

Union Calendar No. 362

104TH CONGRESS
2^D SESSION

H. R. 3592

[Report No. 104-695]

A BILL

To provide for conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

JULY 22, 1996

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 1996

Mr. SHUSTER (for himself, Mr. OBERSTAR, Mr. BOEHLERT, and Mr. BORSKI) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

JULY 22, 1996

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on June 6, 1996]

A BILL

To provide for conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) *SHORT TITLE.*—*This Act may be cited as the*
 3 *“Water Resources Development Act of 1996”.*

4 (b) *TABLE OF CONTENTS.*—

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- Sec. 573. *Evaluation of beach material.*
- Sec. 574. *Sense of Congress regarding St. Lawrence Seaway tolls.*

1 **SEC. 2. DEFINITION.**

2 *For purposes of this Act, the term “Secretary” means*
 3 *the Secretary of the Army.*

4 **TITLE I—WATER RESOURCES**
 5 **PROJECTS**

6 **SEC. 101. PROJECT AUTHORIZATIONS.**

7 *Except as provided in this section, the following*
 8 *projects for water resources development and conservation*
 9 *and other purposes are authorized to be carried out by the*
 10 *Secretary substantially in accordance with the plans, and*

1 *subject to the conditions, described in the respective reports*
2 *designated in this section:*

3 (1) *AMERICAN RIVER WATERSHED, CALIFOR-*
4 *NIA.—*

5 (A) *IN GENERAL.—The project for flood*
6 *damage reduction, American and Sacramento*
7 *Rivers, California: Supplemental Information*
8 *Report for the American River Watershed*
9 *Project, California, dated March 1996, at a total*
10 *cost of \$57,300,000, with an estimated Federal*
11 *cost of \$42,975,000 and an estimated non-Fed-*
12 *eral cost of \$14,325,000, consisting of the follow-*
13 *ing:*

14 (i) *Approximately 24 miles of slurry*
15 *wall in the existing levees along the lower*
16 *American River.*

17 (ii) *Approximately 12 miles of levee*
18 *modifications along the east bank of the*
19 *Sacramento River downstream from the*
20 *Natomas Cross Canal.*

21 (iii) *3 telemeter streamflow gages up-*
22 *stream from the Folsom Reservoir.*

23 (iv) *Modifications to the existing flood*
24 *warning system along the lower American*
25 *River.*

1 (B) CREDIT TOWARD NON-FEDERAL
2 SHARE.—The non-Federal sponsor shall receive
3 credit toward the non-Federal share of the cost of
4 the project for expenses that the sponsor has in-
5 curred for design and construction of any of the
6 features authorized pursuant to this paragraph
7 prior to the date on which Federal funds are ap-
8 propriated for construction of the project. The
9 amount of the credit shall be determined by the
10 Secretary.

11 (C) OPERATION OF FOLSOM DAM.—The Sec-
12 retary of the Interior shall continue to operate
13 the Folsom Dam and Reservoir to the variable
14 400,000/670,000 acre-feet of flood control storage
15 capacity as an interim measure and extend the
16 agreement between the Bureau of Reclamation
17 and the Sacramento Area Flood Control Agency
18 until such date as a comprehensive flood control
19 plan for the American River Watershed has been
20 implemented.

21 (D) RESPONSIBILITY OF NON-FEDERAL
22 SPONSOR.—The non-Federal sponsor shall be re-
23 sponsible for all operation, maintenance, repair,
24 replacement, and rehabilitation costs associated
25 with the improvements undertaken pursuant to

1 *this paragraph, as well as, costs for the variable*
2 *flood control operation of the Folsom Dam and*
3 *Reservoir.*

4 (2) *SANTA BARBARA HARBOR, CALIFORNIA.—The*
5 *project for navigation, Santa Barbara Harbor, Cali-*
6 *formia: Report of the Chief of Engineers, dated April*
7 *26, 1994, at a total cost of \$5,840,000, with an esti-*
8 *mated Federal cost of \$4,670,000 and an estimated*
9 *non-Federal cost of \$1,170,000.*

10 (3) *SAN LORENZO RIVER, SANTA CRUZ, CALIFOR-*
11 *NIA.—The project for flood control, San Lorenzo*
12 *River, Santa Cruz, California: Report of the Chief of*
13 *Engineers, dated June 30, 1994, at a total cost of*
14 *\$21,800,000, with an estimated Federal cost of*
15 *\$10,900,000 and an estimated non-Federal cost of*
16 *\$10,900,000.*

17 (4) *MARIN COUNTY SHORELINE, SAN RAFAEL,*
18 *CALIFORNIA.—The project for storm damage reduc-*
19 *tion, Marin County shoreline, San Rafael, California:*
20 *Report of the Chief of Engineers, dated January 28,*
21 *1994, at a total cost of \$28,300,000, with an esti-*
22 *mated Federal cost of \$18,400,000 and an estimated*
23 *non-Federal cost of \$9,900,000.*

24 (5) *HUMBOLDT HARBOR AND BAY, CALIFOR-*
25 *NIA.—The project for navigation, Humboldt Harbor*

1 *and Bay, California: Report of the Chief of Engi-*
2 *neers, dated October 30, 1995, at a total cost of*
3 *\$15,180,000, with an estimated Federal cost of*
4 *\$10,000,000 and an estimated non-Federal cost of*
5 *\$5,180,000.*

6 (6) *ANACOSTIA RIVER AND TRIBUTARIES, DIS-*
7 *TRICT OF COLUMBIA AND MARYLAND.—The project for*
8 *environmental restoration, Anacostia River and Trib-*
9 *utaries, District of Columbia and Maryland: Report*
10 *of the Chief of Engineers, dated November 15, 1994,*
11 *at a total cost of \$17,144,000, with an estimated Fed-*
12 *eral cost of \$12,858,000 and an estimated non-Fed-*
13 *eral cost of \$4,286,000.*

14 (7) *ATLANTIC INTRACOASTAL WATERWAY, ST.*
15 *JOHNS COUNTY, FLORIDA.—The project for naviga-*
16 *tion, Atlantic Intracoastal Waterway, St. Johns*
17 *County, Florida: Report of the Chief of Engineers,*
18 *dated June 24, 1994, at a total Federal cost of*
19 *\$15,881,000. Operation, maintenance, repair, replace-*
20 *ment, and rehabilitation shall be a non-Federal re-*
21 *sponsibility and the non-Federal interest must assume*
22 *ownership of the bridge.*

23 (8) *LAKE MICHIGAN, ILLINOIS.—The project for*
24 *storm damage reduction and shoreline erosion protec-*
25 *tion, Lake Michigan, Illinois, from Wilmette, Illinois,*

1 *to the Illinois-Indiana State line: Report of the Chief*
2 *of Engineers, dated April 14, 1994, at a total cost of*
3 *\$204,000,000, with an estimated Federal cost of*
4 *\$110,000,000 and an estimated non-Federal cost of*
5 *\$94,000,000. The project shall include the breakwater*
6 *near the South Water Filtration Plant described in*
7 *the report as a separate element of the project, at a*
8 *total cost of \$11,470,000, with an estimated Federal*
9 *cost of \$7,460,000 and an estimated non-Federal cost*
10 *of \$4,010,000. The Secretary shall reimburse the non-*
11 *Federal interest for the Federal share of any costs in-*
12 *curring by the non-Federal interest—*

13 *(A) in reconstructing the revetment struc-*
14 *tures protecting Solidarity Drive in Chicago, Il-*
15 *linois, if such work is determined by the Sec-*
16 *retary to be a component of the project; and*

17 *(B) in constructing the breakwater near the*
18 *South Water Filtration Plant in Chicago, Illi-*
19 *nois.*

20 *(9) KENTUCKY LOCK AND DAM, TENNESSEE*
21 *RIVER, KENTUCKY.—The project for navigation, Ken-*
22 *tucky Lock and Dam, Tennessee River, Kentucky: Re-*
23 *port of the Chief of Engineers, dated June 1, 1992, at*
24 *a total cost of \$393,200,000. The costs of construction*
25 *of the project are to be paid $\frac{1}{2}$ from amounts appro-*

1 *appropriated from the general fund of the Treasury and 1/2*
2 *from amounts appropriated from the Inland Water-*
3 *ways Trust Fund.*

4 (10) *POND CREEK, JEFFERSON COUNTY, KEN-*
5 *TUCKY.—The project for flood control, Pond Creek,*
6 *Jefferson County, Kentucky: Report of the Chief of*
7 *Engineers, dated June 28, 1994, at a total cost of*
8 *\$16,080,000, with an estimated Federal cost of*
9 *\$10,993,000 and an estimated non-Federal cost of*
10 *\$5,087,000.*

11 (11) *WOLF CREEK DAM AND LAKE CUMBERLAND,*
12 *KENTUCKY.—The project for hydropower, Wolf Creek*
13 *Dam and Lake Cumberland, Kentucky: Report of the*
14 *Chief of Engineers, dated June 28, 1994, at a total*
15 *cost of \$53,763,000, with an estimated non-Federal*
16 *cost of \$53,763,000. Funds derived by the Tennessee*
17 *Valley Authority from its power program and funds*
18 *derived from any private or public entity designated*
19 *by the Southeastern Power Administration may be*
20 *used to pay all or part of the costs of the project.*

21 (12) *PORT FOURCHON, LAFOURCHE PARISH,*
22 *LOUISIANA.—A project for navigation, Belle Pass and*
23 *Bayou Lafourche, Louisiana: Report of the Chief of*
24 *Engineers, dated April 7, 1995, at a total cost of*
25 *\$4,440,000, with an estimated Federal cost of*

1 \$2,300,000 and an estimated non-Federal cost of
2 \$2,140,000.

3 (13) WEST BANK OF THE MISSISSIPPI RIVER,
4 NEW ORLEANS (EAST OF HARVEY CANAL), LOUISI-
5 ANA.—The project for hurricane damage reduction,
6 West Bank of the Mississippi River in the vicinity of
7 New Orleans (East of Harvey Canal), Louisiana: Re-
8 port of the Chief of Engineers, dated May 1, 1995, at
9 a total cost of \$126,000,000, with an estimated Fed-
10 eral cost of \$82,200,000 and an estimated non-Fed-
11 eral cost of \$43,800,000.

12 (14) WOOD RIVER, GRAND ISLAND, NEBRASKA.—
13 The project for flood control, Wood River, Grand Is-
14 land, Nebraska: Report of the Chief of Engineers,
15 dated May 3, 1994, at a total cost of \$11,800,000,
16 with an estimated Federal cost of \$6,040,000 and an
17 estimated non-Federal cost of \$5,760,000.

18 (15) LONG BEACH ISLAND, NEW YORK.—The
19 project for storm damage reduction, Long Beach Is-
20 land, New York: Report of the Chief of Engineers,
21 dated April 5, 1996, at a total cost of \$72,090,000,
22 with an estimated Federal cost of \$46,858,000 and an
23 estimated non-Federal cost of \$25,232,000.

24 (16) WILMINGTON HARBOR, CAPE FEAR RIVER,
25 NORTH CAROLINA.—The project for navigation, Wil-

1 *mington Harbor, Cape Fear and Northeast Cape Fear*
2 *Rivers, North Carolina: Report of the Chief of Engi-*
3 *neers, dated June 24, 1994, at a total cost of*
4 *\$23,953,000, with an estimated Federal cost of*
5 *\$15,032,000 and an estimated non-Federal cost of*
6 *\$8,921,000.*

7 (17) *DUCK CREEK, CINCINNATI, OHIO.—The*
8 *project for flood control, Duck Creek, Cincinnati,*
9 *Ohio: Report of the Chief of Engineers, dated June*
10 *28, 1994, at a total cost of \$15,947,000, with an esti-*
11 *mated Federal cost of \$11,960,000 and an estimated*
12 *non-Federal cost of \$3,987,000.*

13 (18) *WILLAMETTE RIVER TEMPERATURE CON-*
14 *TROL, MCKENZIE SUBBASIN, OREGON.—The project*
15 *for environmental restoration, Willamette River Tem-*
16 *perature Control, McKenzie Subbasin, Oregon: Report*
17 *of the Chief of Engineers, dated February 1, 1996, at*
18 *a total cost of \$38,000,000, with an estimated Federal*
19 *cost of \$38,000,000.*

20 (19) *RIO GRANDE DE ARECIBO, PUERTO RICO.—*
21 *The project for flood control, Rio Grande de Arecibo,*
22 *Puerto Rico: Report of the Chief of Engineers, dated*
23 *April 5, 1994, at a total cost of \$19,951,000, with an*
24 *estimated Federal cost of \$10,557,000 and an esti-*
25 *mated non-Federal cost of \$9,394,000.*

1 (20) *BIG SIOUX RIVER AND SKUNK CREEK, SIOUX*
2 *FALLS, SOUTH DAKOTA.—The project for flood control,*
3 *Big Sioux River and Skunk Creek, Sioux Falls, South*
4 *Dakota: Report of the Chief of Engineers, dated June*
5 *30, 1994, at a total cost of \$34,600,000, with an esti-*
6 *mated Federal cost of \$25,900,000 and an estimated*
7 *non-Federal cost of \$8,700,000.*

8 (21) *WATERTOWN, SOUTH DAKOTA.—The project*
9 *for flood control, Watertown and Vicinity, South Da-*
10 *kota: Report of the Chief of Engineers, dated August*
11 *31, 1994, at a total cost of \$18,000,000, with an esti-*
12 *mated Federal cost of \$13,200,000 and an estimated*
13 *non-Federal cost of \$4,800,000.*

14 (22) *GULF INTRACOASTAL WATERWAY, ARANSAS*
15 *NATIONAL WILDLIFE REFUGE, TEXAS.—The project for*
16 *navigation and environmental preservation, Gulf In-*
17 *tracoastal Waterway, Aransas National Wildlife Ref-*
18 *uge, Texas: Report of the Chief of Engineers, dated*
19 *May 28, 1996, at a total cost of \$18,283,000, with an*
20 *estimated Federal cost of \$18,283,000.*

21 (23) *HOUSTON-GALVESTON NAVIGATION CHAN-*
22 *NELS, TEXAS.—The project for navigation and envi-*
23 *ronmental restoration, Houston-Galveston Navigation*
24 *Channels, Texas: Report of the Chief of Engineers,*
25 *dated May 9, 1996, at a total initial construction cost*

1 of \$292,797,000, with an estimated Federal cost of
2 \$210,891,000 and an estimated non-Federal cost of
3 \$81,906,000. The project shall include deferred con-
4 struction of additional environmental restoration fea-
5 tures over the life of the project, at a total average an-
6 nual cost of \$786,000, with an estimated Federal cost
7 of \$590,000 and an estimated non-Federal cost of
8 \$196,000. The construction of berthing areas and the
9 removal of pipelines and other obstructions that are
10 necessary for the project shall be accomplished at non-
11 Federal expense. Non-Federal interests shall receive
12 credit toward cash contributions required during con-
13 struction and subsequent to construction for design
14 and construction management work that is performed
15 by non-Federal interests and that the Secretary deter-
16 mines is necessary to implement the project.

17 (24) MARMET LOCK, KANAWHA RIVER, WEST VIR-
18 GINIA.—The project for navigation, Marmet Lock,
19 Kanawha River, West Virginia: Report of the Chief of
20 Engineers, dated June 24, 1994, at a total cost of
21 \$229,581,000. The costs of construction of the project
22 are to be paid $\frac{1}{2}$ from amounts appropriated from
23 the general fund of the Treasury and $\frac{1}{2}$ from
24 amounts appropriated from the Inland Waterways
25 Trust Fund. In conducting any real estate acquisition

1 *activities with respect to the project, the Secretary*
2 *shall give priority consideration to those individuals*
3 *who would be directly affected by any physical dis-*
4 *placement due to project design and shall consider the*
5 *financial circumstances of such individuals. The Sec-*
6 *retary shall proceed with real estate acquisition in*
7 *connection with the project expeditiously.*

8 **SEC. 102. SMALL FLOOD CONTROL PROJECTS.**

9 (a) *PROJECT DESCRIPTIONS.*—*The Secretary shall*
10 *conduct a study for each of the following projects and, if*
11 *the Secretary determines that the project is feasible, shall*
12 *carry out the project under section 205 of the Flood Control*
13 *Act of 1948 (33 U.S.C. 701s):*

14 (1) *SOUTH UPLAND, SAN BERNADINO COUNTY,*
15 *CALIFORNIA.*—*Project for flood control, South Up-*
16 *land, San Bernadino County, California.*

17 (2) *BIRDS, LAWRENCE COUNTY, ILLINOIS.*—
18 *Project for flood control, Birds, Lawrence County, Il-*
19 *linois.*

20 (3) *BRIDGEPORT, LAWRENCE COUNTY, ILLI-*
21 *NOIS.*—*Project for flood control, Bridgeport, Lawrence*
22 *County, Illinois.*

23 (4) *EMBARRAS RIVER, VILLA GROVE, ILLINOIS.*—
24 *Project for flood control, Embarras River, Villa*
25 *Grove, Illinois.*

1 (5) *FRANKFORT, WILL COUNTY, ILLINOIS.—*
2 *Project for flood control, Frankfort, Will County, Illi-*
3 *nois.*

4 (6) *SUMNER, LAWRENCE COUNTY, ILLINOIS.—*
5 *Project for flood control, Sumner, Lawrence County,*
6 *Illinois.*

7 (7) *VERMILLION RIVER, DEMANADE PARK, LA-*
8 *FAYETTE, LOUISIANA.—Project for nonstructural flood*
9 *control, Vermillion River, Demanade Park, Lafayette,*
10 *Louisiana. In carrying out the study and the project*
11 *(if any) under this paragraph, the Secretary shall use*
12 *relevant information from the Lafayette Parish fea-*
13 *sibility study and expedite completion of the study*
14 *under this paragraph.*

15 (8) *VERMILLION RIVER, QUAIL HOLLOW SUBDIVI-*
16 *SION, LAFAYETTE, LOUISIANA.—Project for non-*
17 *structural flood control, Vermillion River, Quail Hol-*
18 *low Subdivision, Lafayette, Louisiana. In carrying*
19 *out the study and the project (if any) under this*
20 *paragraph, the Secretary shall use relevant informa-*
21 *tion from the Lafayette Parish feasibility study and*
22 *expedite completion of the study under this para-*
23 *graph.*

1 (9) *KAWKAWLIN RIVER, BAY COUNTY, MICHIGAN.—Project for flood control, Kawkawlin River,*
2
3 *Bay County, Michigan.*

4 (10) *WHITNEY DRAIN, ARENAC COUNTY, MICHIGAN.—Project for flood control, Whitney Drain,*
5
6 *Arenac County, Michigan.*

7 (11) *FESTUS AND CRYSTAL CITY, MISSOURI.—*
8 *Project for flood control, Festus and Crystal City,*
9 *Missouri. In carrying out the study and the project*
10 *(if any) under this paragraph, the Secretary shall use*
11 *relevant information from the existing reconnaissance*
12 *study and shall expedite completion of the study*
13 *under this paragraph.*

14 (12) *KIMMSWICK, MISSOURI.—Project for flood*
15 *control, Kimmswick, Missouri. In carrying out the*
16 *study and the project (if any) under this paragraph,*
17 *the Secretary shall use relevant information from the*
18 *existing reconnaissance study and shall expedite com-*
19 *pletion of the study under this paragraph.*

20 (13) *RIVER DES PERES, ST. LOUIS COUNTY,*
21 *MISSOURI.—Project for flood control, River Des Peres,*
22 *St. Louis County, Missouri. In carrying out the study*
23 *and the project (if any), the Secretary shall determine*
24 *the feasibility of potential flood control measures, con-*
25 *sider potential storm water runoff and related im-*

1 *provements, and cooperate with the Metropolitan St.*
2 *Louis Sewer District.*

3 (14) *BUFFALO CREEK, ERIE COUNTY, NEW*
4 *YORK.—Project for flood control, Buffalo Creek, Erie*
5 *County, New York.*

6 (15) *CAZENOVIA CREEK, ERIE COUNTY, NEW*
7 *YORK.—Project for flood control, Cazenovia Creek,*
8 *Erie County, New York.*

9 (16) *CHEEKTOWAGA, ERIE COUNTY, NEW*
10 *YORK.—Project for flood control, Cheektowaga, Erie*
11 *County, New York.*

12 (17) *FULMER CREEK, VILLAGE OF MOHAWK, NEW*
13 *YORK.—Project for flood control, Fulmer Creek, Vil-*
14 *lage of Mohawk, New York.*

15 (18) *MOYER CREEK, VILLAGE OF FRANKFORT,*
16 *NEW YORK.—Project for flood control, Moyer Creek,*
17 *Village of Frankfort, New York.*

18 (19) *SAUQUOIT CREEK, WHITESBORO, NEW*
19 *YORK.—Project for flood control, Sauquoit Creek,*
20 *Whitesboro, New York.*

21 (20) *STEELE CREEK, VILLAGE OF ILION, NEW*
22 *YORK.—Project for flood control, Steele Creek, Village*
23 *of Ilion, New York.*

1 (21) *WILLAMETTE RIVER, OREGON.—Project for*
2 *nonstructural flood control, Willamette River, Oregon,*
3 *including floodplain and ecosystem restoration.*

4 (22) *WILLS CREEK, HYNDMAN, PENNSYLVANIA.—*
5 *Project for flood control, Wills Creek, Borough of*
6 *Hyndman, Pennsylvania. The Secretary shall re-*
7 *evaluate the project taking into consideration recent*
8 *flooding and shall use relevant information from pre-*
9 *vious studies to expedite the project. In evaluating*
10 *and implementing the project, the Secretary shall*
11 *allow non-Federal interests to participate in financ-*
12 *ing of the project in accordance with section 903(c)*
13 *of the Water Resources Development Act of 1986 to*
14 *the extent that the Secretary's evaluation indicates*
15 *that applying such section is necessary to implement*
16 *the project.*

17 (23) *NEABSCO CREEK WATERSHED, VIRGINIA.—*
18 *Project for flood control, Neabsco Creek Watershed,*
19 *Prince William County, Virginia. In evaluating and*
20 *implementing the project, the Secretary shall allow*
21 *the non-Federal interest to participate in financing of*
22 *the project in accordance with section 903(c) of the*
23 *Water Resources Development Act of 1986, to the ex-*
24 *tent that the Secretary's evaluation indicates that ap-*

1 *plying such section is necessary to implement the*
2 *project.*

3 (24) *GREENBRIER RIVER BASIN, WEST VIR-*
4 *GINIA.—Project for flood control, consisting of an*
5 *early flood warning system, Greenbrier River Basin,*
6 *West Virginia.*

7 (b) *COST ALLOCATIONS.—*

8 (1) *LAKE ELSINORE, CALIFORNIA.—The maxi-*
9 *imum amount of Federal funds that may be allotted*
10 *under section 205 of the Flood Control Act of 1948*
11 *(33 U.S.C. 701s) for the project for flood control, Lake*
12 *Elsinore, Riverside County, California, shall be*
13 *\$7,500,000.*

14 (2) *LOST CREEK, COLUMBUS, NEBRASKA.—The*
15 *maximum amount of Federal funds that may be allot-*
16 *ted under such section 205 for the project for flood*
17 *control, Lost Creek, Columbus, Nebraska, shall be*
18 *\$5,500,000.*

19 (3) *REVISION OF PROJECT COOPERATION AGREE-*
20 *MENT.—The Secretary shall revise the project coopera-*
21 *tion agreement for the projects referred to in para-*
22 *graphs (1) and (2) in order to take into account the*
23 *change in the Federal participation in such projects*
24 *pursuant to such paragraphs.*

1 (4) *COST SHARING.*—*Nothing in this subsection*
2 *shall be construed to affect any cost-sharing require-*
3 *ment applicable to the project referred to in para-*
4 *graph (1) under the Water Resources Development Act*
5 *of 1986.*

6 **SEC. 103. SMALL BANK STABILIZATION PROJECTS.**

7 *The Secretary shall conduct a study for each of the*
8 *following projects and, if the Secretary determines that the*
9 *project is feasible, shall carry out the project under section*
10 *14 of the Flood Control Act of 1946 (33 U.S.C. 701r):*

11 (1) *ALLEGHENY RIVER AT OIL CITY, PENNSYLVA-*
12 *NIA.*—*Project for bank stabilization to address erosion*
13 *problems affecting the pipeline crossing the Allegheny*
14 *River at Oil City, Pennsylvania, including measures*
15 *to address erosion affecting the pipeline in the bed of*
16 *the Allegheny River and its adjacent banks.*

17 (2) *CUMBERLAND RIVER, NASHVILLE, TEN-*
18 *NESSEE.*—*Project for bank stabilization, Cumberland*
19 *River, Nashville, Tennessee.*

20 (3) *TENNESSEE RIVER, HAMILTON COUNTY, TEN-*
21 *NESSEE.*—*Project for bank stabilization, Tennessee*
22 *River, Hamilton County, Tennessee; except that the*
23 *maximum amount of Federal funds that may be allot-*
24 *ted for the project shall be \$7,500,000.*

1 **SEC. 104. SMALL NAVIGATION PROJECTS.**

2 *The Secretary shall conduct a study for each of the*
3 *following projects and, if the Secretary determines that the*
4 *project is feasible, shall carry out the project under section*
5 *107 of the River and Harbor Act of 1960 (33 U.S.C. 577):*

6 (1) *AKUTAN, ALASKA.—Project for navigation,*
7 *Akutan, Alaska, consisting of a bulkhead and a wave*
8 *barrier, including application of innovative tech-*
9 *nology involving use of a permeable breakwater.*

10 (2) *GRAND MARAIS HARBOR BREAKWATER,*
11 *MICHIGAN.—Project for navigation, Grand Marais*
12 *Harbor breakwater, Michigan.*

13 (3) *DULUTH, MINNESOTA.—Project for naviga-*
14 *tion, Duluth, Minnesota.*

15 (4) *TACONITE, MINNESOTA.—Project for naviga-*
16 *tion, Taconite, Minnesota.*

17 (5) *TWO HARBORS, MINNESOTA.—Project for*
18 *navigation, Two Harbors, Minnesota.*

19 (6) *CARUTHERSVILLE HARBOR, PEMISCOT COUN-*
20 *TY, MISSOURI.—Project for navigation, Caruthersville*
21 *Harbor, Pemiscot County, Missouri, including en-*
22 *largement of the existing harbor and bank stabiliza-*
23 *tion measures.*

24 (7) *NEW MADRID COUNTY HARBOR, MISSOURI.—*
25 *Project for navigation, New Madrid County Harbor,*

1 *Missouri, including enlargement of the existing har-*
2 *bor and bank stabilization measures.*

3 (8) *BROOKLYN, NEW YORK.—Project for naviga-*
4 *tion, Brooklyn, New York, including restoration of the*
5 *pier and related navigation support structures, at the*
6 *Sixty-Ninth Street Pier.*

7 (9) *BUFFALO INNER HARBOR, BUFFALO, NEW*
8 *YORK.—Project for navigation, Buffalo Inner Harbor,*
9 *Buffalo, New York.*

10 (10) *UNION SHIP CANAL, BUFFALO AND LACKA-*
11 *WANNA, NEW YORK.—Project for navigation, Union*
12 *Ship Canal, Buffalo and Lackawanna, New York.*

13 **SEC. 105. SMALL SHORELINE PROTECTION PROJECTS.**

14 (a) *PROJECT AUTHORIZATIONS.—The Secretary shall*
15 *conduct a study for each of the following projects, and if*
16 *the Secretary determines that the project is feasible, shall*
17 *carry out the project under section 3 of the Shoreline Protec-*
18 *tion Act of August 13, 1946 (33 U.S.C. 426g):*

19 (1) *FAULKNER'S ISLAND, CONNECTICUT.—Project*
20 *for shoreline protection, Faulkner's Island, Connecti-*
21 *cut; except that the maximum amount of Federal*
22 *funds that may be allotted for the project shall be*
23 *\$4,500,000.*

1 (2) *FORT PIERCE, FLORIDA.—Project for 1 mile*
2 *of additional shoreline protection, Fort Pierce, Flor-*
3 *ida.*

4 (3) *SYLVAN BEACH BREAKWATER, TOWN OF*
5 *VERONA, ONEIDA COUNTY, NEW YORK.—Project for*
6 *shoreline protection, Sylvan Beach Breakwater, town*
7 *of Verona, Oneida County, New York.*

8 (b) *COST SHARING AGREEMENT.—In carrying out the*
9 *project authorized by subsection (a)(1), the Secretary shall*
10 *enter into an agreement with the property owner to deter-*
11 *mine allocation of the project costs.*

12 **SEC. 106. SMALL SNAGGING AND SEDIMENT REMOVAL**
13 **PROJECT, MISSISSIPPI RIVER, LITTLE FALLS,**
14 **MINNESOTA.**

15 *The Secretary shall conduct a study for a project for*
16 *clearing, snagging, and sediment removal, East Bank of the*
17 *Mississippi River, Little Falls, Minnesota, including re-*
18 *moval of sediment from culverts. The study shall include*
19 *a determination of the adequacy of culverts to maintain*
20 *flows through the channel. If the Secretary determines that*
21 *the project is feasible, the Secretary shall carry out the*
22 *project under section 3 of the River and Harbor Act of*
23 *March 2, 1945 (33 U.S.C. 603a; 59 Stat. 23).*

1 **SEC. 107. SMALL PROJECTS FOR IMPROVEMENT OF THE EN-**
2 **VIRONMENT.**

3 *The Secretary shall conduct a study for each of the*
4 *following projects and, if the Secretary determines that the*
5 *project is appropriate, shall carry out the project under sec-*
6 *tion 1135(a) of the Water Resources Development Act of*
7 *1986 (33 U.S.C. 2309(a)):*

8 (1) *UPPER TRUCKEE RIVER, EL DORADO COUN-*
9 *TY, CALIFORNIA.—Project for environmental restora-*
10 *tion, Upper Truckee River, El Dorado County, Cali-*
11 *fornia, including measures for restoration of degraded*
12 *wetlands and wildlife enhancement.*

13 (2) *SAN LORENZO RIVER, CALIFORNIA.—Project*
14 *for habitat restoration, San Lorenzo River, Califor-*
15 *nia.*

16 (3) *WHITTIER NARROWS DAM, CALIFORNIA.—*
17 *Project for environmental restoration and remedi-*
18 *ation of contaminated water sources, Whittier Nar-*
19 *rows Dam, California.*

20 (4) *UPPER JORDAN RIVER, SALT LAKE COUNTY,*
21 *UTAH.—Project for channel restoration and environ-*
22 *mental improvement, Upper Jordan River, Salt Lake*
23 *County, Utah.*

1 **TITLE II—GENERALLY**
2 **APPLICABLE PROVISIONS**

3 **SEC. 201. COST SHARING FOR DREDGED MATERIAL DIS-**
4 **POSAL AREAS.**

5 (a) *CONSTRUCTION.*—Section 101(a) of the Water Re-
6 sources Development Act of 1986 (33 U.S.C. 2211(a); 100
7 Stat. 4082–4083) is amended—

8 (1) *by striking the last sentence of paragraph (2)*
9 *and inserting the following: “The value of lands, ease-*
10 *ments, rights-of-way, and relocations provided under*
11 *paragraph (3) and the costs of relocations borne by*
12 *the non-Federal interests under paragraph (4) shall*
13 *be credited toward the payment required under this*
14 *paragraph.”;*

15 (2) *in paragraph (3)—*

16 (A) *by inserting “and” after “rights-of-*
17 *way,”;*

18 (B) *by striking “, and dredged material dis-*
19 *posal areas”;* and

20 (C) *by inserting “, including any lands,*
21 *easements, rights-of-way, and relocations (other*
22 *than utility relocations accomplished under*
23 *paragraph (4)) that are necessary for dredged*
24 *material disposal facilities” before the period at*
25 *the end of such paragraph; and*

1 (3) by adding at the end the following:

2 “(5) *DREDGED MATERIAL DISPOSAL FACILITIES*
3 *FOR PROJECT CONSTRUCTION.*—For purposes of this
4 subsection, the term ‘general navigation features’ in-
5 cludes constructed land-based and aquatic dredged
6 material disposal facilities that are necessary for the
7 disposal of dredged material and for project construc-
8 tion and for which a contract for construction has not
9 been awarded on or before the date of the enactment
10 of this paragraph.”.

