

**(3) Separable element**

The term “separable element” has the meaning provided by section 2213(f) of this title.

**(4) Shore**

The term “shore” includes each shoreline of the Atlantic and Pacific Oceans, the Gulf of Mexico, the Great Lakes, and lakes, estuaries, and bays directly connected therewith.

**(5) Shore protection project**

The term “shore protection project” includes a project for beach nourishment, including the replacement of sand.

(Aug. 13, 1946, ch. 960, §6, as added Pub. L. 104-303, title II, §227(e)(1), Oct. 12, 1996, 110 Stat. 3702.)

**§ 426i. Shore damage prevention or mitigation****(a) In general**

The Secretary of the Army is authorized to investigate, study, plan, and implement structural and nonstructural measures for the prevention or mitigation of shore damages attributable to Federal navigation works and shore damage attributable to the Atlantic Intracoastal Waterway and the Gulf Intracoastal Waterway, if a non-Federal public body agrees to operate and maintain such measures, and, in the case of interests in real property acquired in conjunction with nonstructural measures, to operate and maintain the property for public purposes in accordance with regulations prescribed by the Secretary.

**(b) Cost sharing**

The costs of implementing measures under this section shall be cost-shared in the same proportion as the cost-sharing provisions applicable to the project causing the shore damage.

**(c) Requirement for specific authorization**

No such project shall be initiated without specific authorization by Congress if the Federal first cost exceeds \$10,000,000.

**(d) Coordination**

The Secretary shall—

(1) coordinate the implementation of the measures under this section with other Federal and non-Federal shore protection projects in the same geographic area; and

(2) to the extent practicable, combine mitigation projects with other shore protection projects in the same area into a comprehensive regional project.

(Pub. L. 90-483, title I, §111, Aug. 13, 1968, 82 Stat. 735; Pub. L. 99-662, title IX, §§915(f), 940, Nov. 17, 1986, 100 Stat. 4191, 4199; Pub. L. 106-53, title II, §214, Aug. 17, 1999, 113 Stat. 291; Pub. L. 113-121, title I, §1030(c), June 10, 2014, 128 Stat. 1232.)

## AMENDMENTS

2014—Subsec. (c). Pub. L. 113-121 substituted “\$10,000,000” for “\$5,000,000”.

1999—Pub. L. 106-53 designated first sentence as subsec. (a), inserted heading, and inserted “and shore damage attributable to the Atlantic Intracoastal Waterway and the Gulf Intracoastal Waterway” after “navigation

works”, designated second sentence as subsec. (b) and inserted heading, and designated third sentence as subsec. (c), inserted heading, and substituted “\$5,000,000” for “\$2,000,000”, and added subsec. (d).

1986—Pub. L. 99-662, §940, amended section generally. Prior to amendment, section read as follows: “The Secretary of the Army, acting through the Chief of Engineers, is authorized to investigate, study, and construct projects for the prevention or mitigation of shore damages attributable to Federal navigation works. The cost of installing, operating, and maintaining such projects shall be borne entirely by the United States. No such project shall be constructed without specific authorization by Congress if the estimated first cost exceeds \$2,000,000.”

Pub. L. 99-662, §915(f), substituted “\$2,000,000” for “\$1,000,000”.

## EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by section 915(f) of Pub. L. 99-662 not applicable to any project under contract for construction on Nov. 17, 1986, see section 915(i) of Pub. L. 99-662, set out as a note under section 426g of this title.

**§ 426i-1. Repealed. Pub. L. 113-121, title I, § 1014(c)(2), June 10, 2014, 128 Stat. 1222**

Section, Pub. L. 102-580, title II, §206, Oct. 31, 1992, 106 Stat. 4828; Pub. L. 104-303, title II, §227(c)(2), Oct. 12, 1996, 110 Stat. 3700, related to construction of shoreline protection projects by non-Federal interests.

**§ 426i-2. National coastal data bank****(1) Establishment of data bank**

Not later than 2 years after August 17, 1999, the Secretary shall establish a national coastal data bank containing data on the geophysical and climatological characteristics of the shores of the United States.

**(2) Content**

To the extent practicable, the national coastal data bank shall include data regarding current and predicted shore positions, information on federally authorized shore protection projects, and data on the movement of sand along the shores of the United States, including impediments to such movement caused by natural and manmade features.

**(3) Access**

The national coastal data bank shall be made readily accessible to the public.

(Pub. L. 106-53, title II, §215(d), Aug. 17, 1999, 113 Stat. 293.)

## “SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 106-53, set out as a note under section 2201 of this title.

**§ 426j. Repealed. Pub. L. 110-114, title II, § 2037(b)(1), Nov. 8, 2007, 121 Stat. 1096**

Section, Pub. L. 94-587, §145, Oct. 22, 1976, 90 Stat. 2931; Pub. L. 99-662, title IX, §933, Nov. 17, 1986, 100 Stat. 4197; Pub. L. 100-676, §35, Nov. 17, 1988, 102 Stat. 4031; Pub. L. 102-580, title II, §207, Oct. 31, 1992, 106 Stat. 4829; Pub. L. 106-53, title II, §217(a), Aug. 17, 1999, 113 Stat. 294, related to placement on State beaches of sand dredged in constructing and maintaining navigation inlets and channels adjacent to such beaches.

## EXISTING PROJECTS

Pub. L. 110-114, title II, §2037(b)(2), Nov. 8, 2007, 121 Stat. 1096, provided that: “The Secretary [of the Army]