



The Water Resources (Reform and) Development Act House WRRDA (H.R. 3080) versus Senate WRDA (S. 601)

	WRRDA (House)	WRDA (Senate)	Difference?
Project Authorization	Authorizes specific projects by name, all of which have completed Chief of Engineers Reports; Additional reporting on construction backlog required	Authorizes projects that have a completed Chief of Engineers Report and recommended to Congress by the Assistant Secretary for Civil Works (Jo Ellen Darcy)	Although the language is different, nearly the same set of projects are authorized for the NEMW region (see below)
Projects authorized	Fargo-Moorhead Metro (MN, ND) Cedar River, Cedar Rapids (IA) Mid-Chesapeake Bay Island (MD) Marsh Lake (MN)	Fargo-Moorhead Metro (MN, ND) Cedar River, Cedar Rapids (IA) Marsh Lake (MN) Likely to be authorized by passage in 113 th Congress: Mid-Chesapeake Bay Island (MD) Boston Harbor (MA) Searsport Harbor (ME)	Language differences allow for potentially more projects in the NEMW region to be authorized under the Senate version by the time of passage, which may allow the Boston Harbor (MA) and Searsport Harbor (ME) projects to receive Congressional authorization
Future Project Authorization	Annual Report to Congress required; Projects included must be submitted by a non-federal sponsor, be reviewed by the Corps, and meet criteria established in the bill; Only projects within the report can be considered for future authorization by Congress	Expedited process to consider future project authorizations and bills, that have been recommended to Congress by the Assistant Secretary of the Army (ASA) for Civil Works, in Committee and on the floor; Expedited procedure sunsets 2018	House includes the requirement to request non-federal sponsors to propose projects for consideration by the Army Corps; the requirements within both bills (whether described or conveyed through the ASA recommendation) are similar

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Environmental Streamlining	<p>Delegates authority of environmental reviews to Corps; Encourages use of programmatic reviews; Concurrent environmental reviews; Time limits for comment periods on Draft EIS (60 days) and other decisions; Failure to make a decision results in assumption of agreement; Exempts repair/reconstruction of a federally disaster area to original state from environmental review</p>	<p>Delegates authority of environmental reviews to Corps; Encourages use of programmatic reviews; Concurrent environmental reviews; Time limits for comment periods on Draft EIS (60 days) and other decisions; Financial penalties if deadlines not met; Requires concurrence of all agencies to develop a coordination plan/set deadlines; Additional flexibility to adapt deadlines based on new information</p>	<p>House bill does not include the financial penalties for not making deadlines as in the Senate bill; not making the deadline in the House bill assumes the agency agrees with the review's contents; More specific flexibility in changing deadlines is included in Senate language</p>
Invasive Species	<p>Requires a review of tonnage through Upper St. Anthony's Lock and Dam and closure if under a certain level (considered for closure in Upper Mississippi CARP Act); Aquatic Invasive Species are added to the authorized eradication and control program for noxious aquatic plants; McCollum/Kelly bill designating USFWS to coordinate Asian carp efforts in Upper Mississippi and Ohio Rivers; GAO study on impacts of aquatic invasive species, including federal assets and current spending on prevention</p>	<p>Brown/Toomey bill designating USFWS to coordinate Asian carp efforts in Upper Mississippi and Ohio Rivers; Requires review of existing authorities to respond to invasive species and make recommendations to Congress and state agencies for improving federal and state laws to respond to invasive species; Authorization to implement emergency and interim measures from Army Corps reports to prevent invasive species from entering the Great Lakes from the Mississippi River</p>	<p>Addition of amendments (on floor and in committee) added invasive species aspects to both bills; amendments focus on ability of agencies to respond to invasive species threats and improvements;</p>