11 (b) *OPERATION AND MAINTENANCE.*—Section 101(b) of
12 such Act (33 U.S.C. 2211(b); 100 Stat. 4083) is amended—

13 (1) by inserting “(1) *IN GENERAL.*—” before
14 “*The Federal*”;

15 (2) by indenting and moving paragraph (1), as
16 designated by paragraph (1) of this subsection, 2 ems
17 to the right;

18 (3) by striking “pursuant to this Act” and in-
19 serting “by the Secretary pursuant to this Act or any
20 other law approved after the date of the enactment of
21 this Act”; and

22 (4) by adding at the end thereof the following:

23 “(2) *DREDGED MATERIAL DISPOSAL FACILI-*
24 *TIES.*—The Federal share of the cost of constructing
25 land-based and aquatic dredged material disposal fa-

1 *ilities that are necessary for the disposal of dredged*
2 *material required for the operation and maintenance*
3 *of a project and for which a contract for construction*
4 *has not been awarded on or before the date of the en-*
5 *actment of this paragraph shall be determined in ac-*
6 *cordance with subsection (a). The Federal share of op-*
7 *erating and maintaining such facilities shall be deter-*
8 *mined in accordance with paragraph (1).”.*

9 *(c) AGREEMENT.—Section 101(e)(1) of such Act (33*
10 *U.S.C. 2211(e)(1); 100 Stat. 4083) is amended by striking*
11 *“and to provide dredged material disposal areas and per-*
12 *form” and inserting “including those necessary for dredged*
13 *material disposal facilities, and to perform”.*

14 *(d) CONSIDERATION OF FUNDING REQUIREMENTS AND*
15 *EQUITABLE APPORTIONMENT.—Section 101 of such Act (33*
16 *U.S.C. 2211; 100 Stat. 4082–4084) is further amended by*
17 *adding at the end the following:*

18 *“(f) CONSIDERATION OF FUNDING REQUIREMENTS*
19 *AND EQUITABLE APPORTIONMENT.—The Secretary shall*
20 *ensure, to the extent practicable, that funding necessary for*
21 *operation and maintenance dredging of commercial naviga-*
22 *tion harbors is provided before Federal funds are obligated*
23 *for payment of the Federal share of costs associated with*
24 *construction of dredged material disposal facilities in ac-*
25 *cordance with subsections (a) and (b) and that funds ex-*

1 *pending for such construction are equitably apportioned in*
2 *accordance with regional needs.”.*

3 *(e) ELIGIBLE OPERATIONS AND MAINTENANCE DE-*
4 *FINED.—Section 214(2)(A) of such Act (33 U.S.C. 2241;*
5 *100 Stat. 4108) is amended—*

6 *(1) by inserting “Federal” after “means all”;*

7 *(2) by inserting “(i)” after “including”; and*

8 *(3) by inserting before the period at the end the*
9 *following: “; (ii) the construction of dredged material*
10 *disposal facilities that are necessary for the operation*
11 *and maintenance of any harbor or inland harbor;*
12 *(iii) dredging and disposing of contaminated sedi-*
13 *ments which are in or which affect the maintenance*
14 *of Federal navigation channels; (iv) mitigating for*
15 *impacts resulting from Federal navigation operation*
16 *and maintenance activities; and (v) operating and*
17 *maintaining dredged material disposal facilities”.*

18 *(f) AMENDMENT OF COOPERATION AGREEMENT.—If*
19 *requested by the non-Federal interest, the Secretary shall*
20 *amend a project cooperation agreement executed on or be-*
21 *fore the date of the enactment of this Act to reflect the appli-*
22 *cation of the amendments made by this section to any*
23 *project for which a contract for construction has not been*
24 *awarded on or before such date of enactment.*

1 (g) *AUTHORIZATION OF APPROPRIATIONS.*—Section
 2 210 of such Act (33 U.S.C. 2238; 100 Stat. 4106) is amend-
 3 ed—

4 (1) by striking “(a) *TRUST FUND.*—”;

5 (2) by striking “1954” and inserting “1986”;

6 and

7 (3) by striking subsection (b).

8 **SEC. 202. FLOOD CONTROL POLICY.**

9 (a) *FLOOD CONTROL COST SHARING.*—

10 (1) *INCREASED NON-FEDERAL CONTRIBUTIONS.*—

11 Subsections (a) and (b) of section 103 of the Water
 12 Resources Development Act of 1986 (33 U.S.C.
 13 2213(a) and (b)) are each amended by striking “25
 14 percent” each place it appears and inserting “35 per-
 15 cent”.

16 (2) *APPLICABILITY.*—The amendments made by
 17 paragraph (1) shall apply to projects authorized after
 18 the date of the enactment of this Act.

19 (b) *ABILITY TO PAY.*—

20 (1) *IN GENERAL.*—Section 103(m) of such Act
 21 (33 U.S.C. 2213(m)) is amended to read as follows:

22 “(m) *ABILITY TO PAY.*—

23 “(1) *IN GENERAL.*—Any cost-sharing agreement
 24 under this section for flood control or agricultural

1 *water supply shall be subject to the ability of a non-*
2 *Federal interest to pay.*

3 “(2) *CRITERIA AND PROCEDURES.*—*The ability*
4 *of any non-Federal interest to pay shall be deter-*
5 *mined by the Secretary in accordance with criteria*
6 *and procedures in effect on the day before the date of*
7 *the enactment of the Water Resources Development*
8 *Act of 1996; except that such criteria and procedures*
9 *shall be revised within 6 months after the date of such*
10 *enactment to reflect the requirements of paragraph*
11 *(3).*

12 “(3) *REVISION OF PROCEDURES.*—*In revising*
13 *procedures pursuant to paragraph (1), the Sec-*
14 *retary—*

15 “(A) *shall consider—*

16 “(i) *per capita income data for the*
17 *county or counties in which the project is to*
18 *be located; and*

19 “(ii) *the per capita non-Federal cost of*
20 *construction of the project for the county or*
21 *counties in which the project is to be lo-*
22 *cated;*

23 “(B) *shall not consider criteria (other than*
24 *criteria described in subparagraph (A)) in effect*
25 *on the day before the date of the enactment of*

1 *the Water Resources Development Act of 1996;*
2 *and*

3 “(C) *may consider additional criteria relat-*
4 *ing to the non-Federal interest’s financial ability*
5 *to carry out its cost-sharing responsibilities, to*
6 *the extent that the application of such criteria*
7 *does not eliminate areas from eligibility for a re-*
8 *duction in the non-Federal share as determined*
9 *under subparagraph (A).*

10 “(4) *NON-FEDERAL SHARE.—Notwithstanding*
11 *subsection (a), the Secretary shall reduce or eliminate*
12 *the requirement that a non-Federal interest make a*
13 *cash contribution for any project that is determined*
14 *to be eligible for a reduction in the non-Federal share*
15 *under procedures in effect under paragraphs (1), (2),*
16 *and (3).”.*

17 (2) *APPLICABILITY.—*

18 (A) *GENERALLY.—Subject to subparagraph*
19 *(C), the amendment made by paragraph (1)*
20 *shall apply to any project, or separable element*
21 *thereof, with respect to which the Secretary and*
22 *the non-Federal interest have not entered into a*
23 *project cooperation agreement on or before the*
24 *date of the enactment of this Act.*

1 (B) *AMENDMENT OF COOPERATION AGREE-*
2 *MENT.—If requested by the non-Federal interest,*
3 *the Secretary shall amend a project cooperation*
4 *agreement executed on or before the date of the*
5 *enactment of this Act to reflect the application of*
6 *the amendment made by paragraph (1) to any*
7 *project for which a contract for construction has*
8 *not been awarded on or before such date of enact-*
9 *ment.*

10 (C) *NON-FEDERAL OPTION.—If requested by*
11 *the non-Federal interest, the Secretary shall*
12 *apply the criteria and procedures established*
13 *pursuant to section 103(m) of the Water Re-*
14 *sources Development Act of 1986 as in effect on*
15 *the day before the date of the enactment of this*
16 *Act for projects that are authorized before the*
17 *date of the enactment of this Act.*

18 (c) *FLOOD PLAIN MANAGEMENT PLANS.—*

19 (1) *IN GENERAL.—Section 402 of such Act (33*
20 *U.S.C. 701b–12; 100 Stat. 4133) is amended to read*
21 *as follows:*

22 **“SEC. 402. FLOOD PLAIN MANAGEMENT REQUIREMENTS.**

23 **“(a) COMPLIANCE WITH FLOOD PLAIN MANAGEMENT**
24 **AND INSURANCE PROGRAMS.—Before construction of any**
25 **project for local flood protection or any project for hurri-**

1 *cane or storm damage reduction and involving Federal as-*
2 *sistance from the Secretary, the non-Federal interest shall*
3 *agree to participate in and comply with applicable Federal*
4 *flood plain management and flood insurance programs.*

5 “(b) *FLOOD PLAIN MANAGEMENT PLANS.*—*Within 1*
6 *year after the date of signing a project cooperation agree-*
7 *ment for construction of a project to which subsection (a)*
8 *applies, the non-Federal interest shall prepare a flood plain*
9 *management plan designed to reduce the impacts of future*
10 *flood events in the project area. Such plan shall be imple-*
11 *mented by the non-Federal interest not later than 1 year*
12 *after completion of construction of the project.*

13 “(c) *GUIDELINES.*—

14 “(1) *IN GENERAL.*—*Within 6 months after the*
15 *date of the enactment of this subsection, the Secretary*
16 *shall develop guidelines for preparation of flood plain*
17 *management plans by non-Federal interests under*
18 *subsection (b). Such guidelines shall address potential*
19 *measures, practices and policies to reduce loss of life,*
20 *injuries, damages to property and facilities, public*
21 *expenditures, and other adverse impacts associated*
22 *with flooding and to preserve and enhance natural*
23 *flood plain values.*

24 “(2) *LIMITATION ON STATUTORY CONSTRUC-*
25 *TION.*—*Nothing in this subsection shall be construed*

1 to confer any regulatory authority upon the Sec-
2 retary.

3 “(d) *TECHNICAL SUPPORT.*—The Secretary is author-
4 ized to provide technical support to a non-Federal interest
5 for a project to which subsection (a) applies for the develop-
6 ment and implementation of plans prepared under sub-
7 section (b).”.

8 (2) *APPLICABILITY.*—The amendment made by
9 paragraph (1) shall apply to any project or separable
10 element thereof with respect to which the Secretary
11 and the non-Federal interest have not entered into a
12 project cooperation agreement on or before the date of
13 the enactment of this Act.

14 (d) *NON-STRUCTURAL FLOOD CONTROL POLICY.*—

15 (1) *REVIEW.*—The Secretary shall conduct a re-
16 view of policies, procedures, and techniques relating
17 to the evaluation and development of flood control
18 measures with a view toward identifying impedi-
19 ments that may exist to justifying non-structural
20 flood control measures as alternatives to structural
21 measures.

22 (2) *REPORT.*—Not later than 1 year after the
23 date of the enactment of this Act, the Secretary shall
24 transmit to Congress a report on the findings on the
25 review conducted under this subsection, together with

1 *any recommendations for modifying existing law to*
2 *remove any impediments identified under such re-*
3 *view.*

4 *(e) EMERGENCY RESPONSE.—Section 5(a)(1) of the*
5 *Act entitled “An Act authorizing the construction of certain*
6 *public works on rivers and harbors for flood control, and*
7 *for other purposes”, approved August 18, 1941 (33 U.S.C.*
8 *701n(a)(1)), is amended by inserting before the first semi-*
9 *colon the following: “, or in implementation of non-*
10 *structural alternatives to the repair or restoration of such*
11 *flood control work if requested by the non-Federal sponsor”.*

12 *(f) NONSTRUCTURAL ALTERNATIVES.—Section 73 of*
13 *the Water Resources Development Act of 1974 (33 U.S.C.*
14 *701b–11; 88 Stat. 32) is amended by striking subsection*
15 *(a) and inserting the following:*

16 *“(a) In the survey, planning, or design by any Federal*
17 *agency of any project involving flood protection, such agen-*
18 *cy, with a view toward formulating the most economically,*
19 *socially, and environmentally acceptable means of reducing*
20 *or preventing flood damages, shall consider and address in*
21 *adequate detail nonstructural alternatives, including meas-*
22 *ures that may be implemented by others, to prevent or re-*
23 *duce flood damages. Such alternatives may include water-*
24 *shed management, wetlands restoration, elevation or flood*
25 *proofing of structures, floodplain regulation, relocation, and*

1 *acquisition of floodplain lands for recreational, fish and*
2 *wildlife, and other public purposes.”.*

3 **SEC. 203. FEASIBILITY STUDY COST-SHARING.**

4 *(a) NON-FEDERAL SHARE.—Section 105(a)(1) of the*
5 *Water Resources Development Act of 1986 (33 U.S.C.*
6 *2215(a)(1)) is amended—*

7 *(1) in the first sentence, by striking “during the*
8 *period of such study”;*

9 *(2) by inserting after the first sentence the fol-*
10 *lowing: “During the period of the study, the non-Fed-*
11 *eral share of the cost of the study shall be not more*
12 *than 50 percent of the estimate of the cost of the study*
13 *as contained in the feasibility cost-sharing agreement.*
14 *The cost estimate may be amended only by mutual*
15 *agreement of the Secretary and the non-Federal inter-*
16 *ests. The non-Federal share of any costs in excess of*
17 *the cost estimate shall, except as otherwise mutually*
18 *agreed by the Secretary and the non-Federal interests,*
19 *be payable after the project has been authorized for*
20 *construction and on the date on which the Secretary*
21 *and non-Federal interests enter into an agreement*
22 *pursuant to section 101(e) or 103(j). In the event the*
23 *project which is the subject of the study is not author-*
24 *ized within the earlier of 5 years of the date of the*
25 *final report of the Chief of Engineers concerning such*

1 *study or 2 years of the date of termination of the*
2 *study, the non-Federal share of any such excess costs*
3 *shall be paid to the United States on the last day*
4 *of such period.”; and*

5 *(3) in the second sentence, by striking “such non-*
6 *Federal contribution” and inserting “the non-Federal*
7 *share required under this paragraph”.*

8 *(b) APPLICABILITY.—The amendments made by sub-*
9 *section (a) shall apply notwithstanding any feasibility cost-*
10 *sharing agreement entered into by the Secretary and non-*
11 *Federal interests. Upon request of the non-Federal interest,*
12 *the Secretary shall amend any feasibility cost-sharing*
13 *agreements in effect on the date of enactment of this Act*
14 *so as to conform the agreements with the amendments.*

15 *(c) LIMITATION ON STATUTORY CONSTRUCTION.—*
16 *Nothing in this section or any amendment made by this*
17 *section shall require the Secretary to reimburse the non-*
18 *Federal interests for funds previously contributed for a*
19 *study.*

20 **SEC. 204. RESTORATION OF ENVIRONMENTAL QUALITY.**

21 *(a) REVIEW OF PROJECTS.—Section 1135(a) of the*
22 *Water Resources Development Act of 1986 (33 U.S.C.*
23 *2309a(a)) is amended—*

24 *(1) by striking “the operation of”; and*

1 (2) *by inserting before the period at the end the*
2 *following: “and to determine if the operation of such*
3 *projects has contributed to the degradation of the*
4 *quality of the environment”.*

5 ***(b) PROGRAM OF PROJECTS.***—*Section 1135(b) of such*
6 *Act is amended by striking the last 2 sentences of subsection*
7 *(b).*

8 ***(c) RESTORATION OF ENVIRONMENTAL QUALITY.***—
9 *Section 1135 of such Act is further amended—*

10 (1) *by redesignating subsections (c), (d), and (e)*
11 *as subsections (e), (f), and (g), respectively;*

12 (2) *by inserting after subsection (b) the following*
13 *new subsections:*

14 ***“(c) RESTORATION OF ENVIRONMENTAL QUALITY.***—*If*
15 *the Secretary determines that construction of a water re-*
16 *source project by the Secretary or operation of a water re-*
17 *sources project constructed by the Secretary has contributed*
18 *to the degradation of the quality of the environment, the*
19 *Secretary may undertake measures for restoration of envi-*
20 *ronmental quality and measures for enhancement of envi-*
21 *ronmental quality that are associated with the restoration,*
22 *either through modifications at the project site or at other*
23 *locations that have been affected by the construction or oper-*
24 *ation of the project, if such measures do not conflict with*
25 *the authorized project purposes.*

1 “(d) *NON-FEDERAL SHARE; LIMITATION ON MAXIMUM*
2 *FEDERAL EXPENDITURE.*—*The non-Federal share of the*
3 *cost of any modifications or measures carried out or under-*
4 *taken pursuant to subsection (b) or (c) of this section shall*
5 *be 25 percent. Not more than 80 percent of the non-Federal*
6 *share may be in kind, including a facility, supply, or serv-*
7 *ice that is necessary to carry out the modification. No more*
8 *than \$5,000,000 in Federal funds may be expended on any*
9 *single modification or measure carried out or undertaken*
10 *pursuant to this section.”; and*

11 (3) *in subsection (f), as so redesignated, by strik-*
12 *ing “program conducted under subsection (b)” and*
13 *inserting “programs conducted under subsections (b)*
14 *and (c)”.*

15 (d) *DEFINITION.*—*Section 1135 of such Act is further*
16 *amended by adding at the end the following:*

17 “(h) *DEFINITION.*—*In this section the term ‘water re-*
18 *sources project constructed by the Secretary’ includes a*
19 *water resources project constructed or funded jointly by the*
20 *Secretary and the head of any other Federal agency (includ-*
21 *ing the Natural Resources Conservation Service).”.*

22 **SEC. 205. ENVIRONMENTAL DREDGING.**

23 *Section 312 of the Water Resources Development Act*
24 *of 1990 (104 Stat. 4639–4640) is amended—*

1 (1) *in each of subsections (a), (b), and (c) by in-*
2 *serting “and remediate” after “remove” each place it*
3 *appears;*

4 (2) *in subsection (b)(1) by inserting “and reme-*
5 *diation” after “removal” each place it appears;*

6 (3) *in subsection (b)(2) by striking*
7 *“\$10,000,000” and inserting “\$30,000,000”; and*

8 (4) *by striking subsection (f) and inserting the*
9 *following:*

10 “(f) *In carrying out this section, the Secretary shall*
11 *give priority to work in the following areas:*

12 “(1) *Brooklyn Waterfront, New York.*

13 “(2) *Buffalo Harbor and River, New York.*

14 “(3) *Ashtabula River, Ohio.*

15 “(4) *Mahoning River, Ohio.*

16 “(5) *Lower Fox River, Wisconsin.”.*

17 **SEC. 206. AQUATIC ECOSYSTEM RESTORATION.**

18 (a) *GENERAL AUTHORITY.—The Secretary is author-*
19 *ized to carry out aquatic ecosystem restoration and protec-*
20 *tion projects when the Secretary determines that such*
21 *projects will improve the quality of the environment and*
22 *are in the public interest and that the environmental and*
23 *economic benefits, both monetary and nonmonetary, of the*
24 *project to be undertaken pursuant to this section justify the*
25 *cost.*

1 (b) *COST SHARING.*—*Non-Federal interests shall pro-*
2 *vide 50 percent of the cost of construction of any project*
3 *carried out under this section, including provision of all*
4 *lands, easements, rights-of-way, and necessary relocations.*

5 (c) *AGREEMENTS.*—*Construction of a project under*
6 *this section shall be initiated only after a non-Federal inter-*
7 *est has entered into a binding agreement with the Secretary*
8 *to pay the non-Federal share of the costs of construction*
9 *required by this section and to pay 100 percent of any oper-*
10 *ation, maintenance, and replacement and rehabilitation*
11 *costs with respect to the project in accordance with regula-*
12 *tions prescribed by the Secretary.*

13 (d) *COST LIMITATION.*—*Not more than \$5,000,000 in*
14 *Federal funds may be allotted under this section for a*
15 *project at any single locality.*

16 (e) *FUNDING.*—*There is authorized to be appropriated*
17 *not to exceed \$25,000,000 annually to carry out this section.*

18 **SEC. 207. BENEFICIAL USES OF DREDGED MATERIAL.**

19 *Section 204 of the Water Resources Development Act*
20 *of 1992 (106 Stat. 4826) is amended—*

21 (1) *by redesignating subsection (e) as subsection*
22 *(f); and*

23 (2) *by inserting after subsection (d) the follow-*
24 *ing:*

1 “(e) *SELECTION OF DREDGED MATERIAL DISPOSAL*
2 *METHOD.*—*In developing and carrying out a project for*
3 *navigation involving the disposal of dredged material, the*
4 *Secretary may select, with the consent of the non-Federal*
5 *interest, a disposal method that is not the least-cost option*
6 *if the Secretary determines that the incremental costs of*
7 *such disposal method are minimal and that the benefits to*
8 *the aquatic environment to be derived from such disposal*
9 *method, including the creation of wetlands and control of*
10 *shoreline erosion, justify its selection. The Federal share of*
11 *such incremental costs shall be determined in accordance*
12 *with subsection (c).”.*

13 **SEC. 208. RECREATION POLICY AND USER FEES.**

14 (a) *RECREATION POLICIES.*—

15 (1) *IN GENERAL.*—*The Secretary shall provide*
16 *increased emphasis on and opportunities for recre-*
17 *ation at water resources projects operated, main-*
18 *tained, or constructed by the Corps of Engineers.*

19 (2) *REPORT.*—*Not later than 2 years after the*
20 *date of the enactment of this Act, the Secretary shall*
21 *transmit to Congress a report on specific measures*
22 *taken to implement this subsection.*

23 (b) *RECREATION USER FEES.*—*Section 210(b) of the*
24 *Flood Control Act of 1968 (16 U.S.C. 460d–3(b)) is amend-*
25 *ed by adding at the end the following:*

1 “(5) *USE OF FEES COLLECTED AT FACILITY.*—
2 *Subject to advance appropriations, the Secretary of*
3 *the Army shall ensure that at least an amount equal*
4 *to the total amount of fees collected at any project*
5 *under this subsection in a fiscal year beginning after*
6 *September 30, 1996, are expended in the succeeding*
7 *fiscal year at such project for operation and mainte-*
8 *nance of recreational facilities at such project.”.*

9 **SEC. 209. RECOVERY OF COSTS.**

10 *Amounts recovered under section 107 of the Com-*
11 *prehensive Environmental Response, Compensation, and*
12 *Liability Act of 1980 (42 U.S.C. 9607) for any response*
13 *action taken by the Secretary in support of the Army Civil*
14 *Works program and any other amounts recovered by the*
15 *Secretary from a contractor, insurer, surety, or other person*
16 *to reimburse the Army for any expenditure for environ-*
17 *mental response activities in support of the Army civil*
18 *works program shall be credited to the appropriate trust*
19 *fund account from which the cost of such response action*
20 *has been paid or will be charged.*

21 **SEC. 210. COST SHARING OF ENVIRONMENTAL PROJECTS.**

22 *(a) IN GENERAL.*—*Section 103(c) of the Water Re-*
23 *sources Development Act of 1986 (33 U.S.C. 2213(c)) is*
24 *amended—*

1 *take all necessary studies and design activities for*
2 *any construction to be undertaken pursuant to sub-*
3 *section (a) and provide technical assistance in obtain-*
4 *ing all necessary permits for such construction if the*
5 *non-Federal interest contracts with the Secretary to*
6 *furnish the United States funds for the studies and*
7 *design activities during the period that the studies*
8 *and design activities will be conducted.*

9 *(c) COMPLETION OF STUDIES AND DESIGN ACTIVI-*
10 *TIES.—In the case of any study or design documents for*
11 *a flood control project that were initiated before the date*
12 *of the enactment of this Act, the Secretary is authorized*
13 *to complete and transmit to the appropriate non-Federal*
14 *interests the study or design documents or, upon the request*
15 *of such non-Federal interests, to terminate the study or de-*
16 *sign activities and transmit the partially completed study*
17 *or design documents to such non-Federal interests for com-*
18 *pletion. Studies and design documents subject to this sub-*
19 *section shall be completed without regard to the require-*
20 *ments of subsection (b).*

21 *(d) AUTHORITY TO CARRY OUT IMPROVEMENT.—*

22 *(1) IN GENERAL.—Any non-Federal interest*
23 *which has received from the Secretary pursuant to*
24 *subsection (b) or (c) a favorable recommendation to*
25 *carry out a flood control project or separable element*

1 *thereof based on the results of completed studies and*
2 *design documents for the project or element, may*
3 *carry out the project or element if a final environ-*
4 *mental impact statement has been filed for the project*
5 *or element.*

6 (2) *PERMITS.*—*Any plan of improvement pro-*
7 *posed to be implemented in accordance with this sub-*
8 *section shall be deemed to satisfy the requirements for*
9 *obtaining the appropriate permits required under the*
10 *Secretary's authority and such permits shall be grant-*
11 *ed subject to the non-Federal interest's acceptance of*
12 *the terms and conditions of such permits if the Sec-*
13 *retary determines that the applicable regulatory cri-*
14 *teria and procedures have been satisfied.*

15 (3) *MONITORING.*—*The Secretary shall monitor*
16 *any project for which a permit is granted under this*
17 *subsection in order to ensure that such project is con-*
18 *structed, operated, and maintained in accordance*
19 *with the terms and conditions of such permit.*

20 (e) *REIMBURSEMENT.*—

21 (1) *GENERAL RULE.*—*Subject to appropriation*
22 *Acts, the Secretary is authorized to reimburse any*
23 *non-Federal interest an amount equal to the estimate*
24 *of the Federal share, without interest, of the cost of*

1 *any authorized flood control project, or separable ele-*
2 *ment thereof, constructed pursuant to this section—*

3 *(A) if, after authorization and before initi-*
4 *ation of construction of the project or separable*
5 *element, the Secretary approves the plans for*
6 *construction of such project by the non-Federal*
7 *interest; and*

8 *(B) if the Secretary finds, after a review of*
9 *studies and design documents prepared pursuant*
10 *to this section, that construction of the project or*
11 *separable element is economically justified and*
12 *environmentally acceptable.*

13 *(2) MATTERS TO BE CONSIDERED IN REVIEWING*
14 *PLANS.—In reviewing plans under this subsection, the*
15 *Secretary shall consider budgetary and programmatic*
16 *priorities and other factors that the Secretary deems*
17 *appropriate.*

18 *(3) MONITORING.—The Secretary shall regularly*
19 *monitor and audit any project for flood control ap-*
20 *proved for construction under this section by a non-*
21 *Federal interest in order to ensure that such construc-*
22 *tion is in compliance with the plans approved by the*
23 *Secretary and that the costs are reasonable.*

24 *(4) LIMITATION ON REIMBURSEMENTS.—No re-*
25 *imbursement shall be made under this section unless*

1 *and until the Secretary has certified that the work for*
2 *which reimbursement is requested has been performed*
3 *in accordance with applicable permits and approved*
4 *plans.*

5 *(f) SPECIFIC PROJECTS.—For the purpose of dem-*
6 *onstrating the potential advantages and effectiveness of*
7 *non-Federal implementation of flood control projects, the*
8 *Secretary shall enter into agreements pursuant to this sec-*
9 *tion with non-Federal interests for development of the fol-*
10 *lowing flood control projects by such interests:*

11 *(1) LOS ANGELES COUNTY DRAINAGE AREA,*
12 *CALIFORNIA.—The project for flood control, Los Ange-*
13 *les County Drainage Area, California, authorized by*
14 *section 101(b) of the Water Resources Development*
15 *Act of 1990 (104 Stat. 4611).*

16 *(2) STOCKTON METROPOLITAN AREA, CALIFOR-*
17 *NIA.—The project for flood control, Stockton Metro-*
18 *politan Area, California.*

19 *(3) BRAYS BAYOU, TEXAS.—Flood control compo-*
20 *nents comprising the Brays Bayou element of the*
21 *project for flood control, Buffalo Bayou and Tribu-*
22 *taries, Texas, authorized by section 101(a)(21) of the*
23 *Water Resources Development Act of 1990 (104 Stat.*
24 *4610); except that the non-Federal interest may de-*

1 (1) *AUTHORIZATION OF APPROPRIATIONS.*—
2 *There is authorized to be appropriated to carry out*
3 *this section \$3,000,000 for each fiscal year beginning*
4 *after September 30, 1996.*

5 (2) *FUNDING FROM OTHER SOURCES.*—*The Sec-*
6 *retary may accept and expend additional funds from*
7 *other Federal agencies, States, or non-Federal entities*
8 *for purposes of carrying out this section.*

9 **SEC. 213. LEASE AUTHORITY.**

10 *Notwithstanding any other provision of law, the Sec-*
11 *retary may lease space available in buildings for which*
12 *funding for construction or purchase was provided from the*
13 *revolving fund established by the 1st section of the Civil*
14 *Functions Appropriations Act, 1954 (33 U.S.C. 576; 67*
15 *Stat. 199) under such terms and conditions as are accept-*
16 *able to the Secretary. The proceeds from such leases shall*
17 *be credited to the revolving fund for the purposes set forth*
18 *in such Act.*

19 **SEC. 214. COLLABORATIVE RESEARCH AND DEVELOPMENT.**

20 (a) *FUNDING FROM OTHER FEDERAL SOURCES.*—*Sec-*
21 *tion 7 of the Water Resources Development Act of 1988 (102*
22 *Stat. 4022–4023) is amended—*

23 (1) *in subsection (a) by inserting “civil works”*
24 *before “mission”; and*

1 (2) *by striking subsection (e) and inserting the*
2 *following:*

3 “(e) *FUNDING FROM OTHER FEDERAL SOURCES.—*
4 *The Secretary may accept and expend additional funds*
5 *from other Federal programs, including other Department*
6 *of Defense programs, to carry out the purposes of this sec-*
7 *tion.”.*

8 (b) *PRE-AGREEMENT TEMPORARY PROTECTION OF*
9 *TECHNOLOGY.—Such section 7 is further amended—*

10 (1) *by redesignating subsections (b), (c), (d), and*
11 *(e) as subsections (c), (d), (e), and (f), respectively;*

12 (2) *by inserting after subsection (a) the following*
13 *new subsection:*

14 “(b) *PRE-AGREEMENT TEMPORARY PROTECTION OF*
15 *TECHNOLOGY.—*

16 “(1) *IN GENERAL.—If the Secretary determines*
17 *that information developed as a result of research and*
18 *development activities conducted by the Corps of En-*
19 *gineers is likely to be subject to a cooperative research*
20 *and development agreement within 2 years of its de-*
21 *velopment and that such information would be a*
22 *trade secret or commercial or financial information*
23 *that would be privileged or confidential if the infor-*
24 *mation had been obtained from a non-Federal party*
25 *participating in a cooperative research and develop-*

1 *ment agreement under section 12 of the Stevenson-*
2 *Wydler Technology Innovation Act of 1980, the Sec-*
3 *retary may provide appropriate protection against*
4 *the dissemination of such information, including ex-*
5 *emption from subchapter II of chapter 5 of title 5,*
6 *United States Code, until the earlier of the date the*
7 *Secretary enters into such an agreement with respect*
8 *to such technology or the last day of the 2-year period*
9 *beginning on the date of such determination.*

10 *“(2) TREATMENT.—Any technology covered by*
11 *this section which becomes the subject of a cooperative*
12 *research and development agreement shall be accorded*
13 *the protection provided under section 12(c)(7)(B) of*
14 *such Act (15 U.S.C. 3710a(c)(7)(B)) as if such tech-*
15 *nology had been developed under a cooperative re-*
16 *search and development agreement.”; and*

17 *(3) in subsection (d), as so redesignated, by*
18 *striking “(b)” and inserting “(c)”.*

19 **SEC. 215. DAM SAFETY PROGRAM.**

20 *(a) SHORT TITLE.—This section may be cited as the*
21 *“National Dam Safety Program Act of 1996”.*

22 *(b) FINDINGS.—Congress finds the following:*

23 *(1) Dams are an essential part of the national*
24 *infrastructure. Dams fail from time to time with cat-*

1 *astrophic results; thus, dam safety is a vital public*
2 *concern.*

3 *(2) Dam failures have caused, and can cause in*
4 *the future, enormous loss of life, injury, destruction of*
5 *property, and economic and social disruption.*

6 *(3) Some dams are at or near the end of their*
7 *structural, useful, or operational life. With respect to*
8 *future dam failures, the loss, destruction, and disrup-*
9 *tion can be substantially reduced through the develop-*
10 *ment and implementation of dam safety hazard re-*
11 *duction measures, including—*

12 *(A) improved design and construction*
13 *standards and practices supported by a national*
14 *dam performance resource bank;*

15 *(B) safe operations and maintenance proce-*
16 *dures;*

17 *(C) early warning systems;*

18 *(D) coordinated emergency preparedness*
19 *plans; and*

20 *(E) public awareness and involvement pro-*
21 *grams.*

22 *(4) Dam safety problems persist nationwide. The*
23 *diversity in Federal and State dam safety programs*
24 *calls for national leadership in a cooperative effort*
25 *involving Federal and State governments and the pri-*

1 *vate sector. An expertly staffed and adequately fi-*
2 *nanced dam safety hazard reduction program, based*
3 *on Federal, State, local, and private research, plan-*
4 *ning, decisionmaking, and contributions, would re-*
5 *duce the risk of such loss, destruction, and disruption*
6 *from dam failure by an amount far greater than the*
7 *cost of such program.*

8 *(5) There is a fundamental need for a national*
9 *dam safety program and the need will continue. An*
10 *effective national program in dam safety hazards re-*
11 *duction will require input from and review by Fed-*
12 *eral and non-Federal experts in dams design, con-*
13 *struction, operation, and maintenance and in the*
14 *practical application of dam failure hazards reduc-*
15 *tion measures. At the present time, there is no na-*
16 *tional dam safety program.*

17 *(6) The coordinating authority for national lead-*
18 *ership is provided through the Federal Emergency*
19 *Management Agency's (hereinafter in this section re-*
20 *ferred to as "FEMA") dam safety program through*
21 *Executive Order 12148 in coordination with appro-*
22 *priate Federal agencies and the States.*

23 *(7) While FEMA's dam safety program shall*
24 *continue as a proper Federal undertaking and shall*
25 *provide the foundation for a National Dam Safety*

1 *Program, statutory authority to meet increasing*
2 *needs and to discharge Federal responsibilities in na-*
3 *tional dam safety is needed.*

4 (8) *Statutory authority will strengthen FEMA’s*
5 *leadership role, will codify the national dam safety*
6 *program, and will authorize the Director of FEMA*
7 *(hereinafter in this section referred to as the “Direc-*
8 *tor”)* *to communicate directly with Congress on au-*
9 *thorizations and appropriations and to build upon*
10 *the hazard reduction aspects of national dam safety.*

11 (c) *PURPOSE.—It is the purpose of this section to re-*
12 *duce the risks to life and property from dam failure in the*
13 *United States through the establishment and maintenance*
14 *of an effective national dam safety program which will*
15 *bring together the Federal and non-Federal communities’*
16 *expertise and resources to achieve national dam safety haz-*
17 *ard reduction. It is not the intent of this section to preempt*
18 *any other Federal or State authorities nor is the intent of*
19 *this section to mandate State participation in the grant*
20 *assistance program to be established under this section.*

21 (d) *DEFINITIONS.—In this section, the following defi-*
22 *initions apply:*

23 (1) *FEDERAL AGENCY.—The term “Federal agen-*
24 *cy” means any Federal agency that designs, finances,*

1 *constructs, owns, operates, maintains, or regulates the*
2 *construction, operation, or maintenance of any dam.*

3 (2) *NON-FEDERAL AGENCY.*—*The term “non-Fed-*
4 *eral agency” means any State agency that has regu-*
5 *latory authority over the safety of non-Federal dams.*

6 (3) *FEDERAL GUIDELINES FOR DAM SAFETY.*—
7 *The term “Federal Guidelines for Dam Safety” refers*
8 *to a FEMA publication number 93, dated June 1979,*
9 *which defines management practices for dam safety at*
10 *all Federal agencies.*

11 (4) *PROGRAM.*—*The term “program” means the*
12 *national dam safety program established under sub-*
13 *section (e).*

14 (5) *DAM.*—*The term “dam” means any artificial*
15 *barrier with the ability to impound water,*
16 *wastewater, or liquid-borne materials for the purpose*
17 *of storage or control of water which is—*

18 (A) *25 feet or more in height from (i) the*
19 *natural bed of the stream or watercourse meas-*
20 *ured at the downstream toe of the barrier, or (ii)*
21 *from the lowest elevation of the outside limit of*
22 *the barrier if the barrier is not across a stream*
23 *channel or watercourse, to the maximum water*
24 *storage elevation; or*

1 (B) has an impounding capacity for maxi-
2 mum storage elevation of 50 acre-feet or more.

