

the Army under section 401 of this title to extent that they relate generally to location and clearances of bridges and causeways in navigable waters of United States transferred to and vested in Secretary of Transportation by Pub. L. 89-670, §6(g)(6)(A), Oct. 15, 1966, 80 Stat. 941, which created Department of Transportation. Pub. L. 97-449 amended section 401 of this title to reflect transfer made by section 6(g)(6)(A) of Pub. L. 89-670, and repealed section 6(g)(6)(A).

#### HURRICANE AND STORM DAMAGE PROTECTION PROGRAM

Pub. L. 115-270, title I, §1112, Oct. 23, 2018, 132 Stat. 3775, provided that:

“(a) **IN GENERAL.**—The Secretary [of the Army] is authorized to carry out a pilot program to award single contracts for more than one authorized hurricane and storm damage reduction project in a geographical region, including projects across more than one Corps of Engineers district, if the Secretary determines that the contract provides cost savings compared to the awarding of such work on a project-by-project basis.

“(b) **PROJECT SELECTION.**—In carrying out the pilot program under subsection (a), the Secretary shall consult with relevant State agencies in selecting projects.

“(c) **CRITERIA.**—In carrying out the pilot program under subsection (a), the Secretary shall establish criteria and other considerations that—

“(1) foster Federal, State, and local collaboration;

“(2) evaluate the performance of projects being carried out under a single contract with respect to whether such projects yield any regional or multi-district benefits; and

“(3) include other criteria and considerations that the Secretary determines to be appropriate.

“(d) **REPORT.**—Not later than 1 year after the date of enactment of this Act [Oct. 23, 2018], and annually 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 that includes findings and recommendations of the Secretary with respect to the projects completed under the pilot program carried out under subsection (a).

“(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$75,000,000.

“(f) **TERMINATION.**—The authority of the Secretary to enter into contracts pursuant to the pilot program carried out under subsection (a) shall expire on the date that is 10 years after the date of enactment of this Act.”

#### § 426g-1. State and regional plans

The Secretary may—

(1) cooperate with any State in the preparation of a comprehensive State or regional plan for the conservation of coastal resources located within the boundaries of the State;

(2) encourage State participation in the implementation of the plan; and

(3) submit to Congress reports and recommendations with respect to appropriate Federal participation in carrying out the plan.

(Aug. 13, 1946, ch. 960, §4, as added Pub. L. 104-303, title II, §227(d)(2), Oct. 12, 1996, 110 Stat. 3700.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 4 of act Aug. 13, 1946, was renumbered section 5 of that act, and was classified to section 426h of this title prior to repeal by Pub. L. 104-303.

#### § 426h. Repealed. Pub. L. 110-114, title II, § 2038(b), Nov. 8, 2007, 121 Stat. 1100

Section, act Aug. 13, 1946, ch. 960, §5, as added Pub. L. 104-303, title II, §227(e)(1), Oct. 12, 1996, 110 Stat. 3700;

amended Pub. L. 106-53, title V, §581, Aug. 17, 1999, 113 Stat. 375; Pub. L. 109-234, title II, §2305, June 15, 2006, 120 Stat. 456; Pub. L. 110-161, div. C, title I, §113, Dec. 26, 2007, 121 Stat. 1944, related to national shoreline erosion control development and demonstration program.

A prior section 426h, acts Aug. 13, 1946, ch. 960, §5, formerly §4, 60 Stat. 1057; July 28, 1956, ch. 768, 70 Stat. 703; renumbered §5, Oct. 12, 1996, Pub. L. 104-303, title II, §227(d)(1), 110 Stat. 3700, defined the word “shores” as used in sections 426e to 426h of this title, prior to repeal by Pub. L. 104-303, title II, §227(e)(1), Oct. 12, 1996, 110 Stat. 3700.

#### § 426h-1. Definitions

In sections 426e and 426f to 426h-1 of this title, the following definitions apply:

##### (1) Erosion control program

The term “erosion control program” means the national shoreline erosion control development and demonstration program established under this section.

##### (2) Secretary

The term “Secretary” means the Secretary of the Army.

##### (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, including a study, shall be cost-shared in the same proportion as the cost-sharing provisions applicable to construction of 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 \$12,500,000.