness of the grant program.

Directs the Secretary to provide grants to states, Indian tribes, and local governments to conduct flood mitigation activities that reduce flood risk. Allows grant funds to be used to rehabilitate levees, but not levees that are federally operated and maintained. Makes routine levee operation and maintenance activities ineligible for funding.

(Sec. 6005) Requires the Secretary to establish a National Levee Safety Advisory Board to: (1) advise the Secretary and Congress regarding consistent approaches to levee safety, (2) monitor levee safety in the United States, (3) assess the effectiveness of the national levee safety program, and (4) ensure that such program is carried out in a manner that is consistent with other federal flood risk management efforts.

(Sec. 6006) Amends the WRDA of 2007 to require the Secretary to include in the National Levee Safety Database updated information provided by states, Indian tribes, federal agencies, and other entities.

(Sec. 6007) Directs the Secretary to submit multiple reports to Congress that include: (1) a biennial report describing the state of levees in the country and the effectiveness of the national levee safety program, (2) a report on the advisability and feasibility of establishing a joint national dam and levee safety program, and (3) a report identifying and addressing legal liability associated with levee engineering projects.

Directs the Comptroller General to report to Congress on opportunities for the alignment of federal programs to provide incentives to state, tribal, and local governments, individuals, and entities to: (1) promote shared responsibility for levee safety, (2) better align the national levee safety program and other federal flood risk management programs, and (3) promote levee safety through other federal programs providing assistance to state and local governments.

(Sec. 6009) Authorizes appropriations for the Levee Safety program.

**Title VII: Inland Waterways** - (Sec. 7003) Directs the Chief of Engineers, for each qualifying project (any authorized construction or major rehabilitation project for navigation infrastructure of the inland and intracoastal waterways that is funded by the Inland Waterways Trust Fund but not completed on the date of this Act's enactment), to require: (1) project management training and certification, (2) assignment as project manager of only personnel fully certified by the Chief of Engineers, and (3) any applicable cost estimation to be risk-based and to have a confidence level of at least 80%.

Requires the Chief of Engineers to: (1) establish a system to identify and apply on a continuing basis lessons learned from qualifying projects to improve the likelihood of on-time and on-budget completion, and (2) evaluate early contractor involvement acquisition procedures to improve on-time and on-budget project delivery performance.

Authorizes the Chief of Engineers to carry out pilot projects to evaluate processes or procedures for the study, design, or construction of qualifying projects that, at a minimum, evaluate: (1) early contractor involvement in the development of features and components; (2) the appropriate use of continuing contracts for the construction of features and components; and (3) applicable principles, procedures, and processes used for military construction projects.

Revises the duties of the Inland Waterways User Board by requiring the Board to provide advice and recommendations to Congress regarding (1) any report of the Chief of Engineers relating to commercial navigation features and components of the inland waterways and inland harbors of the United States, (2) an increase in the authorized cost of such features and components, and (3) a long-term capital investment program. Requires the chairperson of the Board to appoint a representative of such Board to serve on the project development team for a qualifying project or the study or design of such a feature or component. Requires the Chief of Engineers to communicate at least once each quarter with such Board on the status of the study, design, or construction of such features or components.

Requires the Chief of Engineers to: (1) develop and submit to Congress within a year a report describing a 20-year program for making capital investments on the inland and intracoastal waterways based on the application of objective, national project selection prioritization criteria; (2) consider, in developing such program, the 20-year capital investment strategy contained in the Inland Marine Transportation System Capital Projects Business Model; (3) ensure that program investments are made in all geographical areas of the inland waterways system; and (4) submit a strategic review of such program within every five years.

(Sec. 7004) Increases (from \$8 million to \$20 million) the minimum amount of capital outlays required for a major project feature restoration initially funded on or after October 1, 1994, to be considered "rehabilitation" for purposes of laws relating to navigation on U.S. inland and intracoastal waterways.

(Sec. 7005) Expresses the sense of Congress that: (1) the existing revenue sources for inland waterways system construction and rehabilitation activities are insufficient to cover the costs of non-federal interests of construction and major rehabilitation projects on the inland waterways system, and (2) such issue should be addressed.

(Sec. 7006) Requires the Comptroller General to report on the efficiency of collecting the fuel tax for the Inland Waterways Trust Fund, including regarding: (1) whether current collection methods result in full compliance with legal requirements, (2) whether alternative collection methods would result in increased revenues, and (3) alternative collection options.