3 Such term does not include any such barrier which
4 is not greater than 6 feet in height regardless of stor-
5 age capacity or which has a storage capacity at max-
6 imum water storage elevation not greater than 15
7 acre-feet regardless of height, unless such barrier, due
8 to its location or other physical characteristics, is
9 likely to pose a significant threat to human life or
10 property in the event of its failure. Such term does
11 not include a levee.

12 (6) HAZARD REDUCTION.—The term “hazard re-
13 duction” means those efforts utilized to reduce the po-
14 tential consequences of dam failure to life and prop-
15 erty.

16 (7) STATE.—The term “State” means each of the
17 50 States of the United States, the District of Colum-
18 bia, the Commonwealth of Puerto Rico, the Virgin Is-
19 lands, Guam, American Samoa, the Commonwealth of
20 the Northern Mariana Islands, and any other terri-
21 tory or possession of the United States.

22 (8) PARTICIPATING STATE.—The term “partici-
23 pating State” means any State that elects to partici-
24 pate in the grant assistance program established
25 under this Act.

1 (9) *UNITED STATES.*—*The term “United States”*
2 *means, when used in a geographical sense, all of the*
3 *States.*

4 (10) *MODEL STATE DAM SAFETY PROGRAM.*—*The*
5 *term “Model State Dam Safety Program” refers to a*
6 *document, published by FEMA (No. 123, dated April*
7 *1987) and its amendments, developed by State dam*
8 *safety officials, which acts as a guideline to State*
9 *dam safety agencies for establishing a dam safety reg-*
10 *ulatory program or improving an already-established*
11 *program.*

12 (e) *NATIONAL DAM SAFETY PROGRAM.*—

13 (1) *AUTHORITY.*—*The Director, in consultation*
14 *with appropriate Federal agencies, State dam safety*
15 *agencies, and the National Dam Safety Review Board*
16 *established by paragraph (5)(C), shall establish and*
17 *maintain, in accordance with the provisions and*
18 *policies of this Act, a coordinated national dam safety*
19 *program. This program shall—*

20 (A) *be administered by FEMA to achieve*
21 *the objectives set forth in paragraph (3);*

22 (B) *involve, where appropriate, the Depart-*
23 *ments of Agriculture, Defense, Energy, Interior,*
24 *and Labor, the Federal Energy Regulatory Com-*
25 *mission, the Nuclear Regulatory Commission, the*

1 *International Boundaries Commission (United*
2 *States section), the Tennessee Valley Authority,*
3 *and FEMA; and*

4 *(C) include each of the components de-*
5 *scribed in paragraph (4), the implementation*
6 *plan described in paragraph (5), and the assist-*
7 *ance for State dam safety programs to be pro-*
8 *vided under this section.*

9 (2) *DUTIES.—The Director—*

10 *(A) within 270 days after the date of the*
11 *enactment of this Act, shall develop the imple-*
12 *mentation plan described in paragraph (5);*

13 *(B) within 300 days after such date of en-*
14 *actment, shall submit to the appropriate author-*
15 *izing committees of Congress the implementation*
16 *plan described in paragraph (5); and*

17 *(C) by rule within 360 days after such date*
18 *of enactment—*

19 *(i) shall develop and implement the*
20 *national dam safety program under this*
21 *section;*

22 *(ii) shall establish goals, priorities, and*
23 *target dates for implementation of the pro-*
24 *gram; and*

1 (iii) shall provide a method for co-
2 operation and coordination with, and as-
3 sistance to (as feasible), interested govern-
4 mental entities in all States.

5 (3) *OBJECTIVES.*—*The objectives of the national*
6 *dam safety program are as follows:*

7 (A) *To ensure that new and existing dams*
8 *are safe through the development of techno-*
9 *logically and economically feasible programs and*
10 *procedures for national dam safety hazard reduc-*
11 *tion.*

12 (B) *To encourage acceptable engineering*
13 *policies and procedures used for dam site inves-*
14 *tigation, design, construction, operation and*
15 *maintenance, and emergency preparedness.*

16 (C) *To encourage establishment and imple-*
17 *mentation of effective dam safety programs in*
18 *each participating State based on State stand-*
19 *ards.*

20 (D) *To develop and encourage public aware-*
21 *ness projects to increase public acceptance and*
22 *support of State dam safety programs.*

23 (E) *To develop technical assistance mate-*
24 *rials for Federal and non-Federal dam safety*
25 *programs.*

1 (F) *To develop mechanisms with which to*
2 *provide Federal technical assistance for dam*
3 *safety to the non-Federal sector.*

4 (4) *COMPONENTS.—*

5 (A) *IN GENERAL.—The national dam safety*
6 *program shall consist of a Federal element and*
7 *a non-Federal element and 3 functional activi-*
8 *ties: leadership, technical assistance, and public*
9 *awareness.*

10 (B) *ELEMENTS.—*

11 (i) *FEDERAL ELEMENT.—The Federal*
12 *element of the program incorporates all the*
13 *activities and practices undertaken by Fed-*
14 *eral agencies to implement the Federal*
15 *Guidelines for Dam Safety.*

16 (ii) *NON-FEDERAL ELEMENT.—The*
17 *non-Federal element of the program involves*
18 *the activities and practices undertaken by*
19 *participating States, local governments, and*
20 *the private sector to safely build, regulate,*
21 *operate, and maintain dams and Federal*
22 *activities which foster State efforts to de-*
23 *velop and implement effective programs for*
24 *the safety of dams.*

25 (C) *ACTIVITIES.—*

1 (i) *LEADERSHIP ACTIVITY.*—*The lead-*
2 *ership activity of the program shall be the*
3 *responsibility of FEMA. FEMA shall co-*
4 *ordinate Federal efforts in cooperation with*
5 *appropriate Federal agencies and State*
6 *dam safety agencies.*

7 (ii) *TECHNICAL ASSISTANCE ACTIV-*
8 *ITY.*—*The technical assistance activity of*
9 *the program involves the transfer of knowl-*
10 *edge and technical information among the*
11 *Federal and non-Federal elements.*

12 (iii) *PUBLIC AWARENESS ACTIVITY.*—
13 *The public awareness activity provides for*
14 *the education of the public, including State*
15 *and local officials, to the hazards of dam*
16 *failure and ways to reduce the adverse con-*
17 *sequences of dam failure and related mat-*
18 *ters.*

19 (5) *GRANT ASSISTANCE PROGRAM.*—*The Director*
20 *shall develop an implementation plan which shall*
21 *demonstrate dam safety improvements through fiscal*
22 *year 2001 and shall recommend appropriate roles for*
23 *Federal agencies and for State and local units of gov-*
24 *ernment, individuals, and private organizations. The*

1 *implementation plan shall provide, at a minimum,*
2 *for the following:*

3 (A) *ASSISTANCE PROGRAM.*—*In order to en-*
4 *courage the establishment and maintenance of ef-*
5 *fective programs intended to ensure dam safety*
6 *to protect human life and property and to im-*
7 *prove such existing programs, the Director shall*
8 *provide, from amounts made available under*
9 *subsection (g) of this section, assistance to par-*
10 *ticipating States to establish and maintain dam*
11 *safety programs, first, according to the basic pro-*
12 *visions for a dam safety program listed below*
13 *and, second, according to more advanced require-*
14 *ments and standards authorized by the review*
15 *board under subparagraph (C) and the Director*
16 *with the assistance of established criteria such as*
17 *the Model State Dam Safety Program. Partici-*
18 *pating State dam safety programs must be work-*
19 *ing toward meeting the following primary cri-*
20 *teria to be eligible for primary assistance or*
21 *must meet the following primary criteria prior*
22 *to working toward advanced assistance:*

23 (i) *STATE LEGISLATION.*—*A dam safe-*
24 *ty program must be authorized by State leg-*

1 *islation to include, at a minimum, the fol-*
2 *lowing:*

3 (I) *PLAN REVIEW AND AP-*
4 *PROVAL.—Authority to review and ap-*
5 *prove plans and specifications to con-*
6 *struct, enlarge, modify, remove, or*
7 *abandon dams.*

8 (II) *PERIODIC INSPECTIONS DUR-*
9 *ING CONSTRUCTION.—Authority to per-*
10 *form periodic inspections during con-*
11 *struction for the purpose of ensuring*
12 *compliance with approved plans and*
13 *specifications.*

14 (III) *STATE APPROVAL.—Upon*
15 *completion of construction, a require-*
16 *ment that, before operation of the*
17 *structure, State approval is received.*

18 (IV) *SAFETY INSPECTIONS.—Au-*
19 *thority to require or perform the in-*
20 *spection of all dams and reservoirs*
21 *that pose a significant threat to human*
22 *life and property in the event of failure*
23 *at least every 5 years to determine*
24 *their continued safety and a procedure*

1 *for more detailed and frequent safety*
2 *inspections.*

3 (V) *PROFESSIONAL ENGINEER.*—A
4 *requirement that all inspections be per-*
5 *formed under the supervision of a reg-*
6 *istered professional engineer with relat-*
7 *ed experience in dam design and con-*
8 *struction.*

9 (VI) *ORDERS.*—*Authority to issue*
10 *orders, when appropriate, to require*
11 *owners of dams to perform necessary*
12 *maintenance or remedial work, revise*
13 *operating procedures, or take other ac-*
14 *tions, including breaching dams when*
15 *deemed necessary.*

16 (VII) *REGULATIONS.*—*Rules and*
17 *regulations for carrying out the provi-*
18 *sions of the State’s legislative author-*
19 *ity.*

20 (VIII) *EMERGENCY FUNDS.*—*Nec-*
21 *essary emergency funds to assure time-*
22 *ly repairs or other changes to, or re-*
23 *moval of, a dam in order to protect*
24 *human life and property and, if the*
25 *owner does not take action, to take ap-*

1 *appropriate action as expeditiously as*
2 *possible.*

3 *(IX) EMERGENCY PROCEDURES.—*

4 *A system of emergency procedures that*
5 *would be utilized in the event a dam*
6 *fails or in the event a dam's failure is*
7 *imminent, together with an identifica-*
8 *tion of those dams where failure could*
9 *be reasonably expected to endanger*
10 *human life and of the maximum area*
11 *that could be inundated in the event of*
12 *a failure of the dam, as well as identi-*
13 *fication of those necessary public facili-*
14 *ties that would be affected by such in-*
15 *undation.*

16 *(ii) STATE APPROPRIATIONS.—State*
17 *appropriations must be budgeted to carry*
18 *out the provisions of the State legislation.*

19 *(B) WORK PLAN CONTRACTS.—The Director*
20 *shall enter into contracts with each participating*
21 *State to determine a work plan necessary for a*
22 *particular State dam safety program to reach a*
23 *level of program performance previously agreed*
24 *upon in the contract. Federal assistance under*

1 *this section shall be provided to aid the State*
2 *dam safety program in achieving its goal.*

3 (C) *NATIONAL DAM SAFETY REVIEW*
4 *BOARD.—*

5 (i) *IN GENERAL.—There is authorized*
6 *to be established a National Dam Safety*
7 *Review Board (hereinafter in this section*
8 *referred to as the “Board”), which shall be*
9 *responsible for monitoring participating*
10 *State implementation of the requirements of*
11 *the assistance program. The Board is au-*
12 *thorized to utilize the expertise of other*
13 *agencies of the United States and to enter*
14 *into contracts for necessary studies to carry*
15 *out the requirements of this section. The*
16 *Board shall consist of 11 members selected*
17 *for their expertise in dam safety as follows:*

18 (I) *5 to represent FEMA, the Fed-*
19 *eral Energy Regulatory Commission,*
20 *and the Departments of Agriculture,*
21 *Defense, and Interior.*

22 (II) *5 members selected by the Di-*
23 *rector who are dam safety officials of*
24 *States.*

1 (III) 1 member selected by the Di-
2 rector to represent the United States
3 Committee on Large Dams.

4 (ii) NO COMPENSATION OF MEM-
5 BERS.—Each member of the Board who is
6 an officer or employee of the United States
7 shall serve without compensation in addi-
8 tion to compensation received for the serv-
9 ices of the member as an officer or employee
10 of the United States. Each member of the
11 Board who is not an officer or employee of
12 the United States shall serve without com-
13 pensation.

14 (iii) TRAVEL EXPENSES.—Each mem-
15 ber of the Board shall be allowed travel ex-
16 penses, including per diem in lieu of sub-
17 sistence, at rates authorized for an employee
18 of an agency under subchapter I of chapter
19 57 of title 5, United States Code, while
20 away from home or regular place of busi-
21 ness of the member in the performance of
22 services for the Board.

23 (iv) NONAPPLICABILITY OF FEDERAL
24 ADVISORY COMMITTEE ACT.—The Federal

1 *Advisory Committee Act (5 U.S.C. App.)*
2 *shall not apply to the Board.*

3 *(D) MAINTENANCE OF EFFORT.—No grant*
4 *may be made to a participating State under this*
5 *subsection in any fiscal year unless the State en-*
6 *ters into such agreement with the Director as the*
7 *Director may require to ensure that the partici-*
8 *peating State will maintain its aggregate expend-*
9 *itures from all other sources for programs to as-*
10 *sure dam safety for the protection of human life*
11 *and property at or above the average level of*
12 *such expenditures in its 2 fiscal years preceding*
13 *the date of the enactment of this Act.*

14 *(E) PROCEDURE FOR APPROVAL OF STATE*
15 *PARTICIPATION.—Any program which is submit-*
16 *ted to the Director for participation in the as-*
17 *sistance program under this subsection shall be*
18 *deemed approved 120 days following its receipt*
19 *by the Director unless the Director determines*
20 *within such 120-day period that the submitted*
21 *program fails to reasonably meet the require-*
22 *ments of subparagraphs (A) and (B). If the Di-*
23 *rector determines the submitted program cannot*
24 *be approved for participation, the Director shall*
25 *immediately notify the State in writing, together*

1 *with his or her reasons and those changes needed*
2 *to enable the submitted program to be approved.*

3 (F) *REVIEW OF STATE PROGRAMS.*—*Utiliz-*
4 *ing the expertise of the Board, the Director shall*
5 *periodically review the approved State dam safe-*
6 *ty programs. In the event the Board finds that*
7 *a program of a participating State has proven*
8 *inadequate to reasonably protect human life and*
9 *property and the Director agrees, the Director*
10 *shall revoke approval of the State's participation*
11 *in the assistance program and withhold assist-*
12 *ance under this section, until the State program*
13 *has been reapproved.*

14 (G) *COOPERATION OF FEDERAL AGEN-*
15 *CIES.*—*The head of any Federal agency, when*
16 *requested by any State dam safety agency, shall*
17 *provide information on the construction, oper-*
18 *ation, or maintenance of any dam or allow offi-*
19 *cial of the State agency to participate in any*
20 *Federal inspection of any dam.*

21 (H) *DAM INSURANCE REPORT.*—*Within 180*
22 *days after the date of the enactment of this Act,*
23 *the Director shall report to the Congress on the*
24 *availability of dam insurance and make rec-*
25 *ommendations.*

1 (f) *BIENNIAL REPORT.*—*Within 90 days after the last*
2 *day of each odd-numbered fiscal year, the Director shall*
3 *submit a biennial report to Congress describing the status*
4 *of the program being implemented under this section and*
5 *describing the progress achieved by the Federal agencies*
6 *during the 2 previous years in implementing the Federal*
7 *Guidelines for Dam Safety. Each such report shall include*
8 *any recommendations for legislative and other action*
9 *deemed necessary and appropriate. The report shall also in-*
10 *clude a summary of the progress being made in improving*
11 *dam safety by participating States.*

12 (g) *AUTHORIZING OF APPROPRIATIONS.*—

13 (1) *GENERAL PROGRAM.*—

14 (A) *FUNDING.*—*There are authorized to be*
15 *appropriated to the Director to carry out the*
16 *provisions of subsections (e) and (f) (in addition*
17 *to any authorizations for similar purposes in-*
18 *cluded in other Acts and the authorizations set*
19 *forth in paragraphs (2) through (5) of this sub-*
20 *section)—*

21 (i) *\$1,000,000 for fiscal year 1997;*

22 (ii) *\$2,000,000 for fiscal year 1998;*

23 (iii) *\$4,000,000 for fiscal year 1999;*

24 (iv) *\$4,000,000 for fiscal year 2000;*

25 *and*

1 (v) \$4,000,000 for fiscal year 2001.

2 (B) APPORTIONMENT FORMULA.—

3 (i) IN GENERAL.—Subject to clause
4 (ii), sums appropriated under this para-
5 graph shall be distributed annually among
6 participating States on the following basis:
7 One-third among those States determined in
8 subsection (e) as qualifying for funding,
9 and two-thirds in proportion to the number
10 of dams and appearing as State-regulated
11 dams on the National Dam Inventory in
12 each participating State that has been de-
13 termined in subsection (e)(5)(A) as qualify-
14 ing for funding, to the number of dams in
15 all participating States.

16 (ii) LIMITATION TO 50 PERCENT OF
17 COST.—In no event shall funds distributed
18 to any State under this paragraph exceed
19 50 percent of the reasonable cost of imple-
20 menting an approved dam safety program
21 in such State.

22 (iii) ALLOCATION BETWEEN PRIMARY
23 AND ADVANCED ASSISTANCE PROGRAMS.—
24 The Director and Review Board shall deter-
25 mine how much of funds appropriated

1 *under this paragraph is allotted to partici-*
2 *parting States needing primary funding and*
3 *those needing advanced funding.*

4 (2) *TRAINING.—*

5 (A) *IN GENERAL.—The Director shall, at*
6 *the request of any State that has or intends to*
7 *develop a dam safety program under subsection*
8 *(e)(5)(A), provide training for State dam safety*
9 *staff and inspectors.*

10 (B) *FUNDING.—There is authorized to be*
11 *appropriated to carry out this paragraph*
12 *\$500,000 for each of fiscal years 1997 through*
13 *2001.*

14 (3) *RESEARCH.—*

15 (A) *IN GENERAL.—The Director shall un-*
16 *dertake a program of technical and archival re-*
17 *search in order to develop improved techniques,*
18 *historical experience, and equipment for rapid*
19 *and effective dam construction, rehabilitation,*
20 *and inspection, together with devices for the con-*
21 *tinued monitoring, of dams for safety purposes.*

22 (B) *STATE PARTICIPATION; REPORTS.—The*
23 *Director shall provide for State participation in*
24 *the research under this paragraph and periodi-*

1 *cally advise all States and Congress of the results*
2 *of such research.*

3 (C) *FUNDING.*—*There is authorized to be*
4 *appropriated to carry out this paragraph*
5 *\$1,000,000 for each of fiscal years 1997 through*
6 *2001.*

7 (4) *DAM INVENTORY.*—

8 (A) *MAINTENANCE AND PUBLICATION.*—*The*
9 *Secretary is authorized to maintain and periodi-*
10 *cally publish updated information on the inven-*
11 *tory of dams.*

12 (B) *FUNDING.*—*There is authorized to be*
13 *appropriated to carry out this paragraph*
14 *\$500,000 for each of fiscal years 1997 through*
15 *2001.*

16 (5) *PERSONNEL.*—

17 (A) *EMPLOYMENT.*—*The Director is author-*
18 *ized to employ additional staff personnel in*
19 *numbers sufficient to carry out the provisions of*
20 *this section.*

21 (B) *FUNDING.*—*There is authorized to be*
22 *appropriated to carry out this paragraph*
23 *\$400,000 for each of fiscal years 1997 through*
24 *2001.*

1 (6) *LIMITATION.*—No funds authorized by this
2 section shall be used to construct or repair any Fed-
3 eral or non-Federal dams.

4 (h) *CONFORMING AMENDMENTS.*—The Act entitled
5 “An Act to authorize the Secretary of the Army to under-
6 take a national program of inspection of dams”, approved
7 August 8, 1972 (33 U.S.C 467–467m; Public Law 92–367),
8 is amended—

9 (1) in the first section by striking “means any
10 artificial barrier” and all that follows through the pe-
11 riod at the end and inserting “has the meaning such
12 term has under subsection (d) of the National Dam
13 Safety Program Act of 1996.”;

14 (2) by striking the 2d sentence of section 3;

15 (3) by striking section 5 and sections 7 through
16 14; and

17 (4) by redesignating section 6 as section 5.

18 **SEC. 216. MAINTENANCE, REHABILITATION, AND MOD-**

19 **ERNIZATION OF FACILITIES.**

20 *In accomplishing the maintenance, rehabilitation, and*
21 *modernization of hydroelectric power generating facilities*
22 *at water resources projects under the jurisdiction of the De-*
23 *partment of the Army, the Secretary is authorized to in-*
24 *crease the efficiency of energy production and the capacity*
25 *of these facilities if, after consulting with other appropriate*

1 *Federal and State agencies, the Secretary determines that*
2 *such uprating—*

3 *(1) is economically justified and financially fea-*
4 *sible;*

5 *(2) will not result in significant adverse effects*
6 *on the other purposes for which the project is author-*
7 *ized;*

8 *(3) will not result in significant adverse environ-*
9 *mental impacts; and*

10 *(4) will not involve major structural or oper-*
11 *ation changes in the project.*

12 **SEC. 217. LONG-TERM SEDIMENT MANAGEMENT STRATE-**
13 **GIES.**

14 *(a) DEVELOPMENT.—The Secretary shall enter into co-*
15 *operative agreements with non-Federal sponsors of naviga-*
16 *tion projects for development of long-term management*
17 *strategies for controlling sediments in such projects.*

18 *(b) CONTENTS OF STRATEGIES.—Each strategy devel-*
19 *oped under this section for a navigation project—*

20 *(1) shall include assessments of the following*
21 *with respect to the project: sediment rates and com-*
22 *position, sediment reduction options, dredging prac-*
23 *tices, long-term management of any dredged material*
24 *disposal facilities, remediation of such facilities, and*
25 *alternative disposal and reuse options;*

1 (2) *shall include a timetable for implementation*
2 *of the strategy; and*

3 (3) *shall incorporate, as much as possible, rel-*
4 *evant ongoing planning efforts, including remedial*
5 *action planning, dredged material management plan-*
6 *ning, harbor and waterfront development planning,*
7 *and watershed management planning.*

8 (c) *CONSULTATION.*—*In developing strategies under*
9 *this section, the Secretary shall consult with interested Fed-*
10 *eral agencies, States, and Indian tribes and provide an op-*
11 *portunity for public comment.*

12 **SEC. 218. DREDGED MATERIAL DISPOSAL FACILITY PART-**
13 **NEERSHIPS.**

14 (a) *ADDITIONAL CAPACITY.*—

15 (1) *PROVIDED BY SECRETARY.*—*At the request of*
16 *a non-Federal project sponsor, the Secretary may pro-*
17 *vide additional capacity at a dredged material dis-*
18 *posal facility constructed by the Department of the*
19 *Army beyond that which would be required for project*
20 *purposes if the non-Federal project sponsor agrees to*
21 *pay, during the period of construction, all costs asso-*
22 *ciated with the construction of the additional capac-*
23 *ity.*

24 (2) *COST RECOVERY AUTHORITY.*—*The non-Fed-*
25 *eral project sponsor may recover the costs assigned to*

1 *the additional capacity through fees assessed on 3rd*
2 *parties whose dredged material is deposited in the fa-*
3 *ility and who enter into agreements with the non-*
4 *Federal sponsor for the use of such facility. The*
5 *amount of such fees may be determined by the non-*
6 *Federal sponsor.*

7 *(b) NON-FEDERAL USE OF DISPOSAL FACILITIES.—*

8 *(1) IN GENERAL.—The Secretary—*

9 *(A) may permit the use of any dredged ma-*
10 *terial disposal facility under the jurisdiction of,*
11 *or managed by, the Secretary by a non-Federal*
12 *interest if the Secretary determines that such use*
13 *will not reduce the availability of the facility for*
14 *project purposes; and*

15 *(B) may impose fees to recover capital, op-*
16 *eration, and maintenance costs associated with*
17 *such use.*

18 *(2) USE OF FEES.—Notwithstanding section*
19 *401(c) of the Federal Water Pollution Control Act but*
20 *subject to advance appropriations, any monies re-*
21 *ceived through collection of fees under this subsection*
22 *shall be available to the Secretary, and shall be used*
23 *by the Secretary, for the operation and maintenance*
24 *of the disposal facility from which they were collected.*

1 **SEC. 219. OBSTRUCTION REMOVAL REQUIREMENT.**

2 (a) *PENALTY.*—Section 16 of the Act of March 3, 1899
3 (33 U.S.C. 411; 30 Stat. 1153), is amended—

4 (1) by striking “thirteen, fourteen, and fifteen”
5 each place it appears and inserting “13, 14, 15, 19,
6 and 20”; and

7 (2) by striking “not exceeding twenty-five hun-
8 dred dollars nor less than five hundred dollars” and
9 inserting “of up to \$25,000 per day”.

10 (b) *GENERAL AUTHORITY.*—Section 20 of the Act of
11 March 3, 1899 (33 U.S.C. 415; 30 Stat. 1154), is amend-
12 ed—

13 (1) by striking “expense” the first place it ap-
14 pears in subsection (a) and inserting “actual expense,
15 including administrative expenses,”;

16 (2) in subsection (b) by striking “cost” and in-
17 serting “actual cost, including administrative costs,”;

18 (3) by redesignating subsection (b) as subsection
19 (c); and

20 (4) by inserting after subsection (a) the following
21 new subsection:

22 “(b) *REMOVAL REQUIREMENT.*—Within 24 hours after
23 the Secretary of the Department in which the Coast Guard
24 is operating issues an order to stop or delay navigation in
25 any navigable waters of the United States because of condi-
26 tions related to the sinking or grounding of a vessel, the

1 *owner or operator of the vessel, with the approval of the*
2 *Secretary of the Army, shall begin removal of the vessel*
3 *using the most expeditious removal method available or, if*
4 *appropriate, secure the vessel pending removal to allow*
5 *navigation to resume. If the owner or operator fails to begin*
6 *removal or to secure the vessel pending removal or fails to*
7 *complete removal as soon as possible, the Secretary of the*
8 *Army shall remove or destroy the vessel using the summary*
9 *removal procedures under subsection (a) of this section.”.*

10 **SEC. 220. SMALL PROJECT AUTHORIZATIONS.**

11 *Section 14 of the Flood Control Act of 1946 (33 U.S.C.*
12 *701r) is amended—*

13 *(1) by striking “\$12,500,000” and inserting*
14 *“\$15,000,000”; and*

15 *(2) by striking “\$500,000” and inserting*
16 *“\$1,500,000”.*

17 **SEC. 221. UNECONOMICAL COST-SHARING REQUIREMENTS.**

18 *Section 221(a) of the Flood Control Act of 1970 (42*
19 *U.S.C. 1962d–5b) is amended by striking the period at the*
20 *end of the first sentence and inserting the following: “; ex-*
21 *cept that no such agreement shall be required if the Sec-*
22 *retary determines that the administrative costs associated*
23 *with negotiating, executing, or administering the agreement*
24 *would exceed the amount of the contribution required from*
25 *the non-Federal interest and are less than \$25,000.”.*

1 **SEC. 222. PLANNING ASSISTANCE TO STATES.**

2 *Section 22 of the Water Resources Development Act of*
3 *1974 (42 U.S.C. 1962d–16) is amended—*

4 *(1) in subsection (a) by inserting “, watersheds,*
5 *or ecosystems” after “basins”;*

6 *(2) in subsection (b)—*

7 *(A) by striking paragraph (2); and*

8 *(B) by redesignating paragraphs (3) and*

9 *(4) as paragraphs (2) and (3), respectively; and*

10 *(3) in subsection (c)—*

11 *(A) by striking “\$6,000,000” and inserting*

12 *“\$10,000,000”; and*

13 *(B) by striking “\$300,000” and inserting*

14 *“\$500,000”.*

15 **SEC. 223. CORPS OF ENGINEERS EXPENSES.**

16 *Section 211 of the Flood Control Act of 1950 (33*
17 *U.S.C. 701u; 64 Stat. 183) is amended—*

18 *(1) by striking “continental limits of the”; and*

19 *(2) by striking the 2d colon and all that follows*

20 *through “for this purpose”.*

21 **SEC. 224. STATE AND FEDERAL AGENCY REVIEW PERIOD.**

22 *The 1st section of the Act entitled “An Act authorizing*
23 *the construction of certain public works on rivers and har-*

24 *bors for flood control, and other purposes”, approved De-*

25 *cember 22, 1944 (33 U.S.C. 701–1(a); 58 Stat. 888), is*

26 *amended—*

1 (1) by striking “Within ninety” and inserting
2 “Within 30”; and

3 (2) by striking “ninety-day period.” and insert-
4 ing “30-day period.”.

5 **SEC. 225. LIMITATION ON REIMBURSEMENT OF NON-FED-**
6 **ERAL COSTS PER PROJECT.**

7 Section 215(a) of the Flood Control Act of 1968 (42
8 U.S.C. 1962d–5a(a)) is amended—

9 (1) by striking “\$3,000,000” and inserting
10 “\$5,000,000”; and

11 (2) by striking the final period.

