



Important WRDA 2020 Provisions

May 5th, 2020

The Senate Environment and Public Works Committee has scheduled a markup of the Water Resources Development Act for this Wednesday at 10 am [[Click here for a link to the webcast](#)]. Last week, the committee released a Discussion Draft of the bill and solicited comments and amendments. Please note that the committee has dubbed the bill “America’s Water Infrastructure Act of 2020” (AWIA), however we continue to use WRDA as it has been widely known by that acronym for decades. We reviewed the Discussion Draft and found the following provisions to be of particular importance. Note that section numbers and language may change in the final bill approved by committee. We’ll have a report on that final language next week.

Dredging & Beneficial Use

Thin Layer Placement

Section 1012 increases the authorized number of beneficial use projects from 20 to 40.

Non-Federal Use of USFWS Funds for Mitigation of Impacts Caused by Federal Channels

Section 1018 allows USFWS funds to be used as the non-Federal cost share for Sec 111 of the CAP programs.

Development of Regional Sediment Management Plans

Section 1019 directs each Corps district to develop a 5-year sediment management plan at full Federal expense.

Changes to the Section 204 Regional Sediment Management Program Section 1095

Removes the requirement that the dredged material come from the maintenance of a Federal navigation channel so that the sand can come from the construction of a Federal project. Allows the additional cost of some Section 204 projects to come from Federal O&M funds, rather than construction funds.

Beneficial use of Dredge material

Section 1080 - The Secretary shall ensure that when evaluating the placement of dredged materials from O&M projects that the Corps of Engineers considers:

- (1) the suitability of the material to be dredged for a full range of beneficial uses
- (2) the economic and environmental benefits and impacts, and feasibility, of using the material for those beneficial uses

Nature Based Features & Recreation

Nature based features for small flood control projects Section 1098

Allows nature-based features to be used in CAP Sec 205 small flood control projects.

Maximize Recreation for Corps of Engineers owned facilities

Section 1096 – The Secretary, in coordination with local, state and non-Federal sponsors, shall develop recommendations for improving recreational access to projects owned and operated by the Corps of Engineers.

Shore Protection (Includes Great Lakes)

Great Lakes

Section 1002 Directs the Secretary and other Federal agencies to submit a report to congress that describes the results of a comprehensive study to address shoreline protection and resiliency affected by flooding in 2019 due to high water levels, including an examination of structural and non-structural (includes nature based features) for flood protection.

New York Flood Protection Study

Section 1003: Disguised as an additional study under the North Atlantic Coastal Comprehensive Study, this section directs the Secretary to carry out a study to determine the feasibility for protecting a major metropolitan area.

Project Authorizations & Expedited Completion

Authorized Coastal Storm Damage Reduction Studies

Section 1201 Authorizes several studies that had been included in the Assistant Secretary's Section 7001 Report provided to Congress in January including --

- (1) The project for coastal storm risk management, Newbury and Newburyport, Massachusetts.

Expedited Completion

Section 1202 Directs the Corps to expedite completion of several studies including:

- (1) The project for hurricane and storm damage risk reduction, Carolina Beach, North Carolina.
- (2) The project for hurricane and storm damage risk reduction, Wrightsville Beach, North Carolina.

Corps Programs, Projects and Studies

Continuing Authorities Program for Small and Disadvantaged Communities

Section 1017 allows the cost share for small and disadvantaged communities to be reduced anywhere from 10-100% of the total non-Federal cost. This includes hurricane and storm damage reduction but not shore protection.

South Atlantic Coastal Comprehensive Study Annual Briefings and Reports

Section 1072 directs the Secretary to provide an annual report to the Senate Environment and Public Works Committee and the House Transportation and Infrastructure Committee.

East Rockaway

Section 1091 Authorizes the East Rockaway Inlet project for hurricane and storm damage reduction and modifies its cost-sharing formula.