(Sec. 7007) Requires the Comptroller General to study and report on why, and to what extent, the project for navigation, Lower Ohio River Locks and Dams 52 and 53, Illinois and Kentucky (commonly known as the "Olmsted Locks and Dam project") has exceeded the budget for the project and the reasons why the project failed to be completed as scheduled. Amends the WRDA of 1988 to require the remaining costs of such project to be paid from amounts appropriated from the general fund of the Treasury (currently 50% from the general fund and 50% from the Inland Waterways Trust Fund).

**Title VIII: Harbor Maintenance** - Harbor Maintenance Trust Fund Act of 2013 - (Sec. 8003) Prohibits the total budget resources made available to the Secretary from the Harbor Maintenance Trust Fund for: (1) each of FY2014-FY2019 from being lower than the lesser of a specified amount or the level of receipts credited to such Fund for such fiscal year, and (2) fiscal years after FY2019 from being less than the level of receipts plus interest credited to such Fund for that fiscal year. Requires such amounts to be used only for harbor maintenance programs.

Provides that such minimum resource requirement shall not apply if it would result in making lower amounts available for the applicable fiscal year to carry out all programs, projects, and activities of the civil works program of the Corps, other than the harbor maintenance program than were made available for those purposes in the previous fiscal year, with specified exceptions. Excludes any amounts that are design funds for emergency requirements and disaster relief from amounts made available to carry out all programs, projects, and activities of the civil works program of the Corps.

(Sec. 8004) Declares it is the policy of the United States that the primary use of such Fund is for maintaining the constructed widths and depths of the commercial ports and harbors of the United States and those functions should be given first consideration in the budgeting of Fund allocations.

Requires the Chief of Engineers, in allocating amounts that are made available from such Fund for operations and maintenance costs assigned to commercial navigation of all harbors and that are in excess of the amounts made available to carry out such projects in FY2014, to give priority to projects in the following order: (1) those projects that are high-use deep draft and are a priority for navigation in the Great Lakes Navigation System but that are not maintained to their constructed width and depth, (2) moderate-use and low-use port projects that have been maintained at less than their constructed width and depth, and (3) other projects that are not maintained to the minimum width and depth necessary to provide sufficient clearance for fully loaded commercial vessels. Authorizes the Secretary to prioritize other projects to address hazardous navigation conditions or impacts of natural disasters.

Requires the Secretary to submit to Congress a report each year on: (1) the amount of funds used to maintain high-use deep draft project projects at moderate-use ports and low-use ports to the constructed depth and width of the project, (2) the respective percentage of total funds provided under this Act used for high use deep draft projects and projects at moderate-use ports and low-use ports, (3) the remaining amount of funds made available to carry out this Act, and (4) any additional amounts needed to maintain the high-use deep draft projects and projects at moderate-use ports and low-use ports to their constructed depth and width.

Revises the non-federal share of the cost of operation and maintenance of a deep-draft harbor to 50% of the excess of the cost of the operation and maintenance of such project over the cost that the Secretary determines would be incurred if such project had a depth of 50 feet (currently, 45 feet).

Defines operation and maintenance activities that are eligible for the federal cost share, including: (1) the dredging of berths in a harbor that is accessible to a federal channel, if such channel has been constructed to its authorized depth; and (2) the dredging and disposal of legacy-contaminated sediments and sediments unsuitable for ocean disposal that are located in or affect the maintenance of federal navigation channels or that are located in berths that are accessible to federal channels. Prioritizes projects that have received the lowest amount of funding from such Fund in the previous three fiscal years. Establishes the maximum amount of funding available each year for operation and maintenance activities.

Authorizes the Secretary to provide funding to eligible donor ports and eligible energy transfer ports: (1) to provide payments to importers entering cargo or shippers transporting cargo through an eligible donor port or eligible energy transfer port, as calculated by U.S. Customs and Border Protection; (2) to dredge berths in a harbor that is accessible to a federal channel; (3) to dredge and dispose of legacy-contaminated sediments and sediments unsuitable for ocean disposal that are located in, or that affect, the maintenance of federal navigation channels that are located in berths that are accessible to federal channels; or (4) for environmental remediation related to dredging berths and federal navigation channels. Authorizes specified additional appropriations to such Fund for such ports for FY2014-FY2024 if the total amounts made available from the Fund exceed the total amounts made available from the Fund in FY2012.