12 **SEC. 226. AQUATIC PLANT CONTROL.**

13 (a) **ADDITIONAL CONTROLLED PLANTS.**—Section
14 104(a) of the River and Harbor Act of 1958 (33 U.S.C.
15 610(a)) is amended by inserting after “alligatorweed,” the
16 following: “melaleuca,”.

17 (b) **AUTHORIZATION.**—Section 104(b) of such Act (33
18 U.S.C. 610(b)) is amended by striking “\$12,000,000” and
19 inserting “\$15,000,000”.

20 **SEC. 227. SEDIMENTS DECONTAMINATION TECHNOLOGY.**

21 (a) **PROJECT PURPOSE.**—Section 405(a) of the Water
22 Resources Development Act of 1992 (33 U.S.C. 2239 note;
23 106 Stat. 4863) is amended by adding at the end the follow-
24 ing:

1 “(3) *PROJECT PURPOSE.*—*The purpose of the*
2 *project to be carried out under this section is to pro-*
3 *vide for the development of 1 or more sediment decon-*
4 *tamination technologies on a pilot scale demonstrat-*
5 *ing a capacity of at least 500,000 cubic yards per*
6 *year.”.*

7 (b) *AUTHORIZATION OF APPROPRIATIONS.*—*The first*
8 *sentence of section 405(c) of such Act is amended to read*
9 *as follows: “There is authorized to be appropriated to carry*
10 *out this section \$10,000,000 for fiscal years beginning after*
11 *September 30, 1996.”.*

12 (c) *REPORTS.*—*Section 405 of such Act is amended by*
13 *adding at the end the following:*

14 “(d) *REPORTS.*—*Not later than September 30, 1998,*
15 *and periodically thereafter, the Administrator and the Sec-*
16 *retary shall transmit to Congress a report on the results*
17 *of the project to be carried out under this section, including*
18 *an assessment of the progress made in achieving the intent*
19 *of the program set forth in subsection (a)(3).”.*

20 **SEC. 228. SHORE PROTECTION.**

21 (a) *DECLARATION OF POLICY.*—*Subsection (a) of the*
22 *first section of the Act entitled “An Act authorizing Federal*
23 *participation in the cost of protecting the shores of publicly*
24 *owned property”, approved August 13, 1946 (33 U.S.C.*
25 *426e; 60 Stat. 1056), is amended—*

1 (1) *by striking “damage to the shores” and in-*
2 *serting “damage to the shores and beaches”; and*

3 (2) *by striking “the following provisions” and all*
4 *that follows through the period at the end of sub-*
5 *section (a) and inserting the following: “this Act, to*
6 *promote shore protection projects and related research*
7 *that encourage the protection, restoration, and en-*
8 *hancement of sandy beaches, including beach restora-*
9 *tion and periodic beach nourishment, on a com-*
10 *prehensive and coordinated basis by the Federal Gov-*
11 *ernment, States, localities, and private enterprises. In*
12 *carrying out this policy, preference shall be given to*
13 *areas in which there has been a Federal investment*
14 *of funds and areas with respect to which the need for*
15 *prevention or mitigation of damage to shores and*
16 *beaches is attributable to Federal navigation projects*
17 *or other Federal activities.”.*

18 (b) *NONPUBLIC SHORES.—Subsection (d) of such sec-*
19 *tion is amended by striking “or from the protection of near-*
20 *by public property or” and inserting “, if there are suffi-*
21 *cient benefits, including benefits to local and regional eco-*
22 *nomie development and to the local and regional ecology*
23 *(as determined under subsection (e)(2)(B)), or”; and*

24 (c) *AUTHORIZATION OF PROJECTS.—Subsection (e) of*
25 *such section is amended—*

1 (1) by striking “(e) No” and inserting the follow-
2 ing:

3 “(e) *AUTHORIZATION OF PROJECTS.*—

4 “(1) *IN GENERAL.*—No”;

5 (2) by moving the remainder of the text of para-
6 graph (1) (as designated by paragraph (1) of this
7 subsection) 2 ems to the right; and

8 (3) by adding at the end the following:

9 “(2) *STUDIES.*—

10 “(A) *IN GENERAL.*—The Secretary shall—

11 “(i) recommend to Congress studies
12 concerning shore protection projects that
13 meet the criteria established under this Act
14 (including subparagraph (B)(iii)) and other
15 applicable law;

16 “(ii) conduct such studies as Congress
17 requires under applicable laws; and

18 “(iii) report the results of the studies to
19 the appropriate committees of Congress.

20 “(B) *RECOMMENDATIONS FOR SHORE PRO-*
21 *TECTION PROJECTS.*—

22 “(i) *IN GENERAL.*—The Secretary shall
23 recommend to Congress the authorization or
24 reauthorization of shore protection projects

1 *based on the studies conducted under sub-*
2 *paragraph (A).*

3 “(ii) *CONSIDERATIONS.—In making*
4 *recommendations, the Secretary shall con-*
5 *sider the economic and ecological benefits of*
6 *a shore protection project and the ability of*
7 *the non-Federal interest to participate in*
8 *the project.*

9 “(iii) *CONSIDERATION OF LOCAL AND*
10 *REGIONAL BENEFITS.—In analyzing the*
11 *economic and ecological benefits of a shore*
12 *protection project, or a flood control or*
13 *other water resource project the purpose of*
14 *which includes shore protection, the Sec-*
15 *retary shall consider benefits to local and*
16 *regional economic development, and to the*
17 *local and regional ecology, in calculating*
18 *the full economic and ecological justifica-*
19 *tions for the project.*

20 “(C) *COORDINATION OF PROJECTS.—In con-*
21 *ducting studies and making recommendations for*
22 *a shore protection project under this paragraph,*
23 *the Secretary shall—*

24 “(i) *determine whether there is any*
25 *other project being carried out by the Sec-*

1 retary or the head of another Federal agen-
2 cy that may be complementary to the shore
3 protection project; and

4 “(i) if there is such a complementary
5 project, describe the efforts that will be
6 made to coordinate the projects.

7 “(3) *SHORE PROTECTION PROJECTS.*—

8 “(A) *IN GENERAL.*—The Secretary shall
9 construct, or cause to be constructed, any shore
10 protection project authorized by Congress, or sep-
11 arable element of such a project, for which funds
12 have been appropriated by Congress.

13 “(B) *AGREEMENTS.*—

14 “(i) *REQUIREMENT.*—After authoriza-
15 tion by Congress, and before commencement
16 of construction, of a shore protection project
17 or separable element, the Secretary shall
18 enter into a written agreement with a non-
19 Federal interest with respect to the project
20 or separable element.

21 “(ii) *TERMS.*—The agreement shall—

22 “(I) specify the life of the project;
23 and

24 “(II) ensure that the Federal Gov-
25 ernment and the non-Federal interest

1 *will cooperate in carrying out the*
2 *project or separable element.*

3 “(C) *COORDINATION OF PROJECTS.*—*In con-*
4 *structing a shore protection project or separable*
5 *element under this paragraph, the Secretary*
6 *shall, to the extent practicable, coordinate the*
7 *project or element with any complementary*
8 *project identified under paragraph (2)(C).*

9 “(4) *REPORT TO CONGRESS.*—*The Secretary*
10 *shall report biennially to the appropriate committees*
11 *of Congress on the status of all ongoing shore protec-*
12 *tion studies and shore protection projects carried out*
13 *under the jurisdiction of the Secretary.”.*

14 (d) *REQUIREMENT OF AGREEMENTS PRIOR TO REIM-*
15 *BURSEMENTS.*—

16 (1) *SMALL SHORE PROTECTION PROJECTS.*—*Sec-*
17 *tion 2 of the Act entitled “An Act authorizing Federal*
18 *participation in the cost of protecting the shores of*
19 *publicly owned property”, approved August 13, 1946*
20 *(33 U.S.C. 426f; 60 Stat. 1056), is amended—*

21 (A) *by striking “SEC. 2. The Secretary of*
22 *the Army” and inserting the following:*

23 **“SEC. 2. REIMBURSEMENTS.**

24 “(a) *IN GENERAL.*—*The Secretary”;*

25 (B) *in subsection (a) (as so designated)—*

1 (i) by striking “local interests” and in-
2 serting “non-Federal interests”;

3 (ii) by inserting “or separable element
4 of the project” after “project”; and

5 (iii) by inserting “or separable ele-
6 ments” after “projects” each place it ap-
7 pears; and

8 (C) by adding at the end the following:

9 “(b) AGREEMENTS.—

10 “(1) REQUIREMENT.—After authorization of re-
11 imbursement by the Secretary under this section, and
12 before commencement of construction, of a shore pro-
13 tection project, the Secretary shall enter into a writ-
14 ten agreement with the non-Federal interest with re-
15 spect to the project or separable element.

16 “(2) TERMS.—The agreement shall—

17 “(A) specify the life of the project; and

18 “(B) ensure that the Federal Government
19 and the non-Federal interest will cooperate in
20 carrying out the project or separable element.”.

21 (2) OTHER SHORELINE PROTECTION
22 PROJECTS.—Section 206(e)(1)(A) of the Water Re-
23 sources Development Act of 1992 (33 U.S.C. 426i-
24 1(e)(1)(A); 106 Stat. 4829) is amended by inserting
25 before the semicolon the following: “and enters into a

1 *written agreement with the non-Federal interest with*
2 *respect to the project or separable element (including*
3 *the terms of cooperation)”.*

4 *(e) STATE AND REGIONAL PLANS.—The Act entitled*
5 *“An Act authorizing Federal participation in the cost of*
6 *protecting the shores of publicly owned property”, approved*
7 *August 13, 1946, is further amended—*

8 *(1) by redesignating section 4 (33 U.S.C. 426h)*
9 *as section 5; and*

10 *(2) by inserting after section 3 (33 U.S.C. 426g)*
11 *the following:*

12 **“SEC. 4. STATE AND REGIONAL PLANS.**

13 *“The Secretary may—*

14 *“(1) cooperate with any State in the preparation*
15 *of a comprehensive State or regional plan for the con-*
16 *servation of coastal resources located within the*
17 *boundaries of the State;*

18 *“(2) encourage State participation in the imple-*
19 *mentation of the plan; and*

20 *“(3) submit to Congress reports and rec-*
21 *ommendations with respect to appropriate Federal*
22 *participation in carrying out the plan.”.*

23 *(f) DEFINITIONS.—*

24 *(1) IN GENERAL.—Section 5 of the Act entitled*
25 *“An Act authorizing Federal participation in the cost*

1 *of protecting the shores of publicly owned property”,*
2 *approved August 13, 1946 (33 U.S.C. 426h), (as re-*
3 *designated by subsection (e)(1)) is amended to read as*
4 *follows:*

5 **“SEC. 5. DEFINITIONS.**

6 *“In this Act, the following definitions apply:*

7 *“(1) SECRETARY.—The term ‘Secretary’ means*
8 *the Secretary of the Army, acting through the Chief*
9 *of Engineers.*

10 *“(2) SEPARABLE ELEMENT.—The term ‘sepa-*
11 *rable element’ has the meaning provided by section*
12 *103(f) of the Water Resources Development Act of*
13 *1986 (33 U.S.C. 2213(f)).*

14 *“(3) SHORE.—The term ‘shore’ includes each*
15 *shoreline of the Atlantic and Pacific Oceans, the Gulf*
16 *of Mexico, the Great Lakes, and lakes, estuaries, and*
17 *bays directly connected therewith.*

18 *“(4) SHORE PROTECTION PROJECT.—The term*
19 *‘shore protection project’ includes a project for beach*
20 *nourishment, including the replacement of sand.”.*

21 *(2) CONFORMING AMENDMENTS.—The Act enti-*
22 *tled “An Act authorizing Federal participation in the*
23 *cost of protecting the shores of publicly owned prop-*
24 *erty”, approved August 13, 1946, is amended—*

1 (A) in subsection (b)(3) of the first section
2 (33 U.S.C. 426e(b)(3)) by striking “of the Army,
3 acting through the Chief of Engineers,” and by
4 striking the final period; and

5 (B) in section 3 (33 U.S.C. 426g) by strik-
6 ing “Secretary of the Army” and inserting “Sec-
7 retary”.

8 (g) **OBJECTIVES OF PROJECTS.**—Section 209 of the
9 Flood Control Act of 1970 (42 U.S.C. 1962–2; 84 Stat.
10 1829) is amended by inserting “(including shore protection
11 projects such as projects for beach nourishment, including
12 the replacement of sand)” after “water resource projects”.

13 **SEC. 229. PROJECT DEAUTHORIZATIONS.**

14 (a) **IN GENERAL.**—Section 1001(b)(2) of the Water Re-
15 sources Development Act of 1986 (33 U.S.C. 579a(b)(2)) is
16 amended—

17 (1) by striking “Before” at the beginning of the
18 second sentence and inserting “Upon”; and

19 (2) by inserting “planning, designing, or” before
20 “construction” in the last sentence.

21 (b) **TECHNICAL AMENDMENT.**—Section 52 of the Water
22 Resources Development Act of 1988 (33 U.S.C. 579a note;
23 102 Stat. 4044) is amended—

24 (1) by striking subsection (a); and

1 (2) by redesignating subsections (b), (c), (d), and
2 (e) as subsections (a), (b), (c), and (d), respectively.

3 **SEC. 230. SUPPORT OF ARMY CIVIL WORKS PROGRAM.**

4 (a) *GENERAL AUTHORITY.*—In carrying out research
5 and development in support of the civil works program of
6 the Department of the Army, the Secretary may utilize con-
7 tracts, cooperative research and development agreements,
8 cooperative agreements, and grants with non-Federal enti-
9 ties, including State and local governments, colleges and
10 universities, consortia, professional and technical societies,
11 public and private scientific and technical foundations, re-
12 search institutions, educational organizations, and non-
13 profit organizations.

14 (b) *SPECIAL RULES.*—With respect to contracts for re-
15 search and development, the Secretary may include require-
16 ments that have potential commercial application and may
17 also use such potential application as an evaluation factor
18 where appropriate.

19 **SEC. 231. BENEFITS TO NAVIGATION.**

20 In evaluating potential improvements to navigation
21 and the maintenance of navigation projects, the Secretary
22 shall consider, and include for purposes of project justifica-
23 tion, economic benefits generated by cruise ships as commer-
24 cial navigation benefits.

1 **SEC. 232. LOSS OF LIFE PREVENTION.**

2 *Section 904 of the Water Resources Development Act*
3 *of 1986 (33 U.S.C. 2281) is amended by inserting “includ-*
4 *ing the loss of life which may be associated with flooding*
5 *and coastal storm events,” after “costs,”.*

6 **SEC. 233. SCENIC AND AESTHETIC CONSIDERATIONS.**

7 *In conducting studies of potential water resources*
8 *projects, the Secretary shall consider measures to preserve*
9 *and enhance scenic and aesthetic qualities in the vicinity*
10 *of such projects.*

11 **SEC. 234. REMOVAL OF STUDY PROHIBITIONS.**

12 *Nothing in section 208 of the Urgent Supplemental*
13 *Appropriations Act, 1986 (100 Stat. 749), section 505 of*
14 *the Energy and Water Development Appropriations Act,*
15 *1993 (106 Stat. 1343), or any other provision of law shall*
16 *be deemed to limit the authority of the Secretary to under-*
17 *take studies for the purpose of investigating alternative*
18 *modes of financing hydroelectric power facilities under the*
19 *jurisdiction of the Department of the Army with funds ap-*
20 *propriated after the date of the enactment of this Act.*

21 **SEC. 235. SENSE OF CONGRESS; REQUIREMENT REGARDING**

22 **NOTICE.**

23 *(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND*
24 *PRODUCTS.—It is the sense of Congress that, to the greatest*
25 *extent practicable, all equipment and products purchased*

1 *with funds made available under this Act should be Amer-*
 2 *ican-made.*

3 **(b) NOTICE TO RECIPIENTS OF ASSISTANCE.**—*In pro-*
 4 *viding financial assistance under this Act, the Secretary,*
 5 *to the greatest extent practicable, shall provide to each re-*
 6 *cipient of the assistance a notice describing the statement*
 7 *made in subsection (a).*

8 **SEC. 236. RESERVOIR MANAGEMENT TECHNICAL ADVISORY**
 9 **COMMITTEE.**

10 *Section 310 of the Water Resources Development Act*
 11 *of 1990 (33 U.S.C. 2319; 104 Stat. 4639) is amended—*

12 *(1) by striking subsection (a); and*

13 *(2) by striking “(b) PUBLIC PARTICIPA-*
 14 *TION.—”.*

15 **SEC. 237. TECHNICAL CORRECTIONS.**

16 **(a) SECTION 203 OF 1992 ACT.**—*Section 203(b) of the*
 17 *Water Resources Development Act of 1992 (106 Stat. 4826)*
 18 *is amended by striking “(8662)” and inserting “(8862)”.*

19 **(b) SECTION 225 OF 1992 ACT.**—*Section 225(c) of the*
 20 *Water Resources Development Act of 1992 (106 Stat. 4838)*
 21 *is amended by striking “(8662)” in the second sentence and*
 22 *inserting “(8862)”.*

1 **TITLE III—PROJECT**
2 **MODIFICATIONS**

3 **SEC. 301. MOBILE HARBOR, ALABAMA.**

4 *The undesignated paragraph under the heading “MO-*
5 *BILE HARBOR, ALABAMA” in section 201(a) of the Water*
6 *Resources Development Act of 1986 (100 Stat. 4090) is*
7 *amended by striking the first semicolon and all that follows*
8 *and inserting a period and the following: “In disposing of*
9 *dredged material from such project, the Secretary, after*
10 *compliance with applicable laws and after opportunity for*
11 *public review and comment, may consider alternatives to*
12 *disposal of such material in the Gulf of Mexico, including*
13 *environmentally acceptable alternatives for beneficial uses*
14 *of dredged material and environmental restoration.”.*

15 **SEC. 302. ALAMO DAM, ARIZONA.**

16 *The project for flood control and other purposes, Alamo*
17 *Dam and Lake, Arizona, authorized by section 10 of the*
18 *River and Harbor Act of December 22, 1944 (58 Stat. 900),*
19 *is modified to authorize the Secretary to operate the Alamo*
20 *Dam to provide fish and wildlife benefits both upstream*
21 *and downstream of the Dam. Such operation shall not re-*
22 *duce flood control and recreation benefits provided by the*
23 *project.*

1 **SEC. 303. NOGALES WASH AND TRIBUTARIES, ARIZONA.**

2 *The project for flood control, Nogales Wash and tribu-*
3 *taries, Arizona, authorized by section 101(a)(4) of the*
4 *Water Resources Development Act of 1990 (104 Stat. 4606),*
5 *is modified to direct the Secretary to permit the non-Fed-*
6 *eral contribution for the project to be determined in accord-*
7 *ance with sections 103(k) and 103(m) of the Water Re-*
8 *sources Development Act of 1986 and to direct the Secretary*
9 *to enter into negotiations with non-Federal interests pursu-*
10 *ant to section 103(l) of such Act concerning the timing of*
11 *the initial payment of the non-Federal contribution.*

12 **SEC. 304. PHOENIX, ARIZONA.**

13 *Section 321 of the Water Resources Development Act*
14 *of 1992 (106 Stat. 4848) is amended—*

15 (1) *by striking “control” and inserting “control,*
16 *ecosystem restoration,”; and*

17 (2) *by striking “\$6,500,000.” and inserting*
18 *“\$17,500,000. The non-Federal share for costs as-*
19 *signed to flood control measures to protect developed*
20 *areas adjacent to the project shall be consistent with*
21 *the cost sharing requirements of section 903(c) of the*
22 *Water Resources Development Act of 1986.”.*

23 **SEC. 305. SAN FRANCISCO RIVER AT CLIFTON, ARIZONA.**

24 *The project for flood control, San Francisco River,*
25 *Clifton, Arizona, authorized by section 101(a)(3) of the*
26 *Water Resources Development Act of 1990 (104 Stat. 4606),*

1 *is modified to authorize the Secretary to construct the*
2 *project at a total cost of \$21,100,000, with an estimated*
3 *Federal cost of \$13,800,000 and an estimated non-Federal*
4 *cost of \$7,300,000.*

5 **SEC. 306. GLENN-COLUSA, CALIFORNIA.**

6 *The project for flood control, Sacramento River, Cali-*
7 *fornia, authorized by section 2 of the Act entitled “An Act*
8 *to provide for the control of the floods of the Mississippi*
9 *River and the Sacramento River, California, and for other*
10 *purposes”, approved March 1, 1917 (39 Stat. 948), and as*
11 *modified by section 102 of the Energy and Water Develop-*
12 *ment Appropriations Act, 1990 (103 Stat. 649), is further*
13 *modified to authorize the Secretary to carry out the portion*
14 *of the project at Glenn-Colusa, California, at a total cost*
15 *of \$14,200,000.*

16 **SEC. 307. LOS ANGELES AND LONG BEACH HARBORS, SAN**
17 **PEDRO BAY, CALIFORNIA.**

18 *The navigation project for Los Angeles and Long*
19 *Beach Harbors, San Pedro Bay, California, authorized by*
20 *section 201(b) of the Water Resources Development Act of*
21 *1986 (100 Stat. 4091), is modified to provide that, notwith-*
22 *standing section 101(a)(4) of such Act, the cost of the reloca-*
23 *tion of the sewer outfall by the Port of Los Angeles shall*
24 *be credited toward the payment required from the non-Fed-*
25 *eral interest by section 101(a)(2) of such Act.*

1 **SEC. 308. OAKLAND HARBOR, CALIFORNIA.**

2 *The projects for navigation, Oakland Outer Harbor,*
3 *California, and Oakland Inner Harbor, California, author-*
4 *ized by section 202 of the Water Resources Development Act*
5 *of 1986 (100 Stat. 4092), are modified by combining the*
6 *2 projects into 1 project, to be designated as the Oakland*
7 *Harbor, California, project. The Oakland Harbor, Califor-*
8 *nia, project shall be prosecuted by the Secretary substan-*
9 *tially in accordance with the plans and subject to the condi-*
10 *tions recommended in the reports designated in such section*
11 *202, at a total cost of \$90,850,000, with an estimated Fed-*
12 *eral cost of \$59,150,000 and an estimated non-Federal cost*
13 *of \$31,700,000. The non-Federal share of project costs and*
14 *any available credits toward the non-Federal share shall be*
15 *calculated on the basis of the total cost of the combined*
16 *project.*

17 **SEC. 309. QUEENSWAY BAY, CALIFORNIA.**

18 *Section 4(e) of the Water Resources Development Act*
19 *of 1988 (102 Stat. 4016) is amended by adding at the end*
20 *the following sentence: "In addition, the Secretary shall per-*
21 *form advance maintenance dredging in the Queensway Bay*
22 *Channel, California, at a total cost of \$5,000,000."*

23 **SEC. 310. SAN LUIS REY, CALIFORNIA.**

24 *The project for flood control of the San Luis Rey River,*
25 *California, authorized pursuant to section 201 of the Flood*
26 *Control Act of 1965 (42 U.S.C. 1962d-5; 79 Stat. 1073-*

1 1074), is modified to authorize the Secretary to construct
 2 the project at a total cost not to exceed \$81,600,000 with
 3 an estimated Federal cost of \$61,100,000 and an estimated
 4 non-Federal cost of \$20,500,000.

5 **SEC. 311. THAMES RIVER, CONNECTICUT.**

6 (a) *RECONFIGURATION OF TURNING BASIN.*—The
 7 project for navigation, Thames River, Connecticut, author-
 8 ized by the first section of the Act entitled “An Act authoriz-
 9 ing construction, repair, and preservation of certain public
 10 works on rivers and harbors, and for other purposes”, ap-
 11 proved August 30, 1935 (49 Stat. 1029), is modified to
 12 make the turning basin have the following alignment: Start-
 13 ing at a point on the eastern limit of the existing project,
 14 N251052.93, E783934.59, thence running north 5 degrees
 15 25 minutes 21.3 seconds east 341.06 feet to a point,
 16 N251392.46, E783966.82, thence running north 47 degrees
 17 24 minutes 14.0 seconds west 268.72 feet to a point,
 18 N251574.34, E783769.00, thence running north 88 degrees
 19 41 minutes 52.2 seconds west 249.06 feet to a point,
 20 N251580.00, E783520.00, thence running south 46 degrees
 21 16 minutes 22.9 seconds west 318.28 feet to a point,
 22 N251360.00, E783290.00, thence running south 19 degrees
 23 01 minute 32.2 seconds east 306.76 feet to a point,
 24 N251070.00, E783390.00, thence running south 45 degrees

1 00 minutes 00 seconds east 155.56 feet to a point,
2 N250960.00, E783500.00 on the existing western limit.

3 (b) *NON-FEDERAL RESPONSIBILITY FOR INITIAL*
4 *DREDGING.*—Any required initial dredging of the widened
5 portions of the turning basin identified in subsection (a)
6 shall be accomplished at non-Federal expense.

7 (c) *CONFORMING DEAUTHORIZATION.*—Those portions
8 of the existing turning basin which are not included in the
9 reconfigured turning basin as described in subsection (a)
10 shall no longer be authorized after the date of the enactment
11 of this Act.

12 **SEC. 312. POTOMAC RIVER, WASHINGTON, DISTRICT OF**
13 **COLUMBIA.**

14 *The project for flood protection, Potomac River, Wash-*
15 *ington, District of Columbia, authorized by section 5 of the*
16 *Flood Control Act of June 22, 1936 (74 Stat. 1574), is*
17 *modified to authorize the Secretary to construct the project*
18 *substantially in accordance with the General Design Memo-*
19 *randum dated May 1992 at a Federal cost of \$1,800,000;*
20 *except that a temporary closure may be used instead of a*
21 *permanent structure at 17th Street. Operation and mainte-*
22 *nance of the project shall be a Federal responsibility.*

23 **SEC. 313. CANAVERAL HARBOR, FLORIDA.**

24 *The project for navigation, Canaveral Harbor, Flor-*
25 *ida, authorized by section 101(7) of the Water Resources*

1 *Development Act of 1992 (106 Stat. 4802), is modified to*
2 *authorize the Secretary to reclassify the removal and re-*
3 *placement of stone protection on both sides of the channel*
4 *as general navigation features. The Secretary shall reim-*
5 *burse any costs that are incurred by the non-Federal spon-*
6 *sor in connection with the reclassified work and that the*
7 *Secretary determines to be in excess of the non-Federal*
8 *share of costs for general navigation features. The Federal*
9 *and non-Federal shares of the cost of the reclassified work*
10 *shall be determined in accordance with section 101 of the*
11 *Water Resources Development Act of 1986.*

12 **SEC. 314. CENTRAL AND SOUTHERN FLORIDA, CANAL 51.**

13 *The project for flood protection of West Palm Beach,*
14 *Florida (C-51), authorized by section 203 of the Flood Con-*
15 *trol Act of 1962 (76 Stat. 1183), is modified to provide for*
16 *the construction of an enlarged stormwater detention area,*
17 *Storm Water Treatment Area 1 East, generally in accord-*
18 *ance with the plan of improvements described in the Feb-*
19 *ruary 15, 1994, report entitled “Everglades Protection*
20 *Project, Palm Beach County, Florida, Conceptual Design”,*
21 *with such modifications as are approved by the Secretary.*
22 *The additional work authorized by this subsection shall be*
23 *accomplished at Federal expense. Operation and mainte-*
24 *nance of the stormwater detention area shall be consistent*
25 *with regulations prescribed by the Secretary for the Central*

1 *and Southern Florida project, and all costs of such oper-*
2 *ation and maintenance shall be provided by non-Federal*
3 *interests.*

4 **SEC. 315. CENTRAL AND SOUTHERN FLORIDA, CANAL 111**
5 **(C-111).**

6 (a) *IN GENERAL.*—*The project for Central and South-*
7 *ern Florida, authorized by section 203 of the Flood Control*
8 *Act of 1948 (62 Stat. 1176) and modified by section 203*
9 *of the Flood Control Act of 1968 (82 Stat. 740–741), is*
10 *modified to authorize the Secretary to implement the rec-*
11 *ommended plan of improvement contained in a report enti-*
12 *tled “Central and Southern Florida Project, Final Inte-*
13 *grated General Reevaluation Report and Environmental*
14 *Impact Statement, Canal 111 (C-111), South Dade Coun-*
15 *ty, Florida”, dated May 1994, including acquisition by*
16 *non-Federal interests of such portions of the Frog Pond and*
17 *Rocky Glades areas as are needed for the project.*

18 (b) *COST SHARING.*—

19 (1) *FEDERAL SHARE.*—*The Federal share of the*
20 *cost of implementing the plan of improvement shall be*
21 *50 percent.*

22 (2) *DEPARTMENT OF INTERIOR RESPONSIBIL-*
23 *ITY.*—*The Department of the Interior shall pay 25*
24 *percent of the cost of acquiring such portions of the*
25 *Frog Pond and Rocky Glades areas as are needed for*

1 *the project. The amount paid by the Department of*
2 *the Interior shall be included as part of the Federal*
3 *share of the cost of implementing the plan.*

4 (3) *OPERATION AND MAINTENANCE.—The non-*
5 *Federal share of operation and maintenance costs of*
6 *the improvements undertaken pursuant to this sub-*
7 *section shall be 100 percent; except that the Federal*
8 *Government shall reimburse the non-Federal project*
9 *sponsor 60 percent of the costs of operating and*
10 *maintaining pump stations that pump water into*
11 *Taylor Slough in the Everglades National Park.*

12 **SEC. 316. JACKSONVILLE HARBOR (MILL COVE), FLORIDA.**

13 *The project for navigation, Jacksonville Harbor (Mill*
14 *Cove), Florida, authorized by section 601(a) of the Water*
15 *Resources Development Act of 1986 (100 Stat. 4139–4140),*
16 *is modified to direct the Secretary to carry out a project*
17 *for flow and circulation improvement within Mill Cove, at*
18 *a total cost of \$2,000,000, with an estimated Federal cost*
19 *of \$2,000,000.*

20 **SEC. 317. TYBEE ISLAND, GEORGIA.**

21 *The project for beach erosion control, Tybee Island,*
22 *Georgia, authorized pursuant to section 201 of the Flood*
23 *Control Act of 1965 (42 U.S.C. 1962d–5), is modified to*
24 *include as part of the project the portion of the ocean shore*
25 *of Tybee Island located south of the extension of 9th Street.*

1 **SEC. 318. WHITE RIVER, INDIANA.**

2 *The project for flood control, Indianapolis on West*
3 *Fork of the White River, Indiana, authorized by section 5*
4 *of the Flood Control Act of June 22, 1936 (49 Stat. 1586),*
5 *is modified to authorize the Secretary to undertake*
6 *riverfront alterations as described in the Central Indianap-*
7 *olis Waterfront Concept Master Plan, dated February 1994,*
8 *at a total cost of \$85,975,000, with an estimated first Fed-*
9 *eral cost of \$39,975,000 and an estimated first non-Federal*
10 *cost of \$46,000,000. The cost of work, including relocations*
11 *undertaken by the non-Federal interest after February 15,*
12 *1994, on features identified in the Master Plan shall be*
13 *credited toward the non-Federal share of project costs.*

14 **SEC. 319. CHICAGO, ILLINOIS.**

15 *The project for flood control, Chicagoland Underflow*
16 *Plan, Illinois, authorized by section 3(a)(5) of the Water*
17 *Resources Development Act of 1988 (102 Stat. 4013), is*
18 *modified to limit the capacity of the reservoir project not*
19 *to exceed 11,000,000,000 gallons or 32,000 acre-feet, to pro-*
20 *vide that the reservoir project may not be located north of*
21 *55th Street or west of East Avenue in the vicinity of*
22 *McCook, Illinois, and to provide that the reservoir project*
23 *may only be constructed on the basis of a specific plan that*
24 *has been evaluated by the Secretary under the provisions*
25 *of the National Environmental Policy Act of 1969.*

1 **SEC. 320. CHICAGO LOCK AND THOMAS J. O'BRIEN LOCK, IL-**
2 **LINOIS.**

3 *The project for navigation, Chicago Harbor, Lake*
4 *Michigan, Illinois, for which operation and maintenance*
5 *responsibility was transferred to the Secretary under chap-*
6 *ter IV of title I of the Supplemental Appropriations Act,*
7 *1983 (97 Stat. 311) and section 107 of the Energy and*
8 *Water Development Appropriation Act, 1982 (95 Stat.*
9 *1137) is modified to direct the Secretary to conduct a study*
10 *to determine the feasibility of making such structural re-*
11 *pairs as are necessary to prevent leakage through the Chi-*
12 *cago Lock and the Thomas J. O'Brien Lock, Illinois, and*
13 *to determine the need for installing permanent flow meas-*
14 *urement equipment at such locks to measure any leakage.*
15 *The Secretary is authorized to carry out such repairs and*
16 *installations as are necessary following completion of the*
17 *study.*

18 **SEC. 321. KASKASKIA RIVER, ILLINOIS.**

19 *The project for navigation, Kaskaskia River, Illinois,*
20 *authorized by section 101 of the River and Harbor Act of*
21 *1962 (76 Stat. 1175), is modified to add fish and wildlife*
22 *and habitat restoration as project purposes.*

23 **SEC. 322. LOCKS AND DAM 26, ALTON, ILLINOIS AND MIS-**
24 **SOURI.**

25 *Section 102(l) of the Water Resources Development Act*
26 *of 1990 (104 Stat. 4613) is amended—*

1 (1) by striking “, that requires no separable
2 project lands and” and inserting “on project lands
3 and other contiguous nonproject lands, including
4 those lands referred to as the Alton Commons. The
5 recreational development”;

6 (2) by inserting “shall be” before “at a Federal
7 construction”; and

8 (3) by striking “. The recreational development”
9 and inserting “, and”.

