

(7) Applicability

After the date of issuance of the revisions to the principles and guidelines, the revisions shall apply—

(A) to all water resources projects carried out by the Secretary, other than projects for which the Secretary has commenced a feasibility study before the date of such issuance;

(B) at the request of a non-Federal interest, to a water resources project for which the Secretary has commenced a feasibility study before the date of such issuance; and

(C) to the reevaluation or modification of a water resources project, other than a reevaluation or modification that has been commenced by the Secretary before the date of such issuance.

(8) Existing studies

Revisions to the principles and guidelines issued under paragraph (2) shall not affect the validity of any completed study of a water resources project.

(9) Recommendation

Upon completion of the revisions to the principles and guidelines for use by the Secretary, the Secretary shall make a recommendation to Congress as to the advisability of repealing subsections (a) and (b) of section 1962d-17 of this title.

(Pub. L. 110-114, title II, §2031, Nov. 8, 2007, 121 Stat. 1082.)

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 2007, and not as part of the Water Resources Planning Act 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 Title 33, Navigation and Navigable Waters.

§ 1962-4. Implementation of water resources principles and requirements**(a) In general**

Not later than 180 days after December 27, 2020, the Secretary shall issue final agency-specific procedures necessary to implement the principles and requirements and the interagency guidelines.

(b) Development of future water resources development projects

The procedures required by subsection (a) shall ensure that the Secretary, in the formulation of future water resources development projects—

(1) develops such projects in accordance with—

(A) the guiding principles established by the principles and requirements; and

(B) the national water resources planning policy established by section 1962-3(a) of this title; and

(2) fully identifies and analyzes national economic development benefits, regional economic development benefits, environmental quality benefits, and other societal effects.

(c) Review and update

Every 5 years, the Secretary shall review and, where appropriate, revise the procedures required by subsection (a).

(d) Public review, notice, and comment

In issuing, reviewing, and revising the procedures required by this section, the Secretary shall—

(1) provide notice to interested non-Federal stakeholders of the Secretary’s intent to revise the procedures;

(2) provide opportunities for interested non-Federal stakeholders to engage with, and provide input and recommendations to, the Secretary on the revision of the procedures; and

(3) solicit and consider public and expert comments.

(e) Definitions

In this section:

(1) Interagency guidelines

The term “interagency guidelines” means the interagency guidelines contained in the document finalized by the Council on Environmental Quality pursuant to section 1962-3 of this title in December 2014, to implement the principles and requirements.

(2) Principles and requirements

The term “principles and requirements” means the principles and requirements contained in the document prepared by the Council on Environmental Quality pursuant to section 1962-3 of this title, entitled “Principles and Requirements for Federal Investments in Water Resources”, and dated March 2013.

(Pub. L. 116-260, div. AA, title I, §110, Dec. 27, 2020, 134 Stat. 2624.)

CODIFICATION

Section was enacted as a part of the Water Resources Development Act of 2020, and not as a part of the Water Resources Planning Act which comprises this chapter.

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 2 of div. AA of Pub. L. 116-260, set out as a note under section 2201 of Title 33, Navigation and Navigable Waters.

SUBCHAPTER I—WATER RESOURCES
COUNCIL**§ 1962a. Establishment; composition; other Federal agency participation; designation of Chairman**

There is hereby established a Water Resources Council (hereinafter referred to as the “Council”) which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Secretary of Commerce, the Secretary of Housing and Urban Development, the Secretary of Transportation, the Administrator of the Environmental Protection Agency, and the Secretary of Energy. The Chairman of the Council shall request the heads of other Federal agencies to participate with the Council when matters affecting their responsibilities are considered by the Council. The Chairman of the Council shall be designated by the President.