

to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Environment and Public Works of the Senate a statement of such findings. In the one-year period after authorization for construction of such project, the Chief of Engineers is authorized to undertake planning, engineering, and design for such project.

**(b) Omitted**

**(c) Authorizations as additions to other authorizations**

The authorization made by this section shall be in addition to any other authorizations for planning, engineering, and design of water resources development projects and shall not be construed as a limitation on any other such authorization.

(Pub. L. 99-662, title IX, §910, Nov. 17, 1986, 100 Stat. 4189.)

**CODIFICATION**

Subsec. (b) of this section, which required the Secretary to prepare and transmit an annual report to certain committees of Congress on activities undertaken under this section, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 72 of House Document No. 103-7.

**CHANGE OF NAME**

Committee on Public Works and Transportation of House of Representatives treated as referring to Committee on Transportation and Infrastructure of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

**§ 2288. Repealed. Pub. L. 113-121, title I, § 1004, June 10, 2014, 128 Stat. 1199**

Section, Pub. L. 99-662, title IX, §911, Nov. 17, 1986, 100 Stat. 4189, related to review of cost effectiveness of design.

**§ 2289. Urban and rural flood control frequency**

In the preparation of feasibility reports for projects for flood damage prevention in urban and rural areas, the Secretary may consider and evaluate measures to reduce or eliminate damages from flooding without regard to frequency of flooding, drainage area, and amount of runoff. This section shall apply with respect to any project, or separable element thereof, the Federal share of the cost of which is less than \$3,000,000.

(Pub. L. 99-662, title IX, §914, Nov. 17, 1986, 100 Stat. 4190.)

**§ 2289a. Consideration of measures**

**(a) Definitions**

In this section, the following definitions apply:

**(1) Natural feature**

The term “natural feature” means a feature that is created through the action of physical, geological, biological, and chemical processes over time.

**(2) Nature-based feature**

The term “nature-based feature” means a feature that is created by human design, engi-

neering, and construction to provide risk reduction by acting in concert with natural processes.

**(b) Requirement**

In studying the feasibility of projects for flood risk management, hurricane and storm damage reduction, and ecosystem restoration the Secretary shall, with the consent of the non-Federal sponsor of the feasibility study, consider, as appropriate—

- (1) natural features;
- (2) nature-based features;
- (3) nonstructural measures; and
- (4) structural measures.

**(c) Report to Congress**

**(1) In general**

Not later than February 1, 2020, and 5 and 10 years thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the implementation of subsection (b).

**(2) Contents**

The report under paragraph (1) shall include, at a minimum, the following:

(A) A description of guidance or instructions issued, and other measures taken, by the Secretary and the Chief of Engineers to implement subsection (b).

(B) An assessment of the costs, benefits, impacts, and trade-offs associated with measures recommended by the Secretary for coastal risk reduction and the effectiveness of those measures.

(C) A description of any statutory, fiscal, or regulatory barriers to the appropriate consideration and use of a full array of measures for coastal risk reduction.

(Pub. L. 114-322, title I, §1184, Dec. 16, 2016, 130 Stat. 1679; Pub. L. 115-270, title I, §1149(b), Oct. 23, 2018, 132 Stat. 3787.)

**CODIFICATION**

Section was enacted as part of the Water Resources Development Act of 2016, and also as part of the Water Infrastructure Improvements for the Nation Act, also known as the WIIN Act, and not as part of the Water Resources Development Act of 1986 which comprises this chapter.

**AMENDMENTS**

2018—Subsec. (a)(2). Pub. L. 115-270 struck out “in coastal areas” after “risk reduction”.

**“SECRETARY” DEFINED**

Secretary means the Secretary of the Army, see section 1002 of Pub. L. 114-322, set out as a note under section 2201 of this title.

**§ 2290. Flood control in Trust Territory of the Pacific Islands**

The Secretary is authorized to use the authority contained in section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), section 2 of the Flood Control Act of August 28, 1937 (33 U.S.C. 701g), section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r), section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), section 3 of the Act