10 **SEC. 323. NORTH BRANCH OF CHICAGO RIVER, ILLINOIS.**

11 *The project for flood protection, North Branch of the*
12 *Chicago River, Illinois, authorized by section 401(a) of the*
13 *Water Resources Development Act of 1986 (100 Stat. 4115),*
14 *is modified to authorize the Secretary to carry out the*
15 *project in accordance with the report of the Corps of Engi-*
16 *neers dated March 1994, at a total cost of \$34,228,000, with*
17 *an estimated Federal cost of \$20,905,000 and an estimated*
18 *non-Federal cost of \$13,323,000.*

19 **SEC. 324. ILLINOIS AND MICHIGAN CANAL.**

20 *Section 314(a) of the Water Resources Development*
21 *Act of 1992 (106 Stat. 4847) is amended by adding at the*
22 *end the following: “Such improvements shall include ma-*
23 *rina development at Lock 14, to be carried out in consulta-*
24 *tion with the Illinois Department of Natural Resources, at*
25 *a total cost of \$6,374,000.”.*

1 **SEC. 325. HALSTEAD, KANSAS.**

2 *The project for flood control, Halstead, Kansas, author-*
3 *ized by section 401(a) of the Water Resources Development*
4 *Act of 1986 (100 Stat. 4116), is modified to authorize the*
5 *Secretary to carry out the project in accordance with the*
6 *report of the Corps of Engineers dated March 19, 1993, at*
7 *a total cost of \$11,100,000, with an estimated Federal cost*
8 *of \$8,325,000 and an estimated non-Federal cost of*
9 *\$2,775,000.*

10 **SEC. 326. LEVISA AND TUG FORKS OF THE BIG SANDY**
11 **RIVER AND CUMBERLAND RIVER, KENTUCKY,**
12 **WEST VIRGINIA, AND VIRGINIA.**

13 *The project for flood control, Levisa and Tug Forks*
14 *of the Big Sandy River and Cumberland River, Kentucky,*
15 *West Virginia, and Virginia, authorized by section 202(a)*
16 *of the Energy and Water Development Appropriation Act,*
17 *1981 (94 Stat. 1339), is modified to provide that the mini-*
18 *imum level of flood protection to be afforded by the project*
19 *shall be the level required to provide protection from a 100-*
20 *year flood or from the flood of April 1977, whichever level*
21 *of protection is greater.*

22 **SEC. 327. COMITE RIVER, LOUISIANA.**

23 *The Comite River Diversion project for flood control,*
24 *authorized as part of the project for flood control, Amite*
25 *River and Tributaries, Louisiana, by section 101(11) of the*
26 *Water Resource Development Act of 1992 (106 Stat. 4802–*

1 4803), is modified to authorize the Secretary to construct
2 the project at a total cost of \$121,600,000, with an esti-
3 mated Federal cost of \$70,577,000 and an estimated non-
4 Federal cost of \$51,023,000.

5 **SEC. 328. GRAND ISLE AND VICINITY, LOUISIANA.**

6 The project for hurricane damage prevention, flood
7 control, and beach erosion along Grand Isle and Vicinity,
8 Louisiana, authorized by section 204 of the Flood Control
9 Act of 1965 (79 Stat. 1077), is modified to authorize the
10 Secretary to construct a permanent breakwater and levee
11 system at a total cost of \$17,000,000.

12 **SEC. 329. LAKE PONTCHARTRAIN, LOUISIANA.**

13 The project for hurricane damage prevention and flood
14 control, Lake Pontchartrain, Louisiana, authorized by sec-
15 tion 204 of the Flood Control Act of 1965 (79 Stat. 1077),
16 is modified to provide that St. Bernard Parish, Louisiana,
17 and the Lake Borgne Basin Levee District, Louisiana, shall
18 not be required to pay the unpaid balance, including inter-
19 est, of the non-Federal cost-share of the project.

20 **SEC. 330. MISSISSIPPI DELTA REGION, LOUISIANA.**

21 The Mississippi Delta Region project, Louisiana, au-
22 thorized as part of the project for hurricane-flood protection
23 project on Lake Pontchartrain, Louisiana, by section 204
24 of the Flood Control Act of 1965 (79 Stat. 1077), is modified
25 to direct the Secretary to provide a credit to the State of

1 *Louisiana toward its non-Federal share of the cost of the*
2 *project. The credit shall be for the cost incurred by the State*
3 *in developing and relocating oyster beds to offset the adverse*
4 *impacts on active and productive oyster beds in the Davis*
5 *Pond project area but shall not exceed \$7,500,000.*

6 **SEC. 331. MISSISSIPPI RIVER OUTLETS, VENICE, LOUISIANA.**

7 *The project for navigation, Mississippi River Outlets,*
8 *Venice, Louisiana, authorized by section 101 of the River*
9 *and Harbor Act of 1968 (82 Stat. 731), is modified to pro-*
10 *vide for the extension of the 16-foot deep by 250-foot wide*
11 *Baptiste Collette Bayou entrance channel to approximately*
12 *Mile 8 of the Mississippi River-Gulf Outlet navigation*
13 *channel, at a total estimated Federal cost of \$80,000.*

14 **SEC. 332. RED RIVER WATERWAY, LOUISIANA.**

15 *The project for mitigation of fish and wildlife losses,*
16 *Red River Waterway, Louisiana, authorized by section*
17 *601(a) of the Water Resources and Development Act of 1986*
18 *(100 Stat. 4142) and modified by section 102(p) of the*
19 *Water Resources and Development Act of 1990 (104 Stat.*
20 *4613), is further modified—*

21 *(1) to authorize the Secretary to carry out the*
22 *project at a total cost of \$10,500,000; and*

23 *(2) to provide that lands that are purchased ad-*
24 *acent to the Loggy Bayou Wildlife Management Area*
25 *may be located in Caddo Parish or Red River Parish.*

1 **SEC. 333. TOLCHESTER CHANNEL, MARYLAND.**

2 *The project for navigation, Baltimore Harbor and*
3 *Channels, Maryland, authorized by section 101 of the River*
4 *and Harbor Act of 1958 (72 Stat. 297) is modified to direct*
5 *the Secretary—*

6 *(1) to expedite review of potential straightening*
7 *of the channel at the Tolchester Channel S-Turn; and*

8 *(2) if determined to be feasible and necessary for*
9 *safe and efficient navigation, to implement such*
10 *straightening as part of project maintenance.*

11 **SEC. 334. SAGINAW RIVER, MICHIGAN.**

12 *The project for flood protection, Saginaw River, Michi-*
13 *gan, authorized by section 203 of the Flood Control Act of*
14 *1958 (72 Stat. 311) is modified to include as part of the*
15 *project the design and construction of an inflatable dam*
16 *on the Flint River, Michigan, at a total cost of \$500,000.*

17 **SEC. 335. SAULT SAINTE MARIE, CHIPPEWA COUNTY, MICH-**
18 **IGAN.**

19 *(a) IN GENERAL.—The project for navigation, Sault*
20 *Sainte Marie, Chippewa County, Michigan, authorized by*
21 *section 1149 of the Water Resources Development Act of*
22 *1986 (100 Stat. 4254–4255), is modified as provided by this*
23 *subsection.*

24 *(b) PAYMENT OF NON-FEDERAL SHARE.—The non-*
25 *Federal share of the cost of the project referred to in sub-*
26 *section (a) shall be paid as follows:*

1 (1) *That portion of the non-Federal share which*
2 *the Secretary determines is attributable to use of the*
3 *lock by vessels calling at Canadian ports shall be paid*
4 *by the United States.*

5 (2) *The remaining portion of the non-Federal*
6 *share shall be paid by the Great Lakes States pursu-*
7 *ant to an agreement entered into by such States.*

8 (c) *PAYMENT TERM OF ADDITIONAL PERCENTAGE.—*
9 *The amount to be paid by non-Federal interests pursuant*
10 *to section 101(a) of the Water Resources Development Act*
11 *of 1986 (33 U.S.C. 2211(a)) and this subsection with re-*
12 *spect to the project referred to in subsection (a) may be paid*
13 *over a period of 50 years or the expected life of the project,*
14 *whichever is shorter.*

15 (d) *GREAT LAKES STATES DEFINED.—For the pur-*
16 *poses of this section, the term “Great Lakes States” means*
17 *the States of Illinois, Indiana, Michigan, Minnesota, New*
18 *York, Ohio, Pennsylvania, and Wisconsin.*

19 **SEC. 336. STILLWATER, MINNESOTA.**

20 *Section 363 of the Water Resources Development Act*
21 *of 1992 (106 Stat. 4861–4862) is amended—*

22 (1) *by inserting after “riverfront,” the following:*
23 *“or expansion of such system if the Secretary deter-*
24 *mines that the expansion is feasible,”;*

1 (2) by striking “\$3,200,000” and inserting
2 “\$11,600,000”;

3 (3) by striking “\$2,400,000” and inserting
4 “\$8,700,000”; and

5 (4) by striking “\$800,000” and inserting
6 “\$2,900,000”.

7 **SEC. 337. CAPE GIRARDEAU, MISSOURI.**

8 *The project for flood control, Cape Girardeau, Jackson*
9 *Metropolitan Area, Missouri, authorized by section 401(a)*
10 *of the Water Resources Development Act of 1986 (100 Stat.*
11 *4118–4119), is modified to authorize the Secretary to con-*
12 *struct the project, including implementation of non-*
13 *structural measures, at a total cost of \$45,414,000, with an*
14 *estimated Federal cost of \$33,030,000 and an estimated*
15 *non-Federal cost of \$12,384,000.*

16 **SEC. 338. NEW MADRID HARBOR, MISSOURI.**

17 *The project for navigation, New Madrid Harbor, Mis-*
18 *souri, authorized pursuant to section 107 of the River and*
19 *Harbor Act of 1960 (33 U.S.C. 577) and modified by sec-*
20 *tion 102(n) of the Water Resources Development Act of 1992*
21 *(106 Stat. 4807), is further modified to direct the Secretary*
22 *to assume responsibility for maintenance of the existing*
23 *Federal channel referred to in such section 102(n) in addi-*
24 *tion to maintaining New Madrid County Harbor.*

1 **SEC. 339. ST. JOHN'S BAYOU—NEW MADRID FLOODWAY,**
2 **MISSOURI.**

3 *Notwithstanding any other provision of law, Federal*
4 *assistance made available under the rural enterprise zone*
5 *program of the Department of Agriculture may be used to-*
6 *ward payment of the non-Federal share of the costs of the*
7 *project for flood control, St. John's Bayou and New Madrid*
8 *Floodway, Missouri, authorized by section 401(a) of the*
9 *Water Resources Development Act of 1986 (100 Stat. 4118).*

10 **SEC. 340. JOSEPH G. MINISH PASSAIC RIVER PARK, NEW**
11 **JERSEY.**

12 *Section 101(a)(18)(B) of the Water Resources Develop-*
13 *ment Act of 1990 (104 Stat. 4608) is amended by striking*
14 *“\$25,000,000” and inserting “\$75,000,000”.*

15 **SEC. 341. MOLLY ANN'S BROOK, NEW JERSEY.**

16 *The project for flood control, Molly Ann's Brook, New*
17 *Jersey, authorized by section 401(a) of the Water Resources*
18 *Development Act of 1986 (100 Stat. 4119), is modified to*
19 *authorize the Secretary to carry out the project in accord-*
20 *ance with the report of the Corps of Engineers dated April*
21 *3, 1996, at a total cost of \$40,100,000, with an estimated*
22 *Federal cost of \$22,600,000 and an estimated non-Federal*
23 *cost of \$17,500,000.*

24 **SEC. 342. PASSAIC RIVER, NEW JERSEY.**

25 *Section 1148 of the Water Resources Development Act*
26 *of 1986 (100 Stat. 4254) is amended to read as follows:*

1 **“SEC. 1148. PASSAIC RIVER BASIN.**

2 “(a) *ACQUISITION OF LANDS.*—*The Secretary is au-*
3 *thorized to acquire from willing sellers lands on which resi-*
4 *dential structures are located and which are subject to fre-*
5 *quent and recurring flood damage, as identified in the sup-*
6 *plemental floodway report of the Corps of Engineers, Pas-*
7 *saic River Buyout Study, September 1995, at an estimated*
8 *total cost of \$194,000,000.*

9 “(b) *RETENTION OF LANDS FOR FLOOD PROTEC-*
10 *TION.*—*Lands acquired by the Secretary under this section*
11 *shall be retained by the Secretary for future use in conjunc-*
12 *tion with flood protection and flood management in the*
13 *Passaic River Basin.*

14 “(c) *COST SHARING.*—*The non-Federal share of the*
15 *cost of carrying out this section shall be 25 percent plus*
16 *any amount that might result from application of the re-*
17 *quirements of subsection (d).*

18 “(d) *APPLICABILITY OF BENEFIT-COST RATIO WAIVER*
19 *AUTHORITY.*—*In evaluating and implementing the project*
20 *under this section, the Secretary shall allow the non-Federal*
21 *interest to participate in financing of the project in accord-*
22 *ance with section 903(c) of this Act, to the extent that the*
23 *Secretary’s evaluation indicates that applying such section*
24 *is necessary to implement the project.”.*

1 **SEC. 343. RAMAPO RIVER AT OAKLAND, NEW JERSEY AND**
2 **NEW YORK.**

3 *The project for flood control, Ramapo River at Oak-*
4 *land, New Jersey and New York, authorized by section*
5 *401(a) of the Water Resources Development Act of 1986*
6 *(100 Stat. 4120), is modified to authorize the Secretary to*
7 *carry out the project in accordance with the report of the*
8 *Corps of Engineers dated May 1994, at a total cost of*
9 *\$11,300,000, with an estimated Federal cost of \$8,500,000*
10 *and an estimated non-Federal cost of \$2,800,000.*

11 **SEC. 344. RARITAN BAY AND SANDY HOOK BAY, NEW JER-**
12 **SEY.**

13 *Section 102(q) of the Water Resources Development Act*
14 *of 1992 (106 Stat. 4808) is amended by striking “for*
15 *Cliffwood Beach”.*

16 **SEC. 345. ARTHUR KILL, NEW YORK AND NEW JERSEY.**

17 *The project for navigation, Arthur Kill, New York and*
18 *New Jersey, authorized by section 202(b) of the Water Re-*
19 *sources Development Act of 1986 (100 Stat. 4098), is modi-*
20 *fied to authorize the Secretary to carry out the project to*
21 *a depth of not to exceed 45 feet if determined to be feasible*
22 *by the Secretary at a total cost of \$83,000,000.*

23 **SEC. 346. JONES INLET, NEW YORK.**

24 *The project for navigation, Jones Inlet, New York, au-*
25 *thorized by section 2 of the Act entitled “An Act authorizing*
26 *construction, repair, and preservation of certain public*

1 *works on rivers and harbors, and for other purposes”, ap-*
2 *proved March 2, 1945 (59 Stat. 13), is modified to direct*
3 *the Secretary to place uncontaminated dredged material on*
4 *beach areas downdrift from the federally maintained chan-*
5 *nel for the purpose of mitigating the interruption of littoral*
6 *system natural processes caused by the jetty and continued*
7 *dredging of the federally maintained channel.*

8 **SEC. 347. KILL VAN KULL, NEW YORK AND NEW JERSEY.**

9 *The project for navigation, Kill Van Kull, New York*
10 *and New Jersey, authorized by section 202(a) of the Water*
11 *Resources Development Act of 1986 (100 Stat. 4095), is*
12 *modified to authorize the Secretary to carry out the project*
13 *at a total cost of \$750,000,000.*

14 **SEC. 348. WILMINGTON HARBOR-NORTHEAST CAPE FEAR**
15 **RIVER, NORTH CAROLINA.**

16 *The project for navigation, Wilmington Harbor-North-*
17 *east Cape Fear River, North Carolina, authorized by section*
18 *202(a) of the Water Resources Development Act of 1986*
19 *(100 Stat. 4095), is modified to authorize the Secretary to*
20 *construct the project substantially in accordance with the*
21 *General Design Memorandum dated April 1990 and the*
22 *General Design Memorandum Supplement dated February*
23 *1994, at a total cost of \$52,041,000, with an estimated Fed-*
24 *eral cost of \$25,729,000 and an estimated non-Federal cost*
25 *of \$26,312,000.*

1 **SEC. 349. GARRISON DAM, NORTH DAKOTA.**

2 *The project for flood control, Garrison Dam, North Da-*
3 *kota, authorized by section 9 of the Flood Control Act of*
4 *December 22, 1944 (58 Stat. 891), is modified to authorize*
5 *the Secretary to acquire permanent flowage and saturation*
6 *easements over the lands in Williams County, North Da-*
7 *kota, extending from the riverward margin of the Buford-*
8 *Trenton Irrigation District main canal to the north bank*
9 *of the Missouri River, beginning at the Buford-Trenton Ir-*
10 *rigation District pumping station located in the northeast*
11 *quarter of section 17, township 152 north, range 104 west,*
12 *and continuing northeasterly downstream to the land re-*
13 *ferred to as the East Bottom, and any other lands outside*
14 *of the boundaries of the Buford-Trenton Irrigation District*
15 *which have been adversely affected by rising ground water*
16 *and surface flooding. Any easement acquired by the Sec-*
17 *retary pursuant to this subsection shall include the right,*
18 *power, and privilege of the Government to submerge, over-*
19 *flow, percolate, and saturate the surface and subsurface of*
20 *the land. The cost of acquiring such easements shall not ex-*
21 *ceed 90 percent, or be less than 75 percent, of the unaffected*
22 *fee value of the lands. The project is further modified to*
23 *authorize the Secretary to provide a lump sum payment*
24 *of \$60,000 to the Buford-Trenton Irrigation District for*
25 *power requirements associated with operation of the drain-*
26 *age pumps and to relinquish all right, title, and interest*

1 *of the United States to the drainage pumps located within*
2 *the boundaries of the Irrigation District.*

3 **SEC. 350. RENO BEACH-HOWARDS FARM, OHIO.**

4 *The project for flood protection, Reno Beach-Howards*
5 *Farm, Ohio, authorized by section 203 of the Flood Control*
6 *Act, 1948 (62 Stat. 1178), is modified to provide that the*
7 *value of lands, easements, rights-of-way, and disposal areas*
8 *shall be determined on the basis of the appraisal performed*
9 *by the Corps of Engineers and dated April 4, 1985.*

10 **SEC. 351. WISTER LAKE, OKLAHOMA.**

11 *The flood control project for Wister Lake, LeFlore*
12 *County, Oklahoma, authorized by section 4 of the Flood*
13 *Control Act of June 28, 1938 (52 Stat. 1218), is modified*
14 *to increase the elevation of the conservation pool to 478 feet*
15 *and to adjust the seasonal pool operation to accommodate*
16 *the change in the conservation pool elevation.*

17 **SEC. 352. BONNEVILLE LOCK AND DAM, COLUMBIA RIVER,**
18 **OREGON AND WASHINGTON.**

19 *(a) IN GENERAL.—The project for Bonneville Lock and*
20 *Dam, Columbia River, Oregon and Washington, authorized*
21 *by the Act of August 20, 1937 (50 Stat. 731), and modified*
22 *by section 83 of the Water Resources Development Act of*
23 *1974 (88 Stat. 35), is further modified to authorize the Sec-*
24 *retary to convey to the city of North Bonneville, Washing-*

1 *ton, at no further cost to the city, all right, title and interest*
2 *of the United States in and to the following:*

3 *(1) Any municipal facilities, utilities fixtures,*
4 *and equipment for the relocated city, and any re-*
5 *maining lands designated as open spaces or municipi-*
6 *pal lots not previously conveyed to the city, specifi-*
7 *cally, Lots M1 through M15, M16 (the “community*
8 *center lot”), M18, M19, M22, M24, S42 through S45,*
9 *and S52 through S60.*

10 *(2) The “school lot” described as Lot 2, block 5,*
11 *on the plat of relocated North Bonneville.*

12 *(3) Parcels 2 and C, but only upon the comple-*
13 *tion of any environmental response actions required*
14 *under applicable law.*

15 *(4) That portion of Parcel B lying south of the*
16 *existing city boundary, west of the sewage treatment*
17 *plant, and north of the drainage ditch that is located*
18 *adjacent to the northerly limit of the Hamilton Island*
19 *landfill, provided the Secretary determines, at the*
20 *time of the proposed conveyance, that the Army has*
21 *taken all action necessary to protect human health*
22 *and the environment.*

23 *(5) Such portions of Parcel H which can be con-*
24 *veyed without a requirement for further investigation,*
25 *inventory or other action by the Department of the*

1 *Army under the provisions of the National Historic*
2 *Preservation Act.*

3 (6) *Such easements as the Secretary deems nec-*
4 *essary for—*

5 (A) *sewer and water line crossings of relo-*
6 *cated Washington State Highway 14; and*

7 (B) *reasonable public access to the Colum-*
8 *bia River across those portions of Hamilton Is-*
9 *land that remain under the ownership of the*
10 *United States.*

11 (b) *TIME PERIOD FOR CONVEYANCES.—The convey-*
12 *ances referred to in subsections (a)(1), (a)(2), (a)(5), and*
13 *(a)(6)(A) shall be completed within 180 days after the Unit-*
14 *ed States receives the release referred to in subsection (d).*
15 *All other conveyances shall be completed expeditiously, sub-*
16 *ject to any conditions specified in the applicable subsection.*

17 (c) *PURPOSE.—The purpose of the conveyances author-*
18 *ized by subsection (a) is to resolve all outstanding issues*
19 *between the United States and the city of North Bonneville.*

20 (d) *ACKNOWLEDGEMENT OF PAYMENT; RELEASE OF*
21 *CLAIMS RELATING TO RELOCATION OF CITY.—As a pre-*
22 *requisite to the conveyances authorized by subsection (a),*
23 *the city of North Bonneville shall execute an acknowledge-*
24 *ment of payment of just compensation and shall execute a*
25 *release of any and all claims for relief of any kind against*

1 *the United States growing out of the relocation of the city*
2 *of North Bonneville, or any prior Federal legislation relat-*
3 *ing thereto, and shall dismiss, with prejudice, any pending*
4 *litigation, if any, involving such matters.*

5 *(e) RELEASE BY ATTORNEY GENERAL.—Upon receipt*
6 *of the city's acknowledgement and release referred to in sub-*
7 *section (d), the Attorney General of the United States shall*
8 *dismiss any pending litigation, if any, arising out of the*
9 *relocation of the city of North Bonneville, and execute a*
10 *release of any and all rights to damages of any kind under*
11 *the February 20, 1987, judgment of the United States*
12 *Claims Court, including any interest thereon.*

13 *(f) ACKNOWLEDGEMENT OF ENTITLEMENTS; RELEASE*
14 *BY CITY OF CLAIMS.—Within 60 days after the conveyances*
15 *authorized by subsection (a) (other than paragraph (6)(B))*
16 *have been completed, the city shall execute an acknowledge-*
17 *ment that all entitlements under such paragraph have been*
18 *completed and shall execute a release of any and all claims*
19 *for relief of any kind against the United States arising out*
20 *of this subsection.*

21 *(g) EFFECTS ON CITY.—Beginning on the date of the*
22 *enactment of this Act, the city of North Bonneville, or any*
23 *successor in interest thereto, shall—*

24 *(1) be precluded from exercising any jurisdiction*
25 *over any lands owned in whole or in part by the*

1 *United States and administered by the United States*
2 *Army Corps of Engineers in connection with the Bon-*
3 *neville project; and*

4 *(2) be authorized to change the zoning designa-*
5 *tions of, sell, or resell Parcels S35 and S56, which are*
6 *presently designated as open spaces.*

7 **SEC. 353. COLUMBIA RIVER DREDGING, OREGON AND**
8 **WASHINGTON.**

9 *The project for navigation, Lower Willamette and Co-*
10 *lumbia Rivers below Vancouver, Washington and Portland,*
11 *Oregon, authorized by the first section of the River and*
12 *Harbor Appropriations Act of June 18, 1878 (20 Stat.*
13 *152), is modified to direct the Secretary—*

14 *(1) to conduct channel simulation and to carry*
15 *out improvements to the existing deep draft channel*
16 *between the mouth of the river and river mile 34 at*
17 *a cost not to exceed \$2,400,000; and*

18 *(2) to conduct overdepth and advance mainte-*
19 *nance dredging that is necessary to maintain author-*
20 *ized channel dimensions.*

21 **SEC. 354. GRAYS LANDING LOCK AND DAM, MONONGAHELA**
22 **RIVER, PENNSYLVANIA.**

23 *The project for navigation Grays Landing Lock and*
24 *Dam, Monongahela River, Pennsylvania, authorized by sec-*
25 *tion 301(a) of the Water Resources Development Act of 1986*

1 *(100 Stat. 4110), is modified to authorize the Secretary to*
2 *construct the project at a total cost of \$181,000,000. The*
3 *costs of construction of the project are to be paid 1/2 from*
4 *amounts appropriated from the general fund of the Treas-*
5 *ury and 1/2 from amounts appropriated from the Inland*
6 *Waterways Trust Fund.*

7 **SEC. 355. LACKAWANNA RIVER AT SCRANTON, PENNSYLVANIA.**
8

9 *The project for flood control, Lackawanna River at*
10 *Scranton, Pennsylvania, authorized by section 101(16) of*
11 *the Water Resources Development Act of 1992 (106 Stat.*
12 *4803), is modified to direct the Secretary to carry out the*
13 *project for flood control for the Plot and Green Ridge sec-*
14 *tions of the project. In evaluating and implementing the*
15 *project, the Secretary shall allow the non-Federal interest*
16 *to participate in financing of the project in accordance with*
17 *section 903(c) of the Water Resources Development Act of*
18 *1986, to the extent that the Secretary's evaluation indicates*
19 *that applying such section is necessary to implement the*
20 *project.*

21 **SEC. 356. MUSSERS DAM, MIDDLE CREEK, SNYDER COUNTY,**
22 **PENNSYLVANIA.**

23 *Section 209(e)(5) of the Water Resources Development*
24 *Act of 1992 (106 Stat. 4830) is amended by striking*
25 *“\$3,000,000” and inserting “\$5,000,000”.*

1 **SEC. 357. SAW MILL RUN, PENNSYLVANIA.**

2 *The project for flood control, Saw Mill Run, Pitts-*
3 *burgh, Pennsylvania, authorized by section 401(a) of the*
4 *Water Resources Development Act of 1986 (100 Stat. 4124),*
5 *is modified to authorize the Secretary to carry out the*
6 *project in accordance with the report of the Corps of Engi-*
7 *neers dated April 8, 1994, at a total cost of \$12,780,000,*
8 *with an estimated Federal cost of \$9,585,000 and an esti-*
9 *mated non-Federal cost of \$3,195,000.*

10 **SEC. 358. SCHUYLKILL RIVER, PENNSYLVANIA.**

11 *The navigation project for the Schuylkill River, Penn-*
12 *sylvania, authorized by the first section of the River and*
13 *Harbor Appropriations Act of August 8, 1917 (40 Stat.*
14 *252), is modified to provide for the periodic removal and*
15 *disposal of sediment to a depth of 6 feet detained within*
16 *portions of the Fairmount pool between the Fairmount*
17 *Dam and the Columbia Bridge, generally within the limits*
18 *of the channel alignments referred to as the Schuylkill River*
19 *Racecourse and return lane, and the Belmont Water Works*
20 *intakes and Boathouse Row.*

21 **SEC. 359. SOUTH CENTRAL PENNSYLVANIA.**

22 *Section 313(g)(1) of the Water Resources Development*
23 *Act of 1992 (106 Stat. 4846) is amended by striking*
24 *“\$50,000,000” and inserting “\$90,000,000”.*

1 **SEC. 360. WYOMING VALLEY, PENNSYLVANIA.**

2 *The project for flood control, Wyoming Valley, Penn-*
3 *sylvania, authorized by section 401(a) of the Water Re-*
4 *sources Development Act of 1986 (100 Stat. 4124), is modi-*
5 *fied to authorize the Secretary to undertake as part of the*
6 *construction of the project mechanical and electrical up-*
7 *grades to existing stormwater pumping stations in the Wyo-*
8 *ming Valley and to undertake mitigation measures.*

9 **SEC. 361. SAN JUAN HARBOR, PUERTO RICO.**

10 *The project for navigation, San Juan Harbor, Puerto*
11 *Rico, authorized by section 202(a) of the Water Resources*
12 *Development Act of 1986 (100 Stat. 4097), is modified to*
13 *authorize the Secretary to deepen the bar channel to depths*
14 *varying from 49 feet to 56 feet below mean low water with*
15 *other modifications to authorized interior channels as gen-*
16 *erally described in the General Reevaluation Report and*
17 *Environmental Assessment, dated March 1994, at a total*
18 *cost of \$43,993,000, with an estimated Federal cost of*
19 *\$27,341,000 and an estimated non-Federal cost of*
20 *\$16,652,000.*

21 **SEC. 362. NARRAGANSETT, RHODE ISLAND.**

22 *Section 361(a) of the Water Resources Development*
23 *Act of 1992 (106 Stat. 4861) is amended—*

24 (1) *by striking “\$200,000” and inserting*
25 *“\$1,900,000”;*

1 (2) *by striking “\$150,000” and inserting*
2 *“\$1,425,000”; and*

3 (3) *by striking “\$50,000” and inserting*
4 *“\$475,000”.*

5 **SEC. 363. CHARLESTON HARBOR, SOUTH CAROLINA.**

6 *The project for navigation, Charleston Harbor, South*
7 *Carolina, authorized by section 202(a) of the Water Re-*
8 *sources Development Act of 1986 (100 Stat. 4096), is modi-*
9 *fied to direct the Secretary to undertake ditching, clearing,*
10 *spillway replacement, and dike reconstruction of the Clouter*
11 *Creek Disposal Area, as a part of the operation and mainte-*
12 *nance of the Charleston Harbor project.*

13 **SEC. 364. DALLAS FLOODWAY EXTENSION, DALLAS, TEXAS.**

14 (a) *IN GENERAL.*—*The project for flood control, Dallas*
15 *Floodway Extension, Dallas, Texas, authorized by section*
16 *301 of the River and Harbor Act of 1965 (79 Stat. 1091),*
17 *is modified to provide that flood protection works con-*
18 *structed by the non-Federal interests along the Trinity*
19 *River in Dallas, Texas, for Rochester Park and the Central*
20 *Wastewater Treatment Plant shall be included as a part*
21 *of the project and the cost of such works shall be credited*
22 *against the non-Federal share of project costs but shall not*
23 *be included in calculating benefits of the project.*

24 (b) *DETERMINATION OF AMOUNT.*—*The amount to be*
25 *credited under subsection (a) shall be determined by the*

1 *Secretary. In determining such amount, the Secretary may*
2 *permit crediting only for that portion of the work performed*
3 *by the non-Federal interests which is compatible with the*
4 *project referred to in subsection (a), including any modi-*
5 *fication thereof, and which is required for construction of*
6 *such project.*

7 (c) *CASH CONTRIBUTION.—Nothing in this section*
8 *shall be construed to limit the applicability of the require-*
9 *ment contained in section 103(a)(1)(A) of the Water Re-*
10 *sources Development Act of 1986 to the project referred to*
11 *in subsection (a).*

12 **SEC. 365. UPPER JORDAN RIVER, UTAH.**

13 *The project for flood control, Upper Jordan River,*
14 *Utah, authorized by section 101(a)(23) of the Water Re-*
15 *sources Development Act of 1990 (104 Stat. 4610), is modi-*
16 *fied to authorize the Secretary to construct the project at*
17 *a total cost of \$12,870,000, with an estimated Federal cost*
18 *of \$8,580,000 and an estimated non-Federal cost of*
19 *\$4,290,000.*

20 **SEC. 366. HAYSI LAKE, VIRGINIA.**

21 *The Haysi Lake, Virginia, feature of the project for*
22 *flood control, Tug Fork of the Big Sandy River, Kentucky,*
23 *West Virginia, and Virginia, authorized by section 202(a)*
24 *of the Energy and Water Development Appropriation Act,*
25 *1981 (94 Stat. 1339), is modified—*

1 (1) to add recreation and fish and wildlife en-
2 hancement as project purposes;

3 (2) to direct the Secretary to construct the Haysi
4 Dam feature of the project substantially in accordance
5 with Plan A as set forth in the Draft General Plan
6 Supplement Report for the Levisa Fork Basin, Vir-
7 ginia and Kentucky, dated May 1995; and

8 (3) to direct the Secretary to apply section
9 103(m) of the Water Resources Development Act of
10 1986 (100 Stat. 4087) to the construction of such fea-
11 ture in the same manner as that section is applied
12 to other projects or project features construed pursu-
13 ant to such section 202(a).