(Sec. 8005) Requires the Comptroller General to conduct a study that: (1) evaluates the effectiveness of activities funded by such Fund in maximizing economic growth and job creation in the communities surrounding low- and moderate-use ports, and (2) includes recommendations relating to the use of amounts in such Fund to increase the competitiveness of U.S. ports relative to Canadian and Mexican ports.

**Title IX: Dam Safety** - Dam Safety Act of 2013 - (Sec. 9004) Amends the National Dam Safety Program Act to require the head of a federal agency, on request, to provide a state dam safety agency with information on the condition and provisions for emergency operations of a dam the failure of which would affect the state.

(Sec. 9005) Includes as an objective of the National Dam Safety Program the development and implementation of a comprehensive dam safety hazard education and public awareness program to assist the public in preparing for, mitigating, responding to, and recovering from dam incidents. Directs the FEMA Administrator to carry out such a public awareness and outreach program nationwide. Authorizes the Administrator to invite representatives from nongovernmental organizations to participate in meetings of the National Dam Safety Review Board.

(Sec. 9007) Authorizes appropriations for the National Dam Safety Program for FY2014-FY2018, the national dam inventory, public awareness, research, dam safety training, and staff. Prohibits the amount allocated to a state for implementing a state dam safety program from exceeding the amount committed by the state to implement dam safety activities.

**Title X: Innovative Financing Pilot Projects** - Water Infrastructure Finance and Innovation Act of 2013 - (Sec. 10004) Authorizes the Secretary and the EPA Administrator to provide financial assistance to carry out pilot projects to develop critical water resources infrastructure including:

- a project for flood control or hurricane and storm damage reduction that the Secretary has determined is technically sound, economically justified, and environmentally acceptable;
- activities that are eligible for assistance under water pollution control revolving loan funds or drinking water state revolving loan funds;
- projects for enhanced energy efficiency in the operation of a public water system or a publicly owned treatment works;
- projects for repair, rehabilitation, or replacement of a treatment works, community water system, or aging water distribution or wastewater collection facility;
- brackish or sea water desalination projects, managed aquifer recharge projects, or water recycling projects; and
- acquisition of property that is integral to such water resources infrastructure projects or pursuant to an existing plan that would mitigate the environmental impacts of water resources infrastructure projects otherwise eligible for assistance under this title.

(Sec. 10008) Specifies activities that are eligible for assistance, including:

- development-phase activities;
- construction, reconstruction, rehabilitation, and replacement activities;
- the acquisition of property, environmental mitigation, construction contingencies, and acquisition of equipment;
- capitalized interest necessary to meet market requirements, reasonable required reserve funds, capital issuance expenses, and other carrying costs during construction; and
- refinancing interim construction funding, long-term project obligations, or a secured loan or loan guarantee made under this Act.

(Sec. 10009) Sets forth project eligibility criteria.

(Sec. 10010) Authorizes the Secretary or Administrator to enter into agreements to make secured loans to finance eligible project costs. Limits the amount of such a loan to the lesser of: (1) 49% of the reasonably anticipated eligible project costs, and (2) the amount of the senior project obligations of the project if the loan does not receive an investment-grade rating. Authorizes the Secretary or Administrator to establish fees to cover the costs of making such loans. Limits the total amount of federal assistance for such projects to 80% of the total project costs. Except from such limitation any rural water project that is authorized to be carried out by the Secretary of the Interior and that has an Indian tribe as beneficiary.

Authorizes the Secretary or Administrator to provide a loan guarantee in lieu of making a secured loan if the Secretary or Administrator determines that the budgetary cost of such guarantee is substantially the same as that of a secured loan.

(Sec. 10011) Requires the Secretary or the Administrator to establish a uniform system to service the federal credit instruments made available under this title. Authorizes the Secretary or the Administrator to collect and spend fees, contingent on authority being provided in appropriations acts, at a level that is sufficient to cover the costs of services of experts in the field of municipal and project finance and the costs of servicing such instruments. Authorizes the Secretary or the Administrator to: (1) appoint a financial entity to assist in servicing such instruments, and (2) retain the services of organizations and entities with expertise in such field for such assistance.

(Sec. 10014) Authorizes appropriations for FY2014-FY2018 to carry out this title.

(Sec. 10015) Requires the Secretary or the Administrator to report every two years on the financial performance of, and public benefit provided by, projects that have received assistance under this title.