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Pilot Financing Program	For already-authorized projects; Corps required to identify 15 projects for the program; Cost-share provisions remain; Requires a report on impediments to further use of the pilot program and rules to address them	Lays out requirements for programs to be included (credit worthiness, benefit to public, max cost of \$20 M, etc.); Limits on secured loans; Authorizes \$50 M plus \$2.2 M for admin through FY2018; Biennial report to Congress	No specific authorization or sunset of authorization in House bill as in Senate; Senate bill limits project numbers by authorization level whereas House requires at least 15 projects as part of program
Storm damage reduction	Study under the Sandy Supplemental Appropriations Act required to include recommendations; Requires review of emergency response to natural disasters, including a comparison of rebuilding to previous specifications versus rebuilding to a specific level of protection; Requires inclusion of the Hurricane Sandy Rebuilding Task Force’s work, which includes reference to the need for higher resiliency in the future Non-structural alternatives, including dunes and coastal wetlands, are added to consideration when planning post-storm reconstruction	Study under the Sandy Supplemental Appropriations Act required to include recommendations; Requires a GAO study on the Corps’ water management response, including evaluation of reducing long-term costs and vulnerability through resilient construction; Encourages restoration of federal projects to authorized levels of protection; Establishes 7 funding priorities to restore protective measures from hurricane and storm damage, including impacts on wetlands, human life, and infrastructure; Requires development of a plan to complete hurricane and storm damage reduction projects that have been authorized for over 20 years but are less than 75% complete; Authorizes watershed assessments in declared major disaster areas to identify projects to and reduce risks and rehabilitate damaged infrastructure; Requires National Academy of Sciences (NAS) report on options to reduce risk from extreme weather	Both bills add the requirement to include recommendations in the study required under the Sandy Supplemental Appropriations Act ; Both bills also require a review of Corps’ response to disasters, but Senate specifies it as a GAO study; Senate also requires a National Academy of Sciences study on reducing risk from extreme weather; Senate includes additional direction on resilient development

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Levee safety	<p>Authorizes the Secretary to provide technical assistance to states and local governments on levee safety, given a minimum level of state spending on levee safety;</p> <p>Requires establishment of Federal levee safety guidelines;</p> <p>Requires a review of the Corps guidelines on vegetation management on levees and a report on recommendations and prohibits removal of vegetation until policy updated;</p>	<p>Establishes a national program for levee safety with the Federal Emergency Management Agency;</p> <p>Authorizes the Secretary to provide technical assistance to states and tribes on levee safety, given a minimum level of state spending on levee safety;</p> <p>Establishes a National Levee Safety Board;</p> <p>Requires a review of the Corps guidelines on vegetation management on levees and a report on recommendations</p>	<p>Both bills require review of the vegetation policy as well as authorize technical assistance to states on levee safety, given states invest own resources (Senate bill also includes tribes);</p> <p>Senate bill includes a national levee safety program and establishes a National Levee Safety Board</p>
Flood control	<p>Allows Corps to implement a non-federal interest's plan to provide greater flood protections, if economically and environmentally favorable; Additional cost paid by the non-federal interest;</p> <p>Requires a plan for communicating emergency flood and water levels risk in a timely fashion</p>	<p>Requires a study of the greater Mississippi River Basin existing flood control and navigation infrastructure to improve management of water resource projects, including flooding, drought, and infrastructure;</p> <p>Requires a study of the greater Mississippi River Basin existing flood control and navigation infrastructure</p>	<p>Greater specific focus on the Mississippi River flood control and navigation in the Senate bill;</p> <p>Both allow a non-federal plan for flood control to be put into place as long as the non-federal sponsor pays the difference</p>
Beach nourishment	Not addressed	Allows temporary extension of up to 3 years of beach nourishment while the Corps reviews whether to extend federal nourishment for up to an additional 15 years	Projects with an initial 50-year nourishment plan are beginning to expire in the coming 5-10 years

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Harbor Maintenance Trust Fund (HMTF)	<p>Expands use of HMTF beyond authorized operations and maintenance (O&M) for donor ports as long as the amount appropriated from the HMTF exceeds a threshold, which begins at 65% of collected revenue and increases to 80% by FY2020;</p> <p>Sense of Congress that increases in HMTF spending should increase O&M spending while not decreasing funding for other programs;</p> <p>Requires review of all O&M needs;</p> <p>Encourages equitable consideration and funding of O&M for all commercial harbors based on more than just tonnage;</p> <p>Allows non-federal interests to apply for O&M based on economic and other interests;</p> <p>Sets aside 10% of HMTF O&M expenditures for harbors <1 M tons;</p> <p>Establishes the Great Lakes as a single navigation system for purposes of funding (as in H.R. 2273);</p> <p>Requires a GAO study on use of HMTF funds in low- and moderate-use ports;</p> <p>Requires inclusion of expanded uses of HMTF when submitting annual budget request</p>	<p>Sets aside 20% of harbor maintenance funds in excess of FY2012 levels for Great Lakes projects (other 80% is for high-use, deep draft ports);</p> <p>Sets specific funding levels out of the HMTF starting at \$1 B in FY2014 and rising to full HMTF receipts by 2020, however these are not binding if other Corps programs would be impacted;</p> <p>Directs 10% of funding to low- and medium-use harbors with significant local investments when deep-draft ports fully maintained</p> <p>Requires a GAO study on use of HMTF funds in low- and moderate-use ports</p>	<p>Great Lakes provisions are different but could be combined to complement each other – 20% set-aside of funds above FY12 levels (Senate) and designation of navigation system (House);</p> <p>Both encourage consideration of other factors than simply tonnage in providing O&M funding to harbors;</p> <p>Smaller harbors receive a 10% set-aside in both bills, but the Senate version also includes moderate-use harbors (1-10M tons) whereas the House focuses exclusively on low-use harbors (<1 M tons);</p> <p>Neither bill offers explicit support for recreational harbors though may be included in 10% set-aside;</p>

