

(II) are undergoing a post-authorization change report, general reevaluation report, or limited reevaluation report;

(B) identify those projects on the list required under subparagraph (A) that meet the criteria described in paragraph (1); and

(C) provide a plan for expeditiously completing the projects identified under subparagraph (B), subject to available funding.

(b) Prioritization of ecosystem restoration efforts

For authorized projects with a primary purpose of ecosystem restoration, the Secretary shall give funding priority to projects—

(1) that—

(A) address an identified threat to public health, safety, or welfare;

(B) preserve or restore ecosystems of national significance; or

(C) preserve or restore habitats of importance for federally protected species, including migratory birds; and

(2) for which the restoration activities will contribute to other ongoing or planned Federal, State, or local restoration initiatives.

(Pub. L. 113–121, title I, §1011, June 10, 2014, 128 Stat. 1217.)

CODIFICATION

Section was enacted as part of the Water Resources Reform and Development Act of 2014, and not as part of the Water Resources Development Act of 1986 which comprises this chapter.

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 113–121, set out as a note under section 2201 of this title.

§ 2342. Access to water resource data

(a) In general

The Secretary shall carry out a program to provide public access to water resources and related water quality data in the custody of the Corps of Engineers.

(b) Data

Public access under subsection (a) shall—

(1) include, at a minimum, access to data generated in water resources project development and regulation under section 1344 of this title; and

(2) appropriately employ geographic information system technology and linkages to water resource models and analytical techniques.

(c) Partnerships

To the maximum extent practicable, in carrying out activities under this section, the Secretary shall develop partnerships, including cooperative agreements, with State, tribal, and local governments and other Federal agencies.

(d) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$3,000,000 for each fiscal year.

(Pub. L. 110–114, title II, §2017, Nov. 8, 2007, 121 Stat. 1077.)

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 2007, and not as part of the Water

Resources Development Act of 1986 which comprises this chapter.

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 110–114, set out as a note under section 2201 of this title.

§ 2343. Independent peer review

(a) Project studies subject to independent peer review

(1) In general

Project studies shall be subject to a peer review by an independent panel of experts as determined under this section.

(2) Scope

The peer review may include a review of the economic and environmental assumptions and projections, project evaluation data, economic analyses, environmental analyses, engineering analyses, formulation of alternative plans, methods for integrating risk and uncertainty, models used in evaluation of economic or environmental impacts of proposed projects, and any biological opinions of the project study.

(3) Project studies subject to peer review

(A) Mandatory

A project study shall be subject to peer review under paragraph (1) if—

(i) the project has an estimated total cost of more than \$200,000,000, including mitigation costs, and is not determined by the Chief of Engineers to be exempt from peer review under paragraph (6);

(ii) the Governor of an affected State requests a peer review by an independent panel of experts; or

(iii) the Chief of Engineers determines that the project study is controversial considering the factors set forth in paragraph (4).

(B) Discretionary

(i) Agency request

A project study shall be considered by the Chief of Engineers for peer review under this section if the head of a Federal or State agency charged with reviewing the project study determines that the project is likely to have a significant adverse impact on environmental, cultural, or other resources under the jurisdiction of the agency after implementation of proposed mitigation plans and requests a peer review by an independent panel of experts.

(ii) Deadline for decision

A decision of the Chief of Engineers under this subparagraph whether to conduct a peer review shall be made within 21 days of the date of receipt of the request by the head of the Federal or State agency under clause (i).

(iii) Reasons for not conducting peer review

If the Chief of Engineers decides not to conduct a peer review following a request under clause (i), the Chief shall make publicly available, including on the Internet,