(Sec. 10016) Prohibits amounts made available under this Act from being used for the construction, alteration, maintenance, or repair of a project eligible for assistance under this title unless all of the iron, steel, and manufactured goods (goods) used in the project are produced in the United States. Exempts from such prohibition cases in which the Secretary finds that: (1) applying such prohibition would be inconsistent with the public interest, (2) such goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality, or (3) including such goods will increase the cost of the overall project by more than 25%.

**Title XI: Extreme Weather** - (Sec. 11002) Requires the Secretary to enter into an arrangement with the National Academy of Sciences to carry out a study and make recommendations relating to infrastructure and coastal restoration options for reducing risk to human life and property from extreme weather events, such as hurricanes, coastal storms, and inland flooding.

(Sec. 11003) Requires the Comptroller General to submit to Congress a study of the strategies used by the Corps for the comprehensive management of water resources in response to floods, storms, and droughts, including a historical review of the ability of the Corps to manage and respond to historical drought, storm, and flood events.

(Sec. 11004) Authorizes the Secretary: (1) in an area that the President has declared a major disaster, to carry out a watershed assessment to identify specific flood risk reduction, hurricane and storm damage reduction, or ecosystem restoration or navigation project recommendations that will help to rehabilitate and improve the resiliency of damaged infrastructure and natural resources to reduce risks to human life and property from future natural disasters; and (2) to carry out one or more small projects identified under such assessment that the Secretary would otherwise be authorized to carry out under specified Acts. Requires such an assessment to be initiated within two years after the declaration of a major disaster. Limits the federal share of the cost of carrying out a watershed assessment to \$1 million. Authorizes appropriations for FY2014-FY2018.

(Sec. 11005) Authorizes the Secretary to accept and expend amounts provided by non-federal interests for repairing, restoring, or replacing water resources projects that have been damaged or destroyed as a result of a major disaster or other emergency if it would be in the public interest.

**Title XII: National Endowment for the Oceans** - National Endowment for the Oceans Act - (Sec. 12004) Authorizes the Secretary of Commerce and the National Fish and Wildlife Foundation to establish the National Endowment for the Oceans as a permanent endowment fund to provide grants to support programs and activities intended to restore, protect, maintain, or understand living marine resources and habitats and ocean, coastal, and Great Lakes resources.

Subjects any amounts received by the Foundation pursuant to this title to the provisions of the National Fish and Wildlife Establishment Act.

Provides for the allocation and expenditure of funds from the Endowment.

Requires programs and activities that are funded by the Endowment and that are located in the Great Lakes States to seek to attain the goals embodied in the Great Lakes Restoration Initiative Plan, the Great Lakes Regional Collaboration Strategy, the Great Lakes Water Quality Agreement, or other collaborative planning efforts of the Great Lakes Region.

Prohibits endowment funds from being used to fund litigation.

(Sec. 12006) Requires the Foundation to establish: (1) grant application, review, and approval procedures; (2) eligibility criteria; (3) performance accountability and monitoring measures for programs and activities funded; and (4) an advisory panel to review and make recommendations regarding grant applications.

Sets forth a formula for the Foundation to use in determining the amount to award to coastal states. Limits the maximum amount that may be allocated to any single state or to American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, or the Virgin Islands.

Requires coastal states, in order to be eligible to receive a grant, to submit to the Secretary a five-year plan that includes a prioritized list of goals the state intends to achieve during such period.

(Sec. 12007) Requires the Foundation to report annually on the operation of the Endowment.

(Sec. 12008) Provides for a land exchange between the Tulsa Port of Catoosa and the United States.

**Title XIII: Miscellaneous** - (Sec. 13001) Requires the Administrator of EPA to require certification of compliance with the Spill Prevention Control, and Countermeasure rule from farms with tanks with specified above-ground storage capacities.

Requires the Administrator to: (1) study exemptions from such certification requirements for tanks with not more than 6,000 gallons and not less than 2,500 gallons; and (2) promulgate a rule to adjust the exemption levels in accordance with such study.

(Sec. 13002) Authorizes the Secretary to participate in the America the Beautiful National Parks and Federal Recreational Lands Pass program in the same manner as the National Park Service, the Bureau of Land Management (BLM), FWS, the Forest Service, and the Bureau of Reclamation, including the provision of free annual passes to active duty military personnel and dependents.