14 **SEC. 367. RUDEE INLET, VIRGINIA BEACH, VIRGINIA.**

15 The project for navigation and shoreline protection,
16 Rudee Inlet, Virginia Beach, Virginia, authorized by sec-
17 tion 601(a) of the Water Resources Development Act of 1986
18 (100 Stat. 4148), is modified to authorize the Secretary to
19 continue maintenance of the project for 50 years beginning
20 on the date of initial construction of the project. The Fed-
21 eral share of the cost of such maintenance shall be deter-
22 mined in accordance with title I of the Water Resources
23 Development Act of 1986.

1 **SEC. 368. VIRGINIA BEACH, VIRGINIA.**

2 *The non-Federal share of the costs of the project for*
3 *beach erosion control and hurricane protection, Virginia*
4 *Beach, Virginia, authorized by section 501(a) of the Water*
5 *Resources Development Act of 1986 (100 Stat. 4136), shall*
6 *be reduced by \$3,120,803, or by such amount as is deter-*
7 *mined by an audit carried out by the Secretary to be due*
8 *to the city of Virginia Beach as reimbursement for the Fed-*
9 *eral share of beach nourishment activities carried out by*
10 *the city between October 1, 1986, and September 30, 1993,*
11 *if the Federal Government has not reimbursed the city for*
12 *the activities prior to the date on which a project coopera-*
13 *tive agreement is executed for the project.*

14 **SEC. 369. EAST WATERWAY, WASHINGTON.**

15 *The project for navigation, East and West waterways,*
16 *Seattle Harbor, Washington, authorized by the first section*
17 *of the River and Harbor Appropriations Act of March 2,*
18 *1919 (40 Stat. 1275), is modified to direct the Secretary—*

19 (1) *to expedite review of potential deepening of*
20 *the channel in the East waterway from Elliott Bay*
21 *to Terminal 25 to a depth of up to 51 feet; and*

22 (2) *if determined to be feasible, to implement*
23 *such deepening as part of project maintenance.*

24 *In carrying out work authorized by this section, the Sec-*
25 *retary shall coordinate with the Port of Seattle regarding*
26 *use of Slip 27 as a dredged material disposal area.*

1 **SEC. 370. BLUESTONE LAKE, WEST VIRGINIA.**

2 *Section 102(ff) of the Water Resources Development*
3 *Act of 1992 (106 Stat. 4810) is amended by inserting “ex-*
4 *cept for that organic matter necessary to maintain and en-*
5 *hance the biological resources of such waters and such non-*
6 *obtrusive items of debris as may not be economically feasible*
7 *to prevent being released through such project,” after*
8 *“project,” the first place it appears.*

9 **SEC. 371. MOOREFIELD, WEST VIRGINIA.**

10 *The project for flood control, Moorefield, West Virginia,*
11 *authorized by section 101(a)(25) of the Water Resources De-*
12 *velopment Act of 1990 (104 Stat. 4610–4611), is modified*
13 *to authorize the Secretary to construct the project at a total*
14 *cost of \$22,000,000, with an estimated Federal cost of*
15 *\$17,100,000 and an estimated non-Federal cost of*
16 *\$4,900,000.*

17 **SEC. 372. SOUTHERN WEST VIRGINIA.**

18 *(a) COST SHARING.—Section 340(c)(3) of the Water*
19 *Resources Development Act of 1992 (106 Stat. 4856) is*
20 *amended to read as follows:*

21 *“(3) COST SHARING.—*

22 *“(A) IN GENERAL.—Total project costs*
23 *under each local cooperation agreement entered*
24 *into under this subsection shall be shared at 75*
25 *percent Federal and 25 percent non-Federal. The*
26 *non-Federal interest shall receive credit for the*

1 *reasonable costs of design work completed by*
2 *such interest prior to entering into a local co-*
3 *operation agreement with the Secretary for a*
4 *project. The credit for such design work shall not*
5 *exceed 6 percent of the total construction costs of*
6 *the project. The Federal share may be in the*
7 *form of grants or reimbursements of project costs.*

8 *“(B) INTEREST.—In the event of delays in*
9 *the funding of the non-Federal share of a project*
10 *that is the subject of an agreement under this*
11 *section, the non-Federal interest shall receive*
12 *credit for reasonable interest incurred in provid-*
13 *ing the non-Federal share of a project’s cost.*

14 *“(C) LANDS, EASEMENTS, AND RIGHTS-OF-*
15 *WAY CREDIT.—The non-Federal interest shall re-*
16 *ceive credit for lands, easements, rights-of-way,*
17 *and relocations toward its share of project costs,*
18 *including all reasonable costs associated with ob-*
19 *taining permits necessary for the construction,*
20 *operation, and maintenance of such project on*
21 *publicly owned or controlled lands, but not to ex-*
22 *ceed 25 percent of total project costs.*

23 *“(D) OPERATION AND MAINTENANCE.—Op-*
24 *eration and maintenance costs for projects con-*

1 *structed with assistance provided under this sec-*
2 *tion shall be 100 percent non-Federal.”.*

3 **(b) FUNDING.**—*Section 340(g) of the Water Resources*
4 *Development Act of 1992 (106 Stat. 4856) is amended by*
5 *striking “\$5,000,000” and inserting “\$25,000,000”.*

6 **SEC. 373. KICKAPOO RIVER, WISCONSIN.**

7 **(a) IN GENERAL.**—*The project for flood control and*
8 *allied purposes, Kickapoo River, Wisconsin, authorized by*
9 *section 203 of the Flood Control Act of 1962 (76 Stat. 1190)*
10 *and modified by section 814 of the Water Resources Devel-*
11 *opment Act of 1986 (100 Stat. 4169), is further modified*
12 *as provided by this section.*

13 **(b) TRANSFER OF PROPERTY.**—

14 **(1) IN GENERAL.**—*Subject to the requirements of*
15 *this subsection, the Secretary shall transfer to the*
16 *State of Wisconsin, without consideration, all right,*
17 *title, and interest of the United States to the lands de-*
18 *scribed in paragraph (3), including all works, struc-*
19 *tures, and other improvements to such lands.*

20 **(2) TRANSFER TO SECRETARY OF THE INTE-**
21 **RIOR.**—*Subject to the requirements of this subsection,*
22 *on the date of the transfer under paragraph (1), the*
23 *Secretary shall transfer to the Secretary of the Inte-*
24 *rior, without consideration, all right, title, and inter-*
25 *est of the United States in and to lands that are cul-*

1 *turally and religiously significant sites of the Ho-*
2 *Chunk Nation (a federally recognized Indian tribe)*
3 *and are located within the lands described in para-*
4 *graph (3). Such lands shall be specified in accordance*
5 *with paragraph (4)(C) and may not exceed a total of*
6 *1,200 acres.*

7 (3) *LAND DESCRIPTION.—The lands to be trans-*
8 *ferred pursuant to paragraphs (1) and (2) are the ap-*
9 *proximately 8,569 acres of land associated with the*
10 *LaFarge Dam and Lake portion of the project re-*
11 *ferred to in subsection (a) in Vernon County, Wiscon-*
12 *sin, in the following sections:*

13 (A) *Section 31, Township 14 North, Range*
14 *1 West of the 4th Principal Meridian.*

15 (B) *Sections 2 through 11, and 16, 17, 20,*
16 *and 21, Township 13 North, Range 2 West of the*
17 *4th Principal Meridian.*

18 (C) *Sections 15, 16, 21 through 24, 26, 27,*
19 *31, and 33 through 36, Township 14 North,*
20 *Range 2 West of the 4th Principal Meridian.*

21 (4) *TERMS AND CONDITIONS.—*

22 (A) *HOLD HARMLESS; REIMBURSEMENT OF*
23 *UNITED STATES.—The transfer under paragraph*
24 *(1) shall be made on the condition that the State*
25 *of Wisconsin enters into a written agreement*

1 *with the Secretary to hold the United States*
2 *harmless from all claims arising from or through*
3 *the operation of the lands and improvements*
4 *subject to the transfer. If title to the lands de-*
5 *scribed in paragraph (3) is sold or transferred*
6 *by the State, then the State shall reimburse the*
7 *United States for the price originally paid by*
8 *the United States for purchasing such lands.*

9 *(B) IN GENERAL.—The Secretary shall*
10 *make the transfers under paragraphs (1) and (2)*
11 *only if on or before October 31, 1997, the State*
12 *of Wisconsin enters into and submits to the Sec-*
13 *retary a memorandum of understanding, as*
14 *specified in subparagraph (C), with the tribal*
15 *organization (as defined by section 4(l) of the In-*
16 *Indian Self-Determination and Education Assist-*
17 *ance Act (25 U.S.C. 450b(l))) of the Ho-Chunk*
18 *Nation.*

19 *(C) MEMORANDUM OF UNDERSTANDING.—*
20 *The memorandum of understanding referred to*
21 *in subparagraph (B) shall contain, at a mini-*
22 *mum, the following:*

23 *(i) A description of sites and associ-*
24 *ated lands to be transferred to the Secretary*
25 *of the Interior under paragraph (2).*

1 (ii) *An agreement specifying that the*
2 *lands transferred under paragraphs (1) and*
3 *(2) shall be preserved in a natural state and*
4 *developed only to the extent necessary to en-*
5 *hance outdoor recreational and educational*
6 *opportunities.*

7 (iii) *An agreement specifying the terms*
8 *and conditions of a plan for the manage-*
9 *ment of the lands to be transferred under*
10 *paragraphs (1) and (2).*

11 (iv) *A provision requiring a review of*
12 *the plan referred to in clause (iii) to be con-*
13 *ducted every 10 years under which the State*
14 *of Wisconsin, acting through the Kickapoo*
15 *Valley Governing Board, and the Ho-Chunk*
16 *Nation may agree to revisions of the plan*
17 *in order to address changed circumstances*
18 *on the lands transferred under paragraph*
19 *(2). Such provision may include a plan for*
20 *the transfer by the State to the Secretary of*
21 *the Interior of any additional site discov-*
22 *ered to be culturally and religiously signifi-*
23 *cant to the Ho-Chunk Nation.*

24 (5) *ADMINISTRATION OF LANDS.—The lands*
25 *transferred to the Secretary of the Interior under*

1 paragraph (2), and any lands transferred to the Sec-
2 retary of the Interior pursuant to the memorandum
3 of understanding entered into under paragraph (3),
4 shall be held in trust for, and added to and adminis-
5 tered as part of the reservation of, the Ho-Chunk Na-
6 tion.

7 (6) *TRANSFER OF FLOWAGE EASEMENTS.*—The
8 Secretary shall transfer to the owner of the servient
9 estate, without consideration, all right, title, and in-
10 terest of the United States in and to each flowage
11 easement acquired as part of the project referred to in
12 subsection (a) within Township 14 North, Range 2
13 West of the 4th Principal Meridian, Vernon County,
14 Wisconsin.

15 (7) *DEAUTHORIZATION.*—Except as provided in
16 subsection (c), the LaFarge Dam and Lake portion of
17 the project referred to in subsection (a) is not author-
18 ized after the date of the transfer under this sub-
19 section.

20 (8) *INTERIM MANAGEMENT AND MAINTENANCE.*—
21 The Secretary shall continue to manage and main-
22 tain the LaFarge Dam and Lake portion of the
23 project referred to in subsection (a) until the date of
24 the transfer under this section.

25 (c) *COMPLETION OF PROJECT FEATURES.*—

1 (1) *REQUIREMENT.*—*The Secretary shall under-*
2 *take the completion of the following features of the*
3 *project referred to in subsection (a):*

4 (A) *The continued relocation of State high-*
5 *way route 131 and county highway routes P and*
6 *F substantially in accordance with plans con-*
7 *tained in Design Memorandum No. 6, Reloca-*
8 *tion-LaFarge Reservoir, dated June 1970; except*
9 *that the relocation shall generally follow the ex-*
10 *isting road rights-of-way through the Kickapoo*
11 *Valley.*

12 (B) *Environmental cleanup and site res-*
13 *toration of abandoned wells, farm sites, and safe-*
14 *ty modifications to the water control structures.*

15 (C) *Cultural resource activities to meet the*
16 *requirements of Federal law.*

17 (2) *PARTICIPATION BY STATE OF WISCONSIN.*—
18 *In undertaking the completion of the features de-*
19 *scribed in paragraph (1), the Secretary shall deter-*
20 *mine the requirements of the State of Wisconsin on*
21 *the location and design of each such feature.*

22 (d) *FUNDING.*—*There is authorized to be appropriated*
23 *to carry out this section for fiscal years beginning after Sep-*
24 *tember 30, 1996, \$17,000,000.*

1 **SEC. 374. TETON COUNTY, WYOMING.**

2 *Section 840 of the Water Resources Development Act*
3 *of 1986 (100 Stat. 4176) is amended—*

4 *(1) by striking “: Provided, That” and inserting*
5 *“; except that”;*

6 *(2) by striking “in cash or materials” and in-*
7 *serting “, through providing in-kind services or cash*
8 *or materials,”; and*

9 *(3) by adding at the end the following: “In car-*
10 *rying out this section, the Secretary may enter into*
11 *agreements with the non-Federal sponsor permitting*
12 *the non-Federal sponsor to perform operation and*
13 *maintenance for the project on a cost-reimbursable*
14 *basis.”.*

15 **TITLE IV—STUDIES**

16 **SEC. 401. CORPS CAPABILITY STUDY, ALASKA.**

17 *The Secretary shall review the capability of the Corps*
18 *of Engineers to plan, design, construct, operate, and main-*
19 *tain rural sanitation projects for rural and Native villages*
20 *in Alaska. Not later than 18 months after the date of the*
21 *enactment of this Act, the Secretary shall transmit findings*
22 *and recommendations on the agency’s capability, together*
23 *with recommendations on the advisability of assuming such*
24 *a mission.*

1 **SEC. 402. MCDOWELL MOUNTAIN, ARIZONA.**

2 *The Secretary shall credit the non-Federal share of the*
3 *cost of the feasibility study on the McDowell Mountain*
4 *project an amount equivalent to the cost of work performed*
5 *by the city of Scottsdale, Arizona, and accomplished prior*
6 *to the city's entering into an agreement with the Secretary*
7 *if the Secretary determines that the work is necessary for*
8 *the study.*

9 **SEC. 403. NOGALES WASH AND TRIBUTARIES, ARIZONA.**

10 *(a) STUDY.—The Secretary shall conduct a study of*
11 *the relationship of flooding in Nogales, Arizona, and*
12 *floodflows emanating from Mexico.*

13 *(b) REPORT.—The Secretary shall transmit to Con-*
14 *gress a report on the results of the study conducted under*
15 *subsection (a), together with recommendations concerning*
16 *the appropriate level of non-Federal participation in the*
17 *project for flood control, Nogales Wash and tributaries, Ari-*
18 *zona, authorized by section 101(a)(4) of the Water Re-*
19 *sources Development Act of 1990 (104 Stat. 4606).*

20 **SEC. 404. GARDEN GROVE, CALIFORNIA.**

21 *The Secretary shall conduct a study to assess the fea-*
22 *sibility of implementing improvements in the regional flood*
23 *control system within Garden Grove, California.*

24 **SEC. 405. MUGU LAGOON, CALIFORNIA.**

25 *(a) STUDY.—The Secretary shall conduct a study of*
26 *the environmental impacts associated with sediment trans-*

1 port, flood flows, and upstream watershed land use prac-
2 tices on Mugu Lagoon, California. The study shall include
3 an evaluation of alternatives for the restoration of the estua-
4 rine ecosystem functions and values associated with Mugu
5 Lagoon and the endangered and threatened species inhabit-
6 ing the area.

7 (b) *CONSULTATION AND COORDINATION.*—In conduct-
8 ing the study, the Secretary shall consult with the Secretary
9 of the Navy and shall coordinate with State and local re-
10 source agencies to assure that the study is compatible with
11 restoration efforts for the Calleguas Creek watershed.

12 (c) *REPORT.*—Not later than 24 months after the date
13 of the enactment of this Act, the Secretary shall transmit
14 to Congress a report on the results of the study.

15 **SEC. 406. SANTA YNEZ, CALIFORNIA.**

16 (a) *PLANNING.*—Not later than 1 year after the date
17 of the enactment of this Act, the Secretary shall prepare
18 a comprehensive river basin management plan addressing
19 the long term ecological, economic, and flood control needs
20 of the Santa Ynez River basin, California. In preparing
21 such plan, the Secretary shall consult the Santa Barbara
22 Flood Control District and other affected local governmental
23 entities.

24 (b) *TECHNICAL ASSISTANCE.*—The Secretary shall
25 provide technical assistance to the Santa Barbara Flood

1 *Control District with respect to implementation of the plan*
2 *to be prepared under subsection (a).*

3 **SEC. 407. SOUTHERN CALIFORNIA INFRASTRUCTURE.**

4 *Section 116(d)(3) of the Water Resources Development*
5 *Act of 1990 (104 Stat. 4624) is amended by striking*
6 *“\$1,500,000” and inserting “\$7,500,000”.*

7 **SEC. 408. YOLO BYPASS, SACRAMENTO-SAN JOAQUIN**
8 **DELTA, CALIFORNIA.**

9 *The Secretary shall study the advisability of acquiring*
10 *land in the vicinity of the Yolo Bypass in the Sacramento-*
11 *San Joaquin Delta, California, for the purpose of environ-*
12 *mental mitigation for the flood control project for Sac-*
13 *ramento, California, and other water resources projects in*
14 *the area.*

15 **SEC. 409. CHAIN OF ROCKS CANAL, ILLINOIS.**

16 *The Secretary shall complete a limited reevaluation of*
17 *the authorized St. Louis Harbor Project in the vicinity of*
18 *the Chain of Rocks Canal, Illinois, and consistent with the*
19 *authorized purposes of that project, to include evacuation*
20 *of waters interior to the Chain of Rocks Canal East Levee.*

21 **SEC. 410. QUINCY, ILLINOIS.**

22 *(a) STUDY.—The Secretary shall study and evaluate*
23 *the critical infrastructure of the Fabius River Drainage*
24 *District, the South Quincy Drainage and Levee District,*

1 *the Sny Island Levee Drainage District, and the city of*
2 *Quincy, Illinois—*

3 *(1) to determine if additional flood protection*
4 *needs of such infrastructure should be identified or*
5 *implemented;*

6 *(2) to produce a definition of critical infrastruc-*
7 *ture;*

8 *(3) to develop evaluation criteria; and*

9 *(4) to enhance existing geographic information*
10 *system databases to encompass relevant data that*
11 *identify critical infrastructure for use in emergencies*
12 *and in routine operation and maintenance activities.*

13 *(b) CONSIDERATION OF OTHER STUDIES.—In con-*
14 *ducting the study under this section, the Secretary shall*
15 *consider the recommendations of the Interagency Flood-*
16 *plain Management Committee Report, the findings of the*
17 *Floodplain Management Assessment of the Upper Mis-*
18 *sissippi River and Lower Missouri Rivers and Tributaries,*
19 *and other relevant studies and findings.*

20 *(c) REPORT.—Not later than 1 year after the date of*
21 *the enactment of this Act, the Secretary shall transmit to*
22 *Congress a report on the results of the study, together with*
23 *recommendations regarding each of the purposes of the*
24 *study described in paragraphs (1) through (4) of subsection*
25 *(a).*

1 **SEC. 411. SPRINGFIELD, ILLINOIS.**

2 *The Secretary shall provide technical, planning, and*
3 *design assistance to the city of Springfield, Illinois, in de-*
4 *veloping—*

5 *(1) an environmental impact statement for the*
6 *proposed development of a water supply reservoir, in-*
7 *cluding the preparation of necessary documentation*
8 *in support of the environmental impact statement;*
9 *and*

10 *(2) an evaluation of technical, economic, and en-*
11 *vironmental impacts of such development.*

12 **SEC. 412. BEAUTY CREEK WATERSHED, VALPARAISO CITY,**
13 **PORTER COUNTY, INDIANA.**

14 *The Secretary shall conduct a study to assess the fea-*
15 *sibility of implementing streambank erosion control meas-*
16 *ures and flood control measures within the Beauty Creek*
17 *watershed, Valparaiso City, Porter County, Indiana.*

18 **SEC. 413. GRAND CALUMET RIVER, HAMMOND, INDIANA.**

19 *(a) STUDY.—The Secretary shall conduct a study to*
20 *establish a methodology and schedule to restore the wetlands*
21 *at Wolf Lake and George Lake in Hammond, Indiana.*

22 *(b) REPORT.—Not later than 1 year after the date of*
23 *the enactment of this Act, the Secretary shall transmit to*
24 *Congress a report on the results of the study conducted*
25 *under subsection (a).*

1 **SEC. 414. INDIANA HARBOR CANAL, EAST CHICAGO, LAKE**
2 **COUNTY, INDIANA.**

3 *The Secretary shall conduct a study of the feasibility*
4 *of including environmental and recreational features, in-*
5 *cluding a vegetation buffer, as part of the project for navi-*
6 *gation, Indiana Harbor Canal, East Chicago, Lake County,*
7 *Indiana, authorized by the first section of the Rivers and*
8 *Harbors Appropriations Act of June 25, 1910 (36 Stat.*
9 *657).*

10 **SEC. 415. KOONTZ LAKE, INDIANA.**

11 *The Secretary shall conduct a study of the feasibility*
12 *of implementing measures to restore Koontz Lake, Indiana,*
13 *including measures to remove silt, sediment, nutrients,*
14 *aquatic growth, and other noxious materials from Koontz*
15 *Lake, measures to improve public access facilities to Koontz*
16 *Lake, and measures to prevent or abate the deposit of sedi-*
17 *ments and nutrients in Koontz Lake.*

18 **SEC. 416. LITTLE CALUMET RIVER, INDIANA.**

19 (a) *STUDY.*—*The Secretary shall conduct a study of*
20 *the impact of the project for flood control, Little Calumet*
21 *River, Indiana, authorized by section 401(a) of the Water*
22 *Resources Development Act of 1986 (100 Stat. 4115), on*
23 *flooding and water quality in the vicinity of the Black Oak*
24 *area of Gary, Indiana.*

25 (b) *REPORT.*—*Not later than 1 year after the date of*
26 *the enactment of this Act, the Secretary shall transmit to*

1 *Congress a report on the results of the study conducted*
2 *under subsection (a), together with recommendations for*
3 *cost-effective remediation of impacts described in subsection*
4 *(a).*

5 *(c) FEDERAL SHARE.—The Federal share of the cost*
6 *of the study to be conducted under subsection (a) shall be*
7 *100 percent.*

8 **SEC. 417. TIPPECANOE RIVER WATERSHED, INDIANA.**

9 *(a) STUDY.—The Secretary shall conduct a study of*
10 *water quality and environmental restoration needs in the*
11 *Tippecanoe River watershed, Indiana, including measures*
12 *necessary to reduce siltation in Lake Shafer and Lake Free-*
13 *man.*

14 *(b) ASSISTANCE.—The Secretary shall provide tech-*
15 *nical, planning, and design assistance to the Shafer Free-*
16 *man Lakes Environmental Conservation Corporation in*
17 *addressing potential environmental restoration activities*
18 *determined as a result of the study conducted under sub-*
19 *section (a).*

20 **SEC. 418. CALCASIEU SHIP CHANNEL, HACKBERRY, LOUISI-**
21 **ANA.**

22 *The Secretary shall conduct a study to determine the*
23 *need for improved navigation and related support service*
24 *structures in the vicinity of the Calcasieu Ship Channel,*
25 *Hackberry, Louisiana.*

1 **SEC. 419. HURON RIVER, MICHIGAN.**

2 *The Secretary shall conduct a study to determine the*
3 *need for channel improvements and associated modifica-*
4 *tions for the purpose of providing a harbor of refuge at*
5 *Huron River, Michigan.*

6 **SEC. 420. SACO RIVER, NEW HAMPSHIRE.**

7 *The Secretary shall conduct a study of flood control*
8 *problems along the Saco River in Hart's Location, New*
9 *Hampshire, for the purpose of evaluating retaining walls,*
10 *berms, and other structures with a view to potential solu-*
11 *tions involving repair or replacement of existing structures*
12 *and shall consider other alternatives for flood damage re-*
13 *duction.*

14 **SEC. 421. BUFFALO RIVER GREENWAY, NEW YORK.**

15 *The Secretary shall conduct a study of a potential*
16 *greenway trail project along the Buffalo River between the*
17 *park system of the city of Buffalo, New York, and Lake*
18 *Erie. Such study shall include preparation of an integrated*
19 *plan of development that takes into consideration the adja-*
20 *cent parks, nature preserves, bikeways, and related rec-*
21 *reational facilities.*

22 **SEC. 422. PORT OF NEWBURGH, NEW YORK.**

23 *The Secretary shall conduct a study of the feasibility*
24 *of carrying out improvements for navigation at the port*
25 *of Newburgh, New York.*

1 **SEC. 423. PORT OF NEW YORK-NEW JERSEY SEDIMENT**
2 **STUDY.**

3 (a) *STUDY OF MEASURES TO REDUCE SEDIMENT*
4 *DEPOSITION.*—*The Secretary shall conduct a study of meas-*
5 *ures that could reduce sediment deposition in the vicinity*
6 *of the Port of New York-New Jersey for the purpose of reduc-*
7 *ing the volumes to be dredged for navigation projects in the*
8 *Port.*

9 (b) *DREDGED MATERIAL DISPOSAL STUDY.*—*The Sec-*
10 *retary shall conduct a study to determine the feasibility of*
11 *constructing and operating an underwater confined dredged*
12 *material disposal site in the Port of New York-New Jersey*
13 *which could accommodate as much as 250,000 cubic yards*
14 *of dredged materials for the purpose of demonstrating the*
15 *feasibility of an underwater confined disposal pit as an en-*
16 *vironmentally suitable method of containing certain sedi-*
17 *ments.*

18 (c) *REPORT.*—*The Secretary shall transmit to Con-*
19 *gress a report on the results of the studies conducted under*
20 *this section, together with any recommendations of the Sec-*
21 *retary concerning reduction of sediment deposition referred*
22 *to in subsection (a).*

23 **SEC. 424. PORT OF NEW YORK-NEW JERSEY NAVIGATION**
24 **STUDY.**

25 *The Secretary shall conduct a comprehensive study of*
26 *navigation needs at the Port of New York-New Jersey (in-*

1 *cluding the South Brooklyn Marine and Red Hook Con-*
2 *tainer Terminals, Staten Island, and adjacent areas) to ad-*
3 *dress improvements, including deepening of existing chan-*
4 *nels to depths of 50 feet or greater, that are required to*
5 *provide economically efficient and environmentally sound*
6 *navigation to meet current and future requirements.*

7 **SEC. 425. CHAGRIN RIVER, OHIO.**

8 *The Secretary shall conduct a study of flooding prob-*
9 *lems along the Chagrin River in Eastlake, Ohio. In con-*
10 *ducting such study, the Secretary shall evaluate potential*
11 *solutions to flooding from all sources, including that result-*
12 *ing from ice jams, and shall evaluate the feasibility of a*
13 *sedimentation collection pit and other potential measures*
14 *to reduce flooding.*

15 **SEC. 426. CUYAHOGA RIVER, OHIO.**

16 *The Secretary shall conduct a study to evaluate the*
17 *integrity of the bulkhead system located on the Federal*
18 *channel along the Cuyahoga River in the vicinity of Cleve-*
19 *land, Ohio, and shall provide to the non-Federal interest*
20 *an analysis of costs and repairs of the bulkhead system.*

21 **SEC. 427. CHARLESTON, SOUTH CAROLINA, ESTUARY.**

22 *The Secretary is authorized to conduct a study of the*
23 *Charleston estuary area located in Charleston, Berkeley,*
24 *and Dorchester Counties, South Carolina, for the purpose*
25 *of evaluating environmental conditions in the tidal reaches*

1 *of the Ashley, Cooper, Stono, and Wando Rivers and the*
2 *lower portions of Charleston Harbor.*

3 **SEC. 428. MUSTANG ISLAND, CORPUS CHRISTI, TEXAS.**

4 *The Secretary shall conduct a study of navigation*
5 *along the south-central coast of Texas near Corpus Christi*
6 *for the purpose of determining the feasibility of constructing*
7 *and maintaining the Packery Channel on the southern por-*
8 *tion of Mustang Island.*

9 **SEC. 429. PRINCE WILLIAM COUNTY, VIRGINIA.**

10 *The Secretary shall conduct a study of flooding, ero-*
11 *sion, and other water resources problems in Prince William*
12 *County, Virginia, including an assessment of wetlands pro-*
13 *tection, erosion control, and flood damage reduction needs*
14 *of the County.*

15 **SEC. 430. PACIFIC REGION.**

16 *(a) STUDY.—The Secretary is authorized to conduct*
17 *studies in the interest of navigation in that part of the Pa-*
18 *cific region that includes American Samoa, Guam, and the*
19 *Commonwealth of the Northern Mariana Islands.*

20 *(b) COST SHARING.—The cost sharing provisions of*
21 *section 105 of the Water Resources Development Act of 1986*
22 *(33 U.S.C. 2215; 100 Stat. 4088–4089) shall apply to stud-*
23 *ies under this section.*

1 **SEC. 431. FINANCING OF INFRASTRUCTURE NEEDS OF**
2 **SMALL AND MEDIUM PORTS.**

3 (a) *STUDY.*—*The Secretary shall conduct a study of*
4 *alternative financing mechanisms for ensuring adequate*
5 *funding for the infrastructure needs of small and medium*
6 *ports.*

7 (b) *MECHANISMS TO BE STUDIED.*—*Mechanisms to be*
8 *studied under subsection (a) shall include the establishment*
9 *of revolving loan funds.*

10 (c) *REPORT.*—*Not later than 180 days after the date*
11 *of the enactment of this Act, the Secretary shall transmit*
12 *to Congress a report containing the results of the study con-*
13 *ducted under subsection (a).*

14 **TITLE V—MISCELLANEOUS**
15 **PROVISIONS**

16 **SEC. 501. PROJECT DEAUTHORIZATIONS.**

17 *The following projects are not authorized after the date*
18 *of the enactment of this Act:*

19 (1) *BRANFORD HARBOR, CONNECTICUT.*—*The fol-*
20 *lowing portion of the project for navigation, Branford*
21 *River, Connecticut, authorized by the first section of*
22 *the Rivers and Harbors Appropriations Act of June*
23 *13, 1902 (32 Stat. 333): Starting at a point on the*
24 *Federal channel line whose coordinates are*
25 *N156181.32, E581572.38, running south 70 degrees*
26 *11 minutes 8 seconds west a distance of 171.58 feet*

1 to another point on the Federal channel line whose co-
2 ordinates are N156123.18, E581410.96.

3 (2) *BRIDGEPORT HARBOR, CONNECTICUT.*—The
4 following portion of the project for navigation,
5 Bridgeport Harbor, Connecticut, authorized by sec-
6 tion 101 of the River and Harbor Act of 1958 (72
7 Stat. 297): A 2.4-acre anchorage area, 9 feet deep,
8 and an adjacent 0.6-acre anchorage, 6 feet deep, lo-
9 cated on the west side of Johnsons River.