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Inland waterways	<p>Requires implementation of delivery process improvements, including early contractor involvement and standard designs, and authorizes pilot projects to try out these improvements;</p> <p>Expands the authority of the Inland Waterways User Board and requires a Board member to serve on every Project Team;</p> <p>Requires development of a 20-year capital investment program with updates /review every five years;</p> <p>Requires study on efficiency of fuel tax collection and alternative collection options;</p> <p>Requires a study on alternative financing methods for projects as well as expansion of the user fee to other inland waterway users;</p> <p>Requires a roundtable on alternatives to support the Inland Waterways needs and financial difficulties with the Trust Fund;</p> <p>Requires annual reporting on all projects over \$500 M;</p> <p>Limits future contributions from the Inland Waterway Trust Fund to the Olmstead Project to 25% and eliminates the non-Federal cost share for the first \$2.3 B;</p>	<p>Requires implementation of delivery process improvements, including early contractor involvement, and authorizes pilot projects to try out these improvements;</p> <p>Expands the authority of the Inland Waterways User Board and requires a Board member to serve on every Project Team;</p> <p>Requires development of a 20-year capital investment program with updates /review every five years;</p> <p>Requires the Comptroller General to review efficiency of the fuel tax collection;</p> <p>Increases federal share of O&M on any flood gate or pumping station from 50% to 65%, applying to existing structures built as part of authorized hurricane and storm damage reduction;</p> <p>Authorizes \$25 M annually for dredging activities on shallow draft ports located on the Inland Mississippi River;</p> <p>Increases the threshold to cost-share major rehabilitation projects from \$8 M to \$20 M;</p> <p>Requires a GAO study on the Olmstead Lock and Dam project and eliminates the requirement for Inland Waterways Trust Fund to support half of project costs;</p>	<p>Neither bill included an increase in the fuel tax nor a revision of the cost-share as has proposed by industry;</p> <p>Delivery process changes are very similar in wording and in spirit as well as the changes in authority of the Inland Waterways User Board;</p> <p>Reports on the fee structure are required under both bills, though the structure and who is supposed to perform the study differ;</p> <p>The Olmstead Dam project, over budget, late, and funded through the Inland Waterways Trust Fund, is addressed in the House bill by setting a cap on the percentage of annual funding to it but also eliminating the cost share for the first \$2.3 B; Senate requires a GAO and eliminates requirement for half of the Trust Fund collections to go towards the project</p>

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Deauthorization	<p>Purpose: deauthorize \$12 B in projects to offset new authorizations; Projects authorized before WRDA 2007 that have not begun construction or received funding since July 2008 to be deauthorized after 180-day review unless non-federal interest can pay the full project cost; Sets a 7-year limit on projects to receive construction funds before automatic deauthorization;</p>	<p>Deauthorizes previously-authorized projects that have not received funding for previous seven years and included in the Secretary's report to Congress; Requires annual report to Congress on projects not receiving funding in previous five years; Creates a Deauthorization Commission to identify projects no longer in the federal interest;</p>	<p>Advised the deauthorization language does not include the Soo Locks (Michigan); Seven-year funding deadline is the same in both bills; Senate bill creates the Deauthorization Commission and provides for Congress to disapprove the entire deauthorization list to prevent deauthorization, whereas House provides the non-federal interest an opportunity to pay the full cost of a project (how realistic either situation is debatable)</p>
Specific projects deauthorized	<p>Chicago Harbor, IL Lucas-Berg Pit, Illinois Waterway and Grand Calumet River, IL Rockland Harbor, ME Corsica River, Queen Anne's County, MD Gloucester Harbor and Annisquam River, MA Ipswich River, MA Burnham Canal, WI Manitowoc Harbor, WI</p>	<p>Goose Creek, Somerset County, MD Lower thoroughfare, Deal Island, MD Thomaston Harbor, Georges River, ME Warwick Cove, RI Eightmile River, CT Burnham Canal, Milwaukee, WI</p>	<p>Overlap within the NEMW region limited to the Burnham Canal in Milwaukee, WI</p>