

(4) Omissions

(A) Limitation

The Secretary shall not omit from a report submitted under this section a study or project that otherwise meets the criteria for inclusion in the report solely on the basis of a policy of the Secretary.

(B) Appendix

If the Secretary omits from a report submitted under this section a study or project that otherwise meets the criteria for inclusion in the report, the Secretary shall include with the report an appendix that lists the name of the study or project and reason for its omission.

(c) Submission to Congress; publication

(1) Submission to Congress

The Secretary may submit a report under this section in conjunction with the submission of the annual report under section 2282d of this title.

(2) Publication

On submission of each report under this section, the Secretary shall make the report publicly available, including through publication on the internet.

(d) Definitions

In this section:

(1) Non-Federal interest

The term “non-Federal interest” has the meaning given that term in section 1962d-5b of title 42.

(2) Water resources development project

The term “water resources development project” includes a separable element of a project, a project under an environmental infrastructure assistance program, and a project the authorized purposes of which include water supply.

(Pub. L. 116-260, div. AA, title II, §222, Dec. 27, 2020, 134 Stat. 2694.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 2020, and not as part of the Water Resources Development Act of 1986 which comprises this chapter.

Statutory Notes and Related Subsidiaries

“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 this title.

§ 2282e. Post-authorization change reports

(a) In general

The completion of a post-authorization change report prepared by the Corps of Engineers for a water resources development project—

- (1) may not be delayed as a result of consideration being given to changes in policy or priority with respect to project consideration; and

(2) shall be submitted, upon completion, to—

(A) the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Transportation and Infrastructure of the House of Representatives.

(b) Completion review

With respect to a post-authorization change report subject to review by the Secretary, the Secretary shall, not later than 120 days after the date of completion of such report—

- (1) review the report; and
- (2) provide to Congress any recommendations of the Secretary regarding modification of the applicable water resources development project.

(c) Prior reports

Not later than 120 days after December 16, 2016, with respect to any post-authorization change report that was completed prior to December 16, 2016, and is subject to a review by the Secretary that has yet to be completed, the Secretary shall complete review of, and provide recommendations to Congress with respect to, the report.

(d) Post-authorization change report inclusions

In this section, the term “post-authorization change report” includes—

- (1) a general reevaluation report;
- (2) a limited reevaluation report; and
- (3) any other report that recommends the modification of an authorized water resources development project.

(Pub. L. 114-322, title I, §1132, Dec. 16, 2016, 130 Stat. 1653.)

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

“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.

§ 2282f. Review of resiliency assessments

(a) Resiliency assessment

(1) In general

Not later than 180 days after December 27, 2020, and in conjunction with the development of procedures under section 1962-4 of title 42, the Secretary is directed to review, and where appropriate, revise the existing planning guidance documents and regulations of the Corps of Engineers on the assessment of the effects of sea level rise or inland flooding on future water resources development projects to ensure that such guidance documents and regulations are based on the best available, peer-reviewed science and data on the current and future effects of sea level rise or inland flooding on relevant communities.