10 (3) *GUILFORD HARBOR, CONNECTICUT.*—The fol-
11 lowing portion of the project for navigation, Guilford
12 Harbor, Connecticut, authorized by section 2 of the
13 Act entitled “An Act authorizing construction, repair,
14 and preservation of certain public works on rivers
15 and harbors, and for other purposes”, approved
16 March 2, 1945 (50 Stat. 13): Starting at a point
17 where the Sluice Creek Channel intersects with the
18 main entrance channel, N159194.63, E623201.07,
19 thence running north 24 degrees 58 minutes 15.2 sec-
20 onds west 478.40 feet to a point N159628.31,
21 E622999.11, thence running north 20 degrees 18 min-
22 utes 31.7 seconds west 351.53 feet to a point
23 N159957.99, E622877.10, thence running north 69
24 degrees 41 minutes 37.9 seconds east 55.000 feet to a
25 point N159977.08, E622928.69, thence turning and

1 *running south 20 degrees 18 minutes 31.0 seconds*
2 *east 349.35 feet to a point N159649.45, E623049.94,*
3 *thence turning and running south 24 degrees 58 min-*
4 *utes 11.1 seconds east 341.36 feet to a point*
5 *N159340.00, E623194.04, thence turning and run-*
6 *ning south 90 degrees 0 minutes 0 seconds east 78.86*
7 *feet to a point N159340.00, E623272.90.*

8 (4) *JOHNSONS RIVER CHANNEL, BRIDGEPORT*
9 *HARBOR, CONNECTICUT.—The following portion of the*
10 *project for navigation, Johnsons River Channel,*
11 *Bridgeport Harbor, Connecticut, authorized by the*
12 *first section of the Rivers and Harbors Act of July 24,*
13 *1946 (60 Stat. 634): Northerly of a line across the*
14 *Federal channel. The coordinates of such line are N*
15 *123318.35, E 486301.68 and N 123257.15, E*
16 *486380.77.*

17 (5) *MYSTIC RIVER, CONNECTICUT.—The follow-*
18 *ing portion of the project for improving the Mystic*
19 *River, Connecticut, authorized by the River and Har-*
20 *bor Act approved March 4, 1913 (37 Stat. 802):*
21 *Beginning in the 15-foot deep channel at coordinates*
22 *north 190860.82, east 814416.20, thence running*
23 *southeast about 52.01 feet to the coordinates north*
24 *190809.47, east 814424.49, thence running southwest*
25 *about 34.02 feet to coordinates north 190780.46, east*

1 814406.70, thence running north about 80.91 feet to
2 the point of beginning.

3 (6) NORWALK HARBOR, CONNECTICUT.—

4 (A) DEAUTHORIZATION.—The portion of the
5 project for navigation, Norwalk Harbor, Con-
6 necticut, authorized by the River and Harbor
7 Act of March 2, 1919 (40 Stat. 1276), that lies
8 northerly of a line across the Federal channel
9 having coordinates N104199.72, E417774.12 and
10 N104155.59, E417628.96, and those portions of
11 the 6-foot deep East Norwalk Channel and An-
12 chorage, authorized by section 2 of the Act enti-
13 tled “An Act authorizing the construction, re-
14 pair, and preservation of certain public works on
15 rivers and harbors, and for other purposes”, ap-
16 proved March 2, 1945 (59 Stat. 13), not included
17 in the description of the realignment of the
18 project contained in subparagraph (B).

19 (B) REALIGNMENT DESCRIPTION.—The re-
20 aligned 6-foot deep East Norwalk Channel and
21 Anchorage is described as follows: starting at a
22 point on the East Norwalk Channel, N95743.02,
23 E419581.37, thence running northwesterly about
24 463.96 feet to a point N96197.93, E419490.18,
25 thence running northwesterly about 549.32 feet

1 to a point N96608.49, E419125.23, thence run-
2 ning northwesterly about 384.06 feet to a point
3 N96965.94, E418984.75, thence running north-
4 westerly about 407.26 feet to a point N97353.87,
5 E418860.78, thence running westerly about
6 58.26 feet to a point N97336.26, E418805.24,
7 thence running northwesterly about 70.99 feet to
8 a point N97390.30, E418759.21, thence running
9 westerly about 71.78 feet to a point on the an-
10 chorage limit N97405.26, E418689.01, thence
11 running southerly along the western limits of the
12 existing Federal anchorage until reaching a
13 point N95893.74, E419449.17, thence running in
14 a southwesterly direction about 78.74 feet to a
15 point on the East Norwalk Channel N95815.62,
16 E419439.33.

17 (C) REDESIGNATION.—All of the realigned
18 channel shall be redesignated as anchorage, with
19 the exception of that portion of the channel
20 which narrows to a width of 100 feet and termi-
21 nates at a line whose coordinates are N96456.81,
22 E419260.06, and N96390.37, E419185.32, which
23 shall remain as a channel.

24 (7) SOUTHPORT HARBOR, CONNECTICUT.—

1 (A) *DEAUTHORIZATION PORTION OF*
2 *PROJECT.—The following portions of the project*
3 *for navigation, Southport Harbor, Connecticut,*
4 *authorized by the first section of the Rivers and*
5 *Harbors Act of August 30, 1935 (49 Stat. 1029):*

6 (i) *The 6-foot deep anchorage located*
7 *at the head of the project.*

8 (ii) *The portion of the 9-foot deep*
9 *channel beginning at a bend in the channel*
10 *whose coordinates are north 109131.16, east*
11 *452653.32 running thence in a northeast-*
12 *erly direction about 943.01 feet to a point*
13 *whose coordinates are north 109635.22, east*
14 *453450.31 running thence in a southeast-*
15 *erly direction about 22.66 feet to a point*
16 *whose coordinates are north 109617.15, east*
17 *453463.98 running thence in a southwest-*
18 *erly direction about 945.18 feet to the point*
19 *of beginning.*

20 (B) *REMAINDER.—The remaining portion*
21 *of the project referred to in subparagraph (A)*
22 *northerly of a line whose coordinates are north*
23 *108699.15, east 452768.36 and north 108655.66,*
24 *east 452858.73 shall be redesignated as an an-*
25 *chorage.*

1 (8) *STONY CREEK, BRANFORD, CONNECTICUT.*—
2 *The following portion of the project for navigation,*
3 *Stony Creek, Connecticut, authorized under section*
4 *107 of the River and Harbor Act of 1960 (33 U.S.C.*
5 *577): The 6-foot maneuvering basin starting at a*
6 *point N157031.91, E599030.79, thence running*
7 *northeasterly about 221.16 feet to a point*
8 *N157191.06, E599184.37, thence running northerly*
9 *about 162.60 feet to a point N157353.56, E599189.99,*
10 *thence running southwesterly about 358.90 feet to the*
11 *point of origin.*

12 (9) *YORK HARBOR, MAINE.*—*That portion of the*
13 *project for navigation, York Harbor, Maine, author-*
14 *ized by section 101 of the River and Harbor Act of*
15 *1960 (74 Stat. 480), located in the 8-foot deep anchor-*
16 *age area beginning at coordinates N 109340.19, E*
17 *372066.93, thence running north 65 degrees 12 min-*
18 *utes 10.5 seconds E 423.27 feet to a point N*
19 *109517.71, E372451.17, thence running north 28 de-*
20 *grees 42 minutes 58.3 seconds west 11.68 feet to a*
21 *point N 109527.95, E 372445.56, thence running*
22 *south 63 degrees 37 minutes 24.6 seconds west 422.63*
23 *feet returning to the point of beginning and that por-*
24 *tion in the 8-foot deep anchorage area beginning at*
25 *coordinates N 108557.24, E 371645.88, thence run-*

1 *ning south 60 degrees 41 minutes 17.2 seconds east*
2 *484.51 feet to a point N 108320.04, E 372068.36,*
3 *thence running north 29 degrees 12 minutes 53.3 sec-*
4 *onds east 15.28 feet to a point N 108333.38, E*
5 *372075.82, thence running north 62 degrees 29 min-*
6 *utes 42.1 seconds west 484.73 feet returning to the*
7 *point of beginning.*

8 (10) *CHELSEA RIVER, BOSTON HARBOR, MASSA-*
9 *CHUSETTS.—The following portion of the project for*
10 *navigation, Boston Harbor, Massachusetts, authorized*
11 *by section 101 of the River and Harbor Act of 1962*
12 *(76 Stat. 1173), consisting of a 35-foot deep channel*
13 *in the Chelsea River: Beginning at a point on the*
14 *northern limit of the existing project N505357.84,*
15 *E724519.19, thence running northeasterly about*
16 *384.19 feet along the northern limit of the existing*
17 *project to a bend on the northern limit of the existing*
18 *project N505526.87, E724864.20, thence running*
19 *southeasterly about 368.00 feet along the northern*
20 *limit of the existing project to another point*
21 *N505404.77, E725211.35, thence running westerly*
22 *about 594.53 feet to a point N505376.12, E724617.51,*
23 *thence running southwesterly about 100.00 feet to the*
24 *point of origin.*

1 (11) COHASSET HARBOR, COHASSET, MASSACHU-
2 SETTS.—The following portions of the project for
3 navigation, Cohasset Harbor, Massachusetts, author-
4 ized under section 107 of the River and Harbor Act
5 of 1960 (33 U.S.C. 577):

6 (A) The portion starting at a point
7 N453510.15, E792664.63, thence running south
8 53 degrees 07 minutes 05.4 seconds west 307.00
9 feet to a point N453325.90, E792419.07, thence
10 running north 57 degrees 56 minutes 36.8 sec-
11 onds west 201.00 feet to a point N453432.58,
12 E792248.72, thence running south 88 degrees 57
13 minutes 25.6 seconds west 50.00 feet to a point
14 N453431.67, E792198.73, thence running north
15 01 degree 02 minutes 52.3 seconds west 66.71 feet
16 to a point N453498.37, E792197.51, thence run-
17 ning north 69 degrees 12 minutes 52.3 seconds
18 east 332.32 feet to a point N453616.30,
19 E792508.20, thence running south 55 degrees 50
20 minutes 24.1 seconds east 189.05 feet to the point
21 of origin.

22 (B) The portion starting at a point
23 N452886.64, E791287.83, thence running south
24 00 degrees 00 minutes 00.0 seconds west 56.04
25 feet to a point N452830.60, E791287.83, thence

1 *running north 90 degrees 00 minutes 00.0 sec-*
2 *onds west 101.92 feet to a point, N452830.60,*
3 *E791185.91, thence running north 52 degrees 12*
4 *minutes 49.7 seconds east 89.42 feet to a point,*
5 *N452885.39, E791256.58, thence running north*
6 *87 degrees 42 minutes 33.8 seconds east 31.28*
7 *feet to the point of origin.*

8 (C) *The portion starting at a point,*
9 *N452261.08, E792040.24, thence running north*
10 *89 degrees 07 minutes 19.5 seconds east 118.78*
11 *feet to a point, N452262.90, E792159.01, thence*
12 *running south 43 degrees 39 minutes 06.8 sec-*
13 *onds west 40.27 feet to a point, N452233.76,*
14 *E792131.21, thence running north 74 degrees 33*
15 *minutes 29.1 seconds west 94.42 feet to a point,*
16 *N452258.90, E792040.20, thence running north*
17 *01 degree 03 minutes 04.3 seconds east 2.18 feet*
18 *to the point of origin.*

19 (12) *FALMOUTH, MASSACHUSETTS.—*

20 (A) *DEAUTHORIZATIONS.—The following*
21 *portions of the project for navigation, Falmouth*
22 *Harbor, Massachusetts, authorized by section 101*
23 *of the River and Harbor Act of 1948 (62 Stat.*
24 *1172):*

1 (i) *The portion commencing at a point*
2 *north 199286.37 east 844394.81 a line run-*
3 *ning north 73 degrees 09 minutes 29 sec-*
4 *onds east 440.34 feet to a point north*
5 *199413.99 east 844816.36, thence turning*
6 *and running north 43 degrees 09 minutes*
7 *34.5 seconds east 119.99 feet to a point*
8 *north 199501.52 east 844898.44, thence*
9 *turning and running south 66 degrees 52*
10 *minutes 03.5 seconds east 547.66 feet re-*
11 *turning to a point north 199286.41 east*
12 *844394.91.*

13 (ii) *The portion commencing at a*
14 *point north 199647.41 east 845035.25 a line*
15 *running north 43 degrees 09 minutes 33.1*
16 *seconds east 767.15 feet to a point north*
17 *200207.01 east 845560.00, thence turning*
18 *and running north 11 degrees 04 minutes*
19 *24.3 seconds west 380.08 feet to a point*
20 *north 200580.01 east 845487.00, thence*
21 *turning and running north 22 degrees 05*
22 *minutes 50.8 seconds east 1332.36 feet to a*
23 *point north 201814.50 east 845988.21,*
24 *thence turning and running north 02 de-*
25 *grees 54 minutes 15.7 seconds east 15.0 feet*

1 to a point north 201829.48 east 845988.97,
2 thence turning and running south 24 de-
3 grees 56 minutes 42.3 seconds west 1410.29
4 feet returning to the point north 200550.75
5 east 845394.18.

6 (B) REDESIGNATION.—The portion of the
7 project for navigation Falmouth, Massachusetts,
8 referred to in subparagraph (A) upstream of a
9 line designated by the 2 points north 199463.18
10 east 844496.40 and north 199350.36 east
11 844544.60 is redesignated as an anchorage area.

12 (13) MYSTIC RIVER, MASSACHUSETTS.—The fol-
13 lowing portion of the project for navigation, Mystic
14 River, Massachusetts, authorized by section 101 of the
15 River and Harbor Act of 1950 (64 Stat. 164): The 35-
16 foot deep channel beginning at a point on the north-
17 ern limit of the existing project, N506243.78,
18 E717600.27, thence running easterly about 1000.00
19 feet along the northern limit of the existing project to
20 a point, N506083.42, E718587.33, thence running
21 southerly about 40.00 feet to a point, N506043.94,
22 E718580.91, thence running westerly about 1000.00
23 feet to a point, N506204.29, E717593.85, thence run-
24 ning northerly about 40.00 feet to the point of origin.

1 (14) WEYMOUTH-FORE AND TOWN RIVERS, MAS-
2 SACHUSETTS.—*The following portions of the project*
3 *for navigation, Weymouth-Fore and Town Rivers,*
4 *Boston Harbor, Massachusetts, authorized by section*
5 *301 of the River and Harbor Act of 1965 (79 Stat.*
6 *1089):*

7 (A) *The 35-foot deep channel beginning at*
8 *a bend on the southern limit of the existing*
9 *project, N457394.01, E741109.74, thence running*
10 *westerly about 405.25 feet to a point,*
11 *N457334.64, E740708.86, thence running south-*
12 *westerly about 462.60 feet to another bend in the*
13 *southern limit of the existing project,*
14 *N457132.00, E740293.00, thence running north-*
15 *easterly about 857.74 feet along the southern*
16 *limit of the existing project to the point of ori-*
17 *gin.*

18 (B) *The 15- and 35-foot deep channels be-*
19 *ginning at a point on the southern limit of the*
20 *existing project, N457163.41, E739903.49, thence*
21 *running northerly about 111.99 feet to a point,*
22 *N457275.37, E739900.76, thence running west-*
23 *erly about 692.37 feet to a point N457303.40,*
24 *E739208.96, thence running southwesterly about*
25 *190.01 feet to another point on the southern*

1 *limit of the existing project, N457233.17,*
2 *E739032.41, thence running easterly about*
3 *873.87 feet along the southern limit of the exist-*
4 *ing project to the point of origin.*

5 (15) *MORRISTOWN HARBOR, NEW YORK.—The*
6 *following portion of the project for navigation, Mor-*
7 *ristown Harbor, New York, authorized by the first*
8 *section of the Rivers and Harbors Act of January 21,*
9 *1927 (44 Stat. 1011): The portion that lies north of*
10 *the north boundary of Morris Street extended.*

11 (16) *CONNEAUT HARBOR, OHIO.—The most*
12 *southerly 300 feet of the 1,670-foot long Shore Arm of*
13 *the project for navigation, Conneaut Harbor, Ohio,*
14 *authorized by the first section of the Rivers and Har-*
15 *bors Appropriation Act of June 25, 1910 (36 Stat.*
16 *653).*

17 (17) *OSWEGATCHIE RIVER, OGDENSBURG NEW*
18 *YORK.—The portion of the Federal channel of the*
19 *project for navigation, Ogdensburg Harbor, New York,*
20 *authorized by the first section of the Rivers and Har-*
21 *bors Appropriations Act of June 25, 1910 (36 Stat.*
22 *635), as modified by the first section of the Rivers*
23 *and Harbors Act of August 30, 1935 (49 Stat. 1037),*
24 *which is in the Oswegatchie River in Ogdensburg,*
25 *New York, from the southernmost alignment of the*

1 *Route 68 bridge upstream to the northernmost align-*
2 *ment of the Lake Street bridge.*

3 (18) *APPONAUG COVE, WARWICK, RHODE IS-*
4 *LAND.—The following portion of the project for navi-*
5 *gation, Apponaug Cove, Rhode Island, authorized*
6 *under section 101 of the River and Harbor Act of*
7 *1960 (74 Stat. 480): The 6-foot channel bounded by*
8 *coordinates N223269.93, E513089.12; N223348.31,*
9 *E512799.54; N223251.78, E512773.41; and*
10 *N223178.0, E513046.0.*

11 (19) *PORT WASHINGTON HARBOR, WISCONSIN.—*
12 *The following portion of the navigation project for*
13 *Port Washington Harbor, Wisconsin, authorized by*
14 *the Rivers and Harbors Appropriations Act of July*
15 *11, 1870 (16 Stat. 223): Beginning at the northwest*
16 *corner of project at Channel Pt. No. 36, of the Federal*
17 *Navigation Project, Port Washington Harbor,*
18 *Ozaukee County, Wisconsin, at coordinates*
19 *N513529.68, E2535215.64, thence 188 degrees 31*
20 *minutes 59 seconds, a distance of 178.32 feet, thence*
21 *196 degrees 47 minutes 17 seconds, a distance of*
22 *574.80 feet, thence 270 degrees 58 minutes 25 seconds,*
23 *a distance of 465.50 feet, thence 178 degrees 56 min-*
24 *utes 17 seconds, a distance of 130.05 feet, thence 87*
25 *degrees 17 minutes 05 seconds, a distance of 510.22*

1 *feet, thence 104 degrees 58 minutes 31 seconds, a dis-*
2 *tance of 178.33 feet, thence 115 degrees 47 minutes 55*
3 *seconds, a distance of 244.15 feet, thence 25 degrees 12*
4 *minutes 08 seconds, a distance of 310.00 feet, thence*
5 *294 degrees 46 minutes 50 seconds, a distance of*
6 *390.20 feet, thence 16 degrees 56 minutes 16 seconds,*
7 *a distance of 570.90 feet, thence 266 degrees 01 min-*
8 *utes 25 seconds, a distance of 190.78 feet to Channel*
9 *Pt. No. 36, point of beginning.*

10 **SEC. 502. PROJECT REAUTHORIZATIONS.**

11 *(a) GRAND PRAIRIE REGION AND BAYOU METO BASIN,*
12 *ARKANSAS.—The project for flood control, Grand Prairie*
13 *Region and Bayou Meto Basin, Arkansas, authorized by*
14 *section 204 of the Flood Control Act of 1950 (64 Stat. 174)*
15 *and deauthorized pursuant to section 1001(b)(1) of the*
16 *Water Resources Development Act of 1986 (33 U.S.C.*
17 *579a(b)(1)), is authorized to be carried out by the Sec-*
18 *retary; except that the scope of the project includes ground*
19 *water protection and conservation, agricultural water sup-*
20 *ply, and waterfowl management.*

21 *(b) WHITE RIVER, ARKANSAS.—The project for navi-*
22 *gation, White River Navigation to Batesville, Arkansas, au-*
23 *thorized by section 601(a) of the Water Resources Develop-*
24 *ment Act of 1986 (100 Stat. 4139) and deauthorized by sec-*
25 *tion 52(b) of the Water Resources Development Act of 1988*

1 (102 Stat. 4045), is authorized to be carried out by the Sec-
2 retary.

3 (c) *DES PLAINES RIVER, ILLINOIS.*—The project for
4 wetlands research, Des Plaines River, Illinois, authorized
5 by section 45 of the Water Resources Development Act of
6 1988 (102 Stat. 4041) and deauthorized pursuant to section
7 1001 of the Water Resources Development Act of 1986 (33
8 U.S.C. 579a(b)), is authorized to be carried out by the Sec-
9 retary.

10 (d) *ALPENA HARBOR, MICHIGAN.*—The project for
11 navigation, Alpena Harbor, Michigan, authorized by sec-
12 tion 301 of the River and Harbor Act of 1965 (79 Stat.
13 1090) and deauthorized pursuant to section 1001 of the
14 Water Resources Development Act of 1986 (33 U.S.C.
15 579a(b)), is authorized to be carried out by the Secretary.

16 (e) *ONTONAGON HARBOR, ONTONAGON COUNTY,*
17 *MICHIGAN.*—The project for navigation, Ontonagon Har-
18 bor, Ontonagon County, Michigan, authorized by section
19 101 of the River and Harbor Act of 1962 (76 Stat. 1176)
20 and deauthorized pursuant to section 1001 of the Water Re-
21 sources Development Act of 1986 (33 U.S.C. 579a(b)), is
22 authorized to be carried out by the Secretary.

23 (f) *KNIFE RIVER HARBOR, MINNESOTA.*—The project
24 for navigation, Knife River Harbor, Minnesota, authorized
25 by section 100 of the Water Resources Development Act of

1 1974 (88 Stat. 41) and deauthorized pursuant to section
2 1001 of the Water Resources Development Act of 1986 (33
3 U.S.C. 579a(b)), is authorized to be carried out by the Sec-
4 retary.

5 (g) CLIFFWOOD BEACH, NEW JERSEY.—The project
6 for hurricane-flood protection and beach erosion control on
7 Raritan Bay and Sandy Hook Bay, New Jersey, authorized
8 by section 203 of the Flood Control Act of 1962 (76 Stat.
9 118) and deauthorized pursuant to section 1001 of the
10 Water Resources Development Act of 1986 (33 U.S.C.
11 579a(b)), is authorized to be carried out by the Secretary.

12 **SEC. 503. CONTINUATION OF AUTHORIZATION OF CERTAIN**
13 **PROJECTS.**

14 (a) GENERAL RULE.—Notwithstanding section 1001 of
15 the Water Resources Development Act of 1986 (33 U.S.C.
16 579a), the following projects shall remain authorized to be
17 carried out by the Secretary:

18 (1) CEDAR RIVER HARBOR, MICHIGAN.—The
19 project for navigation, Cedar River Harbor, Michi-
20 gan, authorized by section 301 of the River and Har-
21 bor Act of 1965 (79 Stat. 1090).

22 (2) CROSS VILLAGE HARBOR, MICHIGAN.—The
23 project for navigation, Cross Village Harbor, Michi-
24 gan, authorized by section 101 of the River and Har-
25 bor Act of 1966 (80 Stat. 1405).

1 (b) *LIMITATION.*—A project described in subsection (a)
 2 shall not be authorized for construction after the last day
 3 of the 5-year period that begins on the date of the enactment
 4 of this Act unless, during such period, funds have been obli-
 5 gated for the construction (including planning and design)
 6 of the project.

7 **SEC. 504. LAND CONVEYANCES.**

8 (a) *OAKLAND INNER HARBOR TIDAL CANAL PROP-*
 9 *ERTY, CALIFORNIA.*—Section 205 of the *Water Resources*
 10 *Development Act of 1990 (104 Stat. 4633)* is amended—

11 (1) by inserting after paragraph (2) the follow-
 12 ing new paragraph:

13 “(3) To adjacent land owners, the United States
 14 title to all or portions of that part of the Oakland
 15 Inner Harbor Tidal Canal which are located within
 16 the boundaries of the city in which such land rests.
 17 Such conveyance shall be at fair market value.”;

18 (2) by inserting after “right-of-way” the follow-
 19 ing: “or other rights deemed necessary by the Sec-
 20 retary”; and

21 (3) by adding at the end the following: “The con-
 22 veyances and processes involved will be at no cost to
 23 the United States.”.

24 (b) *MARIEMONT, OHIO.*—

1 (1) *IN GENERAL.*—*The Secretary shall convey to*
2 *the village of Mariemont, Ohio, for a sum of \$85,000*
3 *all right, title, and interest of the United States in*
4 *and to a parcel of land (including improvements*
5 *thereto) under the jurisdiction of the Corps of Engi-*
6 *neers and known as the “Ohio River Division Lab-*
7 *oratory”, as such parcel is described in paragraph*
8 *(4).*

9 (2) *TERMS AND CONDITIONS.*—*The conveyance*
10 *under paragraph (1) shall be subject to such terms*
11 *and conditions as the Secretary considers necessary*
12 *and appropriate to protect the interests of the United*
13 *States.*

14 (3) *PROCEEDS.*—*All proceeds from the convey-*
15 *ance under paragraph (1) shall be deposited in the*
16 *general fund of the Treasury of the United States and*
17 *credited as miscellaneous receipts.*

18 (4) *PROPERTY DESCRIPTION.*—*The parcel of*
19 *land referred to in paragraph (1) is the parcel situ-*
20 *ated in the State of Ohio, County of Hamilton, Town-*
21 *ship 4, Fractional Range 2, Miami Purchase, Colum-*
22 *bia Township, Section 15, being parts of Lots 5 and*
23 *6 of the subdivision of the dower tract of the estate*
24 *of Joseph Ferris as recorded in Plat Book 4, Page*
25 *112, of the Plat Records of Hamilton County, Ohio,*

1 *Recorder's Office, and more particularly described as*
2 *follows:*

3 *Beginning at an iron pin set to mark the*
4 *intersection of the easterly line of Lot 5 of said*
5 *subdivision of said dower tract with the north-*
6 *erly line of the right-of-way of the Norfolk and*
7 *Western Railway Company as shown in Plat*
8 *Book 27, Page 182, Hamilton County, Ohio,*
9 *Surveyor's Office, thence with said northerly*
10 *right-of-way line;*

11 *South 70 degrees 10 minutes 13 seconds*
12 *west 258.52 feet to a point; thence leaving the*
13 *northerly right-of-way of the Norfolk and West-*
14 *ern Railway Company;*

15 *North 18 degrees 22 minutes 02 seconds*
16 *west 302.31 feet to a point in the south line of*
17 *Mariemont Avenue; thence along said south line;*

18 *North 72 degrees 34 minutes 35 seconds east*
19 *167.50 feet to a point; thence leaving the south*
20 *line of Mariemont Avenue;*

21 *North 17 degrees 25 minutes 25 seconds*
22 *west 49.00 feet to a point; thence*

23 *North 72 degrees 34 minutes 35 seconds east*
24 *100.00 feet to a point; thence*

1 *South 17 degrees 25 minutes 25 seconds east*
2 *49.00 feet to a point; thence*
3 *North 72 degrees 34 minutes 35 seconds east*
4 *238.90 feet to a point; thence*
5 *South 00 degrees 52 minutes 07 seconds east*
6 *297.02 feet to a point in the northerly line of the*
7 *Norfolk and Western Railway Company; thence*
8 *with said northerly right-of-way;*
9 *South 70 degrees 10 minutes 13 seconds*
10 *west 159.63 feet to a point of beginning, contain-*
11 *ing 3.22 acres, more or less.*

12 (c) *EUFAULA LAKE, OKLAHOMA.—*

13 (1) *IN GENERAL.—The Secretary shall convey to*
14 *the city of Eufaula, Oklahoma, all right, title, and in-*
15 *terest of the United States in and to a parcel of land*
16 *consisting of approximately 12.5 acres located at the*
17 *Eufaula Lake project.*

18 (2) *CONSIDERATION.—Consideration for the con-*
19 *veyance under paragraph (1) shall be the fair market*
20 *value of the parcel (as determined by the Secretary)*
21 *and payment of all costs of the United States in mak-*
22 *ing the conveyance, including the costs of—*

23 (A) *the survey required under paragraph*
24 (4);

1 (B) any other necessary survey or survey
2 monumentation;

3 (C) compliance with the National Environ-
4 mental Policy Act of 1969 (42 U.S.C. 4321 et
5 seq.); and

6 (D) any coordination necessary with respect
7 to requirements relating to endangered species,
8 cultural resources, and clean air (including the
9 costs of agency consultation and public hear-
10 ings).

11 (3) *LAND SURVEYS.*—The exact acreage and de-
12 scription of the parcel to be conveyed under para-
13 graph (1) shall be determined by such surveys as the
14 Secretary considers necessary, which shall be carried
15 out to the satisfaction of the Secretary.

16 (4) *ENVIRONMENTAL BASELINE SURVEY.*—Prior
17 to making the conveyance under paragraph (1), the
18 Secretary shall conduct an environmental baseline
19 survey to determine the levels of any contamination
20 (as of the date of the survey) for which the United
21 States would be responsible under the Comprehensive
22 Environmental Response, Compensation, and Liabil-
23 ity Act of 1980 (42 U.S.C. 9601 et seq.) and any
24 other applicable law.

1 (5) *CONDITIONS CONCERNING RIGHTS AND EASE-*
2 *MENT.*—*The conveyance under paragraph (1) shall be*
3 *subject to existing rights and to retention by the*
4 *United States of a flowage easement over all portions*
5 *of the parcel that lie at or below the flowage easement*
6 *contour for the Eufaula Lake project.*

7 (6) *OTHER TERMS AND CONDITIONS.*—*The con-*
8 *veyance under paragraph (1) shall be subject to such*
9 *other terms and conditions as the Secretary considers*
10 *necessary and appropriate to protect the interests of*
11 *the United States.*

12 (d) *BOARDMAN, OREGON.*—

13 (1) *IN GENERAL.*—*The Secretary shall convey to*
14 *the city of Boardman, Oregon, all right, title, and in-*
15 *terest of the United States in and to a parcel of land*
16 *consisting of approximately 141 acres acquired as*
17 *part of the John Day Lock and Dam project in the*
18 *vicinity of such city currently under lease to the*
19 *Boardman Park and Recreation District.*

20 (2) *CONSIDERATION.*—

21 (A) *PARK AND RECREATION PROPERTIES.*—
22 *Properties to be conveyed under this subsection*
23 *that will be retained in public ownership and*
24 *used for public park and recreation purposes*
25 *shall be conveyed without consideration. If any*

1 *such property is no longer used for public park*
2 *and recreation purposes, then title to such prop-*
3 *erty shall revert to the Secretary.*

4 *(B) OTHER PROPERTIES.—Properties to be*
5 *conveyed under this subsection and not described*
6 *in subparagraph (A) shall be conveyed at fair*
7 *market value.*

8 *(3) CONDITIONS CONCERNING RIGHTS AND EASE-*
9 *MENT.—The conveyance of properties under this sub-*
10 *section shall be subject to existing first rights of re-*
11 *fusals regarding acquisition of such properties and to*
12 *retention of a flowage easement over portions of the*
13 *properties that the Secretary determines to be nec-*
14 *essary for operation of the project.*

15 *(4) OTHER TERMS AND CONDITIONS.—The con-*
16 *veyance of properties under this subsection shall be*
17 *subject to such other terms and conditions as the Sec-*
18 *retary considers necessary and appropriate to protect*
19 *the interests of the United States.*

20 *(e) TRI-CITIES AREA, WASHINGTON.—*

21 *(1) GENERAL AUTHORITY.—As soon as prac-*
22 *ticable after the date of the enactment of this Act, the*
23 *Secretary shall make the conveyances to the local gov-*
24 *ernments referred to in paragraph (2) of all right,*

1 *title, and interest of the United States in and to the*
2 *property described in paragraph (2).*

3 (2) *PROPERTY DESCRIPTIONS.—*

4 (A) *BENTON COUNTY.—The property to be*
5 *conveyed pursuant to paragraph (1) to Benton*
6 *County, Washington, is the property in such*
7 *county which is designated “Area D” on Exhibit*
8 *A to Army Lease No. DACW-68-1-81-43.*

9 (B) *FRANKLIN COUNTY, WASHINGTON.—The*
10 *property to be conveyed pursuant to paragraph*
11 *(1) to Franklin County, Washington, is—*

12 (i) *the 105.01 acres of property leased*
13 *pursuant to Army Lease No. DACW-68-1-*
14 *77-20 as executed by Franklin County,*
15 *Washington, on April 7, 1977;*

16 (ii) *the 35 acres of property leased*
17 *pursuant to Supplemental Agreement No. 1*
18 *to Army Lease No. DACW-68-1-77-20;*

19 (iii) *the 20 acres of property commonly*
20 *known as “Richland Bend” which is des-*
21 *ignated by the shaded portion of Lot 1, Sec-*
22 *tion 11, and the shaded portion of Lot 1,*
23 *Section 12, Township 9 North, Range 28*
24 *East, W.M. on Exhibit D to Supplemental*

1 *Agreement No. 2 to Army Lease No.*
2 *DACW-68-1-77-20;*

3 *(iv) the 7.05 acres of property com-*
4 *monly known as "Taylor Flat" which is*
5 *designated by the shaded portion of Lot 1,*
6 *Section 13, Township 11 North, Range 28*
7 *East, W.M. on Exhibit D to Supplemental*
8 *Agreement No. 2 to Army Lease No.*
9 *DACW-68-1-77-20;*

10 *(v) the 14.69 acres of property com-*
11 *monly known as "Byers Landing" which is*
12 *designated by the shaded portion of Lots 2*
13 *and 3, Section 2, Township 10 North,*
14 *Range 28 East, W.M. on Exhibit D to Sup-*
15 *plemental Agreement No. 2 to Army Lease*
16 *No. DACW-68-1-77-20; and*

17 *(vi) all levees within Franklin County,*
18 *Washington, as of the date of the enactment*
19 *of this Act, and the property upon which*
20 *the levees are situated.*

21 *(C) CITY OF KENNEWICK, WASHINGTON.—*

22 *The property to be conveyed pursuant to para-*
23 *graph (1) to the city of Kennewick, Washington,*
24 *is the property within the city which is subject*
25 *to the Municipal Sublease Agreement entered*

1 *into on April 6, 1989, between Benton County,*
2 *Washington, and the cities of Kennewick and*
3 *Richland, Washington.*

4 (D) *CITY OF RICHLAND, WASHINGTON.—The*
5 *property to be conveyed pursuant to paragraph*
6 *(1), to the city of Richland, Washington, is the*
7 *property within the city which is subject to the*
8 *Municipal Sublease Agreement entered into on*
9 *April 6, 1989, between Benton County, Washing-*
10 *ton, and the Cities of Kennewick and Richland,*
11 *Washington.*

12 (E) *CITY OF PASCO, WASHINGTON.—The*
13 *property to be conveyed pursuant to paragraph*
14 *(1), to the city of Pasco, Washington, is—*

15 (i) *the property within the city of*
16 *Pasco, Washington, which is leased pursu-*
17 *ant to Army Lease No. DACW-68-1-77-10;*
18 *and*

19 (ii) *all levees within such city, as of*
20 *the date of the enactment of this Act, and*
21 *the property upon which the levees are situ-*
22 *ated.*

23 (F) *PORT OF PASCO, WASHINGTON.—The*
24 *property to be conveyed pursuant to paragraph*
25 *(1) to the Port of Pasco, Washington, is—*

1 (i) *the property owned by the United*
2 *States which is south of the Burlington*
3 *Northern Railroad tracks in Lots 1 and 2,*
4 *Section 20, Township 9 North, Range 31*
5 *East, W.M.; and*

6 (ii) *the property owned by the United*
7 *States which is south of the Burlington*
8 *Northern Railroad tracks in Lots 1, 2, 3,*
9 *and 4, in each of Sections 21, 22, and 23,*
10 *Township 9 North, Range 31 East, W.M.*

11 (G) *ADDITIONAL PROPERTIES.—In addition*
12 *to properties described in subparagraphs (A)*
13 *through (F), the Secretary may convey to a local*
14 *government referred to in subparagraphs (A)*
15 *through (F) such properties under the jurisdic-*
16 *tion of the Secretary in the Tri-Cities area as the*
17 *Secretary and the local government agree are ap-*
18 *propriate for conveyance.*

19 (3) *TERMS AND CONDITIONS.—*

20 (A) *IN GENERAL.—The conveyances under*
21 *paragraph (1) shall be subject to such terms and*
22 *conditions as the Secretary considers necessary*
23 *and appropriate to protect the interests of the*
24 *United States.*

1 (B) *SPECIAL RULES FOR FRANKLIN COUN-*
2 *TY.—The property described in paragraph*
3 *(2)(B)(vi) shall be conveyed only after Franklin*
4 *County, Washington, has entered into a written*
5 *agreement with the Secretary which provides*
6 *that the United States shall continue to operate*
7 *and maintain the flood control drainage areas*
8 *and pump stations on the property conveyed and*
9 *that the United States shall be provided all ease-*
10 *ments and rights necessary to carry out that*
11 *agreement.*

12 (C) *SPECIAL RULE FOR CITY OF PASCO.—*
13 *The property described in paragraph (2)(E)(ii)*
14 *shall be conveyed only after the city of Pasco,*
15 *Washington, has entered into a written agree-*
16 *ment with the Secretary which provides that the*
17 *United States shall continue to operate and*
18 *maintain the flood control drainage areas and*
19 *pump stations on the property conveyed and*
20 *that the United States shall be provided all ease-*
21 *ments and rights necessary to carry out that*
22 *agreement.*

23 (D) *CONSIDERATION.—*

24 (i) *PARK AND RECREATION PROP-*
25 *ERTIES.—Properties to be conveyed under*

1 *this subsection that will be retained in pub-*
2 *lic ownership and used for public park and*
3 *recreation purposes shall be conveyed with-*
4 *out consideration. If any such property is*
5 *no longer used for public park and recre-*
6 *ation purposes, then title to such property*
7 *shall revert to the Secretary.*

8 *(ii) OTHER PROPERTIES.—Properties*
9 *to be conveyed under this subsection and not*
10 *described in clause (i) shall be conveyed at*
11 *fair market value.*

12 *(4) LAKE WALLULA LEVEES.—*

13 *(A) DETERMINATION OF MINIMUM SAFE*
14 *HEIGHT.—*

15 *(i) CONTRACT.—Within 30 days after*
16 *the date of the enactment of this Act, the*
17 *Secretary shall contract with a private en-*
18 *tity agreed to under clause (ii) to deter-*
19 *mine, within 6 months after such date of*
20 *enactment, the minimum safe height for the*
21 *levees of the project for flood control, Lake*
22 *Wallula, Washington. The Secretary shall*
23 *have final approval of the minimum safe*
24 *height.*

1 (ii) *AGREEMENT OF LOCAL OFFI-*
2 *CIALS.—A contract shall be entered into*
3 *under clause (i) only with a private entity*
4 *agreed to by the Secretary, appropriate rep-*
5 *resentatives of Franklin County, Washing-*
6 *ton, and appropriate representatives of the*
7 *city of Pasco, Washington.*

8 (B) *AUTHORITY.—A local government may*
9 *reduce, at its cost, the height of any levee of the*
10 *project for flood control, Lake Wallula, Washing-*
11 *ton, within the boundaries of such local govern-*
12 *ment to a height not lower than the minimum*
13 *safe height determined pursuant to subparagraph*
14 (A).

15 **SEC. 505. NAMINGS.**

16 (a) *MILT BRANDT VISITORS CENTER, CALIFORNIA.—*
17 (1) *DESIGNATION.—The visitors center at Warm*
18 *Springs Dam, California, authorized by section 203*
19 *of the Flood Control Act of 1962 (76 Stat. 1192), shall*
20 *be known and designated as the “Milt Brandt Visitors*
21 *Center”.*

22 (2) *LEGAL REFERENCES.—Any reference in a*
23 *law, map, regulation, document, paper, or other*
24 *record of the United States to the visitors center re-*

1 ferred to in paragraph (1) shall be deemed to be a ref-
2 erence to the “Milt Brandt Visitors Center”.

3 (b) *CARR CREEK LAKE, KENTUCKY.*—

4 (1) *DESIGNATION.*—Carr Fork Lake in Knott
5 County, Kentucky, authorized by section 203 of the
6 Flood Control Act of 1962 (76 Stat. 1188), shall be
7 known and designated as the “Carr Creek Lake”.

8 (2) *LEGAL REFERENCES.*—Any reference in a
9 law, map, regulation, document, paper, or other
10 record of the United States to the lake referred to in
11 paragraph (1) shall be deemed to be a reference to the
12 “Carr Creek Lake”.

13 (c) *WILLIAM H. NATCHER BRIDGE, MACEO, KEN-*
14 *TUCKY, AND ROCKPORT, INDIANA.*—

15 (1) *DESIGNATION.*—The bridge on United States
16 Route 231 which crosses the Ohio River between
17 Maceo, Kentucky, and Rockport, Indiana, shall be
18 known and designated as the “William H. Natcher
19 Bridge”.

20 (2) *LEGAL REFERENCES.*—Any reference in a
21 law, map, regulation, document, paper, or other
22 record of the United States to the bridge referred to
23 in paragraph (1) shall be deemed to be a reference to
24 the “William H. Natcher Bridge”.

1 (d) *JOHN T. MYERS LOCK AND DAM, INDIANA AND*
2 *KENTUCKY.—*

3 (1) *DESIGNATION.—Uniontown Lock and Dam,*
4 *on the Ohio River, Indiana and Kentucky, shall be*
5 *known and designated as the “John T. Myers Lock*
6 *and Dam”.*

7 (2) *LEGAL REFERENCES.—Any reference in a*
8 *law, map, regulation, document, paper, or other*
9 *record of the United States to the lock and dam re-*
10 *ferred to in paragraph (1) shall be deemed to be a ref-*
11 *erence to the “John T. Myers Lock and Dam”.*

12 (e) *J. EDWARD ROUSH LAKE, INDIANA.—*

13 (1) *REDESIGNATION.—The lake on the Wabash*
14 *River in Huntington and Wells Counties, Indiana,*
15 *authorized by section 203 of the Flood Control Act of*
16 *1958 (72 Stat. 312), and known as Huntington Lake,*
17 *shall be known and designated as the “J. Edward*
18 *Roush Lake”.*

19 (2) *LEGAL REFERENCES.—Any reference in a*
20 *law, map, regulation, document, paper, or other*
21 *record of the United States to the lake referred to in*
22 *paragraph (1) shall be deemed to be a reference to the*
23 *“J. Edward Roush Lake”.*

24 (f) *RUSSELL B. LONG LOCK AND DAM, RED RIVER*
25 *WATERWAY, LOUISIANA.—*

1 (1) *DESIGNATION.*—*Lock and Dam 4 of the Red*
2 *River Waterway, Louisiana, shall be known and des-*
3 *ignated as the “Russell B. Long Lock and Dam”.*

4 (2) *LEGAL REFERENCES.*—*A reference in any*
5 *law, map, regulation, document, paper, or other*
6 *record of the United States to the lock and dam re-*
7 *ferred to in paragraph (1) shall be deemed to be a ref-*
8 *erence to the “Russell B. Long Lock and Dam”.*

9 (g) *ABERDEEN LOCK AND DAM, TENNESSEE-*
10 *TOMBIGBEE WATERWAY.*—

11 (1) *DESIGNATION.*—*The lock and dam at Mile*
12 *358 of the Tennessee-Tombigbee Waterway is des-*
13 *ignated as the “Aberdeen Lock and Dam”.*

14 (2) *LEGAL REFERENCE.*—*Any reference in a*
15 *law, map, regulation, document, paper, or other*
16 *record of the United States to the lock and dam re-*
17 *ferred to in paragraph (1) is deemed to be a reference*
18 *to the “Aberdeen Lock and Dam”.*

19 (h) *AMORY LOCK, TENNESSEE-TOMBIGBEE WATER-*
20 *WAY.*—

21 (1) *DESIGNATION.*—*Lock A at Mile 371 of the*
22 *Tennessee-Tombigbee Waterway is designated as the*
23 *“Amory Lock”.*

24 (2) *LEGAL REFERENCE.*—*Any reference in a*
25 *law, map, regulation, document, paper, or other*

1 *record of the United States to the lock referred to in*
2 *paragraph (1) is deemed to be a reference to the*
3 *“Amory Lock”.*

4 (i) *FULTON LOCK, TENNESSEE-TOMBIGBEE WATER-*
5 *WAY.—*

6 (1) *DESIGNATION.—Lock C at Mile 391 of the*
7 *Tennessee-Tombigbee Waterway is designated as the*
8 *“Fulton Lock”.*

9 (2) *LEGAL REFERENCE.—Any reference in a*
10 *law, map, regulation, document, paper, or other*
11 *record of the United States to the lock referred to in*
12 *paragraph (1) is deemed to be a reference to the “Ful-*
13 *ton Lock”.*

14 (j) *HOWELL HEFLIN LOCK AND DAM, TENNESSEE-*
15 *TOMBIGBEE WATERWAY.—*

16 (1) *REDESIGNATION.—The lock and dam at Mile*
17 *266 of the Tennessee-Tombigbee Waterway, known as*
18 *the Gainesville Lock and Dam, is redesignated as the*
19 *“Howell Heflin Lock and Dam”.*

20 (2) *LEGAL REFERENCE.—Any reference in a*
21 *law, map, regulation, document, paper, or other*
22 *record of the United States to the lock and dam re-*
23 *ferred to in paragraph (1) is deemed to be a reference*
24 *to the “Howell Heflin Lock and Dam”.*

1 (k) *G.V. “SONNY” MONTGOMERY LOCK, TENNESSEE-*
2 *TOMBIGBEE WATERWAY.—*

3 (1) *DESIGNATION.—Lock E at Mile 407 of the*
4 *Tennessee-Tombigbee Waterway is designated as the*
5 *“G.V. ‘Sonny’ Montgomery Lock”.*

6 (2) *LEGAL REFERENCE.—Any reference in a*
7 *law, map, regulation, document, paper, or other*
8 *record of the United States to the lock referred to in*
9 *paragraph (1) is deemed to be a reference to the “G.V.*
10 *‘Sonny’ Montgomery Lock”.*

11 (l) *JOHN RANKIN LOCK, TENNESSEE-TOMBIGBEE WA-*
12 *TERWAY.—*

13 (1) *DESIGNATION.—Lock D at Mile 398 of the*
14 *Tennessee-Tombigbee Waterway is designated as the*
15 *“John Rankin Lock”.*

16 (2) *LEGAL REFERENCE.—Any reference in a*
17 *law, map, regulation, document, paper, or other*
18 *record of the United States to the lock referred to in*
19 *paragraph (1) is deemed to be a reference to the*
20 *“John Rankin Lock”.*

21 (m) *JOHN C. STENNIS LOCK AND DAM, TENNESSEE-*
22 *TOMBIGBEE WATERWAY.—*

23 (1) *REDESIGNATION.—The lock and dam at Mile*
24 *335 of the Tennessee-Tombigbee Waterway, known as*

1 *the Columbus Lock and Dam, is redesignated as the*
2 *“John C. Stennis Lock and Dam”.*

3 (2) *LEGAL REFERENCE.*—*Any reference in a*
4 *law, map, regulation, document, paper, or other*
5 *record of the United States to the lock and dam re-*
6 *ferred to in paragraph (1) is deemed to be a reference*
7 *to the “John C. Stennis Lock and Dam”.*

8 (n) *JAMIE WHITTEN LOCK AND DAM, TENNESSEE-*
9 *TOMBIGBEE WATERWAY.*—

10 (1) *REDESIGNATION.*—*The lock and dam at Mile*
11 *412 of the Tennessee-Tombigbee Waterway, known as*
12 *the Bay Springs Lock and Dam, is redesignated as*
13 *the “Jamie Whitten Lock and Dam”.*

14 (2) *LEGAL REFERENCE.*—*Any reference in a*
15 *law, map, regulation, document, paper, or other*
16 *record of the United States to the lock and dam re-*
17 *ferred to in paragraph (1) is deemed to be a reference*
18 *to the “Jamie Whitten Lock and Dam”.*

19 (o) *GLOVER WILKINS LOCK, TENNESSEE-TOMBIGBEE*
20 *WATERWAY.*—

21 (1) *DESIGNATION.*—*Lock B at Mile 376 of the*
22 *Tennessee-Tombigbee Waterway is designated as the*
23 *“Glover Wilkins Lock”.*

24 (2) *LEGAL REFERENCE.*—*Any reference in a*
25 *law, map, regulation, document, paper, or other*

1 (c) *NON-FEDERAL SHARE.*—*The non-Federal share of*
2 *the cost of assistance provided under this section shall be*
3 *50 percent.*

4 (d) *PROJECT LOCATIONS.*—*The Secretary may provide*
5 *assistance under subsection (a) for projects at the following*
6 *locations:*

7 (1) *Gila River and Tributaries, Santa Cruz*
8 *River, Arizona.*

9 (2) *Rio Salado, Salt River, Phoenix and Tempe,*
10 *Arizona.*

11 (3) *Colusa basin, California.*

12 (4) *Los Angeles River watershed, California.*

13 (5) *Russian River watershed, California.*

14 (6) *Sacramento River watershed, California.*

15 (7) *Nancy Creek, Utoy Creek, and North Peach-*
16 *tree Creek and South Peachtree Creek basin, Georgia.*

17 (8) *Lower Platte River watershed, Nebraska.*

18 (9) *Juniata River watershed, Pennsylvania, in-*
19 *cluding Raystown Lake.*

20 (10) *Upper Potomac River watershed, Grant and*
21 *Mineral Counties, West Virginia.*

22 (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
23 *authorized to be appropriated to carry out this section*
24 *\$25,000,000 for fiscal years beginning after September 30,*
25 *1996.*

1 **SEC. 507. LAKES PROGRAM.**

2 *Section 602(a) of the Water Resources Development*
3 *Act of 1986 (100 Stat. 4148–4149) is amended—*

4 *(1) by striking “and” at the end of paragraph*
5 *(10);*

6 *(2) by striking the period at the end of para-*
7 *graph (11) and inserting a semicolon; and*

8 *(3) by adding at the end the following:*

9 *“(12) Goodyear Lake, Otsego County, New York,*
10 *removal of silt and aquatic growth;*

11 *“(13) Otsego Lake, Otsego County, New York, re-*
12 *moval of silt and aquatic growth and measures to ad-*
13 *dress high nutrient concentration;*

14 *“(14) Oneida Lake, Oneida County, New York,*
15 *removal of silt and aquatic growth;*

16 *“(15) Skaneateles and Owasco Lakes, New York,*
17 *removal of silt and aquatic growth and prevention of*
18 *sediment deposit; and*

19 *“(16) Twin Lakes, Paris, Illinois, removal of silt*
20 *and excess aquatic vegetation, including measures to*
21 *address excessive sedimentation, high nutrient con-*
22 *centration, and shoreline erosion.”.*

23 **SEC. 508. MAINTENANCE OF NAVIGATION CHANNELS.**

24 *(a) IN GENERAL.—Upon request of the non-Federal in-*
25 *terest, the Secretary shall be responsible for maintenance*
26 *of the following navigation channels constructed or im-*

1 *proved by non-Federal interests if the Secretary determines*
2 *that such maintenance is economically justified and envi-*
3 *ronmentally acceptable and that the channel was con-*
4 *structed in accordance with applicable permits and appro-*
5 *priate engineering and design standards:*

6 (1) *Humboldt Harbor and Bay, Fields Landing*
7 *Channel, California.*

8 (2) *Mare Island Strait, California; except that,*
9 *for purposes of this section, the navigation channel*
10 *shall be deemed to have been constructed or improved*
11 *by non-Federal interests.*

12 (3) *Mississippi River Ship Channel, Chalmette*
13 *Slip, Louisiana.*

14 (4) *Greenville Inner Harbor Channel, Mis-*
15 *sissippi.*

16 (5) *Providence Harbor Shipping Channel, Rhode*
17 *Island.*

18 (6) *Matagorda Ship Channel, Point Comfort*
19 *Turning Basin, Texas.*

20 (7) *Corpus Christi Ship Channel, Rincon Canal,*
21 *Texas.*

22 (8) *Brazos Island Harbor, Texas, connecting*
23 *channel to Mexico.*

24 (9) *Blair Waterway, Tacoma Harbor, Washing-*
25 *ton.*

1 (b) *COMPLETION OF ASSESSMENT.*—*Within 6 months*
2 *of receipt of a request from the non-Federal interest for Fed-*
3 *eral assumption of maintenance of a channel listed in sub-*
4 *section (a), the Secretary shall make a determination as*
5 *provided in subsection (a) and advise the non-Federal inter-*
6 *est of the Secretary’s determination.*

7 **SEC. 509. GREAT LAKES REMEDIAL ACTION PLANS AND**
8 **SEDIMENT REMEDIATION.**

9 Section 401 of the Water Resources Development Act
10 of 1990 (104 Stat. 4644) is amended to read as follows:

11 **“SEC. 401. GREAT LAKES REMEDIAL ACTION PLANS AND**
12 **SEDIMENT REMEDIATION.**

13 “(a) *GREAT LAKES REMEDIAL ACTION PLANS.*—

14 “(1) *IN GENERAL.*—*The Secretary is authorized*
15 *to provide technical, planning, and engineering as-*
16 *sistance to State and local governments and non-*
17 *governmental entities designated by the State or local*
18 *government in the development and implementation*
19 *of remedial action plans for areas of concern in the*
20 *Great Lakes identified under the Great Lakes Water*
21 *Quality Agreement of 1978.*

22 “(2) *NON-FEDERAL SHARE.*—*Non-Federal inter-*
23 *ests shall contribute, in cash or by providing in-kind*
24 *contributions, 50 percent of costs of activities for*
25 *which assistance is provided under paragraph (1).*

1 “(b) *SEDIMENT REMEDIATION DEMONSTRATION*
2 *PROJECTS.*—

3 “(1) *IN GENERAL.*—*The Secretary, in consulta-*
4 *tion with the Administrator of the Environmental*
5 *Protection Agency (acting through the Great Lakes*
6 *National Program Office), may conduct pilot- and*
7 *full-scale demonstration projects of promising tech-*
8 *niques to remediate contaminated sediments in fresh-*
9 *water coastal regions in the Great Lakes basin. The*
10 *Secretary must conduct no fewer than 3 full-scale*
11 *demonstration projects under this subsection.*

12 “(2) *SITE SELECTION FOR DEMONSTRATION*
13 *PROJECTS.*—*In selecting the sites for the technology*
14 *demonstration projects, the Secretary shall give prior-*
15 *ity consideration to Saginaw Bay, Michigan, Sheboy-*
16 *gan Harbor, Wisconsin, Grand Calumet River, Indi-*
17 *ana, Ashtabula River, Ohio, Buffalo River, New York,*
18 *and Duluth/Superior Harbor, Minnesota.*

19 “(3) *DEADLINE FOR IDENTIFICATIONS.*—*Within*
20 *18 months after the date of the enactment of this sub-*
21 *section, the Secretary shall identify the sites and tech-*
22 *nologies to be demonstrated and complete each such*
23 *full-scale demonstration project within 3 years after*
24 *such date of enactment.*

1 “(4) *NON-FEDERAL SHARE.*—*Non-Federal inter-*
2 *ests shall contribute 50 percent of costs of projects*
3 *under this subsection. Such costs may be paid in cash*
4 *or by providing in-kind contributions.*

5 “(5) *AUTHORIZATIONS.*—*There is authorized to*
6 *be appropriated to the Secretary to carry out this sec-*
7 *tion \$5,000,000 for each of fiscal years 1997 through*
8 *2000.”.*

9 **SEC. 510. GREAT LAKES DREDGED MATERIAL TESTING AND**
10 **EVALUATION MANUAL.**

11 *The Secretary, in cooperation with the Administrator*
12 *of the Environmental Protection Agency, shall provide tech-*
13 *nical assistance to non-Federal interests on testing proce-*
14 *dures contained in the Great Lakes Dredged Material Test-*
15 *ing and Evaluation Manual developed pursuant to section*
16 *230.2(c) of title 40, Code of Federal Regulations.*

17 **SEC. 511. GREAT LAKES SEDIMENT REDUCTION.**

18 “(a) *GREAT LAKES TRIBUTARY SEDIMENT TRANSPORT*
19 *MODEL.*—*For each major river system or set of major river*
20 *systems depositing sediment into a Great Lakes federally*
21 *authorized commercial harbor, channel maintenance project*
22 *site, or Area of Concern identified under the Great Lakes*
23 *Water Quality Agreement of 1978, the Secretary, in con-*
24 *sultation and coordination with the Great Lakes States,*
25 *shall develop a tributary sediment transport model.*

1 (b) *REQUIREMENTS FOR MODELS.*—In developing a
2 tributary sediment transport model under this section, the
3 Secretary shall—

4 (1) *build upon data and monitoring information*
5 *generated in earlier studies and programs of the*
6 *Great Lakes and their tributaries; and*

7 (2) *complete models for 30 major river systems,*
8 *either individually or in combination as part of a set,*
9 *within the 5-year period beginning on the date of the*
10 *enactment of this Act.*

11 **SEC. 512. GREAT LAKES CONFINED DISPOSAL FACILITIES.**

12 (a) *ASSESSMENT.*—The Secretary shall conduct an as-
13 *essment of the general conditions of confined disposal fa-*
14 *cilities in the Great Lakes.*

15 (b) *REPORT.*—Not later than 3 years after the date
16 of the enactment of this Act, the Secretary shall transmit
17 to Congress a report on the results of the assessment con-
18 ducted under subsection (a), including the following:

19 (1) *A description of the cumulative effects of con-*
20 *fined disposal facilities in the Great Lakes.*

21 (2) *Recommendations for specific remediation*
22 *actions for each confined disposal facility in the*
23 *Great Lakes.*

24 (3) *An evaluation of, and recommendations for,*
25 *confined disposal facility management practices and*

1 *a non-Federal interest to provide for technical, plan-*
2 *ning, design, and construction assistance for the*
3 *project.*

4 (2) *REQUIREMENTS.—Each agreement entered*
5 *into pursuant to this subsection shall provide for the*
6 *following:*

7 (A) *PLAN.—Development by the Secretary,*
8 *in consultation with appropriate Federal, State,*
9 *and local officials, of a plan, including appro-*
10 *priate engineering plans and specifications and*
11 *an estimate of expected benefits.*

12 (B) *LEGAL AND INSTITUTIONAL STRUC-*
13 *TURES.—Establishment of such legal and insti-*
14 *tutional structures as are necessary to ensure the*
15 *effective long-term operation and maintenance of*
16 *the project by the non-Federal interest.*

17 (d) *COST SHARING.—*

18 (1) *FEDERAL SHARE.—Except as provided in*
19 *paragraph (2)(B), the Federal share of the total*
20 *project costs of each local cooperation agreement en-*
21 *tered into under this section shall be 75 percent.*

22 (2) *NON-FEDERAL SHARE.—*

23 (A) *PROVISION OF LANDS, EASEMENTS,*
24 *RIGHTS-OF-WAY, AND RELOCATIONS.—The non-*
25 *Federal interests for a project to which this sec-*

1 *tion applies shall provide the lands, easements,*
2 *rights-of-way, relocations, and dredged material*
3 *disposal areas necessary for the project.*

4 *(B) VALUE OF LANDS, EASEMENTS, RIGHTS-*
5 *OF-WAY, AND RELOCATIONS.—In determining the*
6 *non-Federal contribution toward carrying out a*
7 *local cooperation agreement entered into under*
8 *this section, the Secretary shall provide credit to*
9 *a non-Federal interest for the value of lands,*
10 *easements, rights-of-way, relocations, and*
11 *dredged material disposal areas provided by the*
12 *non-Federal interest, except that the amount of*
13 *credit provided for a project under this para-*
14 *graph may not exceed 25 percent of total project*
15 *costs.*

16 *(C) OPERATION AND MAINTENANCE*
17 *COSTS.—The non-Federal share of the costs of*
18 *operation and maintenance of carrying out the*
19 *agreement under this section shall be 100 per-*
20 *cent.*

21 *(e) APPLICABILITY OF OTHER FEDERAL AND STATE*
22 *LAWS AND AGREEMENTS.—*

23 *(1) IN GENERAL.—Nothing in this section*
24 *waives, limits, or otherwise affects the applicability of*
25 *any provision of Federal or State law that would oth-*

1 *erwise apply to a project carried out with assistance*
2 *provided under this section.*

3 (2) *COOPERATION.*—*In carrying out this section,*
4 *the Secretary shall cooperate with the heads of appro-*
5 *priate Federal agencies.*

6 (f) *REPORT.*—*Not later than December 31, 1998, the*
7 *Secretary shall transmit to Congress a report on the results*
8 *of the program carried out under this section, together with*
9 *a recommendation concerning whether or not the program*
10 *should be implemented on a national basis.*

11 (g) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
12 *authorized to be appropriated to carry out this section*
13 *\$15,000,000.*

14 **SEC. 514. EXTENSION OF JURISDICTION OF MISSISSIPPI**
15 **RIVER COMMISSION.**

16 *The jurisdiction of the Mississippi River Commission,*
17 *established by the first section of the Act of June 28, 1879*
18 *(33 U.S.C. 641; 21 Stat. 37), is extended to include—*

19 (1) *all of the area between the eastern side of the*
20 *Bayou Lafourche Ridge from Donaldsonville, Louisi-*
21 *ana, to the Gulf of Mexico and the west guide levee*
22 *of the Mississippi River from Donaldsonville, Louisi-*
23 *ana, to the Gulf of Mexico;*

24 (2) *Alexander County, Illinois; and*

1 (3) *the area in the State of Illinois from the con-*
2 *fluence of the Mississippi and Ohio Rivers northward*
3 *to the vicinity of Mississippi River mile 39.5, includ-*
4 *ing the Len Small Drainage and Levee District, inso-*
5 *far as such area is affected by the flood waters of the*
6 *Mississippi River.*

7 **SEC. 515. ALTERNATIVE TO ANNUAL PASSES.**

8 (a) *IN GENERAL.*—*The Secretary shall evaluate the*
9 *feasibility of implementing an alternative to the \$25 an-*
10 *nual pass that the Secretary currently offers to users of*
11 *recreation facilities at water resources projects of the Corps*
12 *of Engineers.*

13 (b) *ANNUAL PASS.*—*The evaluation under subsection*
14 (i) *shall include the establishment of an annual pass which*
15 *costs \$10 or less for the use of recreation facilities at*
16 *Raystown Lake, Pennsylvania.*

17 (c) *REPORT.*—*Not later than December 31, 1998, the*
18 *Secretary shall transmit to Congress a report on the results*
19 *of the project carried out under this section, together with*
20 *recommendations concerning whether annual passes for in-*
21 *dividual projects should be offered on a nationwide basis.*

22 **SEC. 516. RECREATION PARTNERSHIP INITIATIVE.**

23 (a) *IN GENERAL.*—*The Secretary shall promote Fed-*
24 *eral, non-Federal, and private sector cooperation in creat-*
25 *ing public recreation opportunities and developing the nec-*

1 *essary supporting infrastructure at water resources projects*
2 *of the Corps of Engineers.*

3 *(b) INFRASTRUCTURE IMPROVEMENTS.—*

4 *(1) RECREATION INFRASTRUCTURE IMPROVE-*
5 *MENTS.—In demonstrating the feasibility of the pub-*
6 *lic-private cooperative, the Secretary shall provide, at*
7 *Federal expense, such infrastructure improvements as*
8 *are necessary to support a potential private rec-*
9 *reational development at the Raystown Lake Project,*
10 *Pennsylvania, generally in accordance with the Mas-*
11 *ter Plan Update (1994) for the project.*

12 *(2) AGREEMENT.—The Secretary shall enter into*
13 *an agreement with an appropriate non-Federal public*
14 *entity to ensure that the infrastructure improvements*
15 *constructed by the Secretary on non-project lands*
16 *pursuant to paragraph (1) are transferred to and op-*
17 *erated and maintained by the non-Federal public en-*
18 *tity.*

19 *(3) AUTHORIZATION OF APPROPRIATIONS.—*
20 *There is authorized to be appropriated to carry out*
21 *this subsection \$4,500,000 for fiscal years beginning*
22 *after September 30, 1996.*

23 *(c) REPORT.—Not later than December 31, 1998, the*
24 *Secretary shall transmit to Congress a report on the results*

1 *of the cooperative efforts carried out under this section, in-*
2 *cluding the improvements required by subsection (b).*

3 **SEC. 517. ENVIRONMENTAL INFRASTRUCTURE.**

4 *Section 219 of the Water Resources Development Act*
5 *of 1992 (106 Stat. 4836–4837) is amended by adding at*
6 *the end the following new subsection:*

7 *“(e) AUTHORIZATION OF APPROPRIATIONS.—There is*
8 *authorized to be appropriated for providing construction*
9 *assistance under this section—*

10 *“(1) \$10,000,000 for the project described in sub-*
11 *section (c)(5);*

12 *“(2) \$2,000,000 for the project described in sub-*
13 *section (c)(6);*

14 *“(3) \$10,000,000 for the project described in sub-*
15 *section (c)(7);*

16 *“(4) \$11,000,000 for the project described in sub-*
17 *section (c)(8);*

18 *“(5) \$20,000,000 for the project described in sub-*
19 *section (c)(16); and*

20 *“(6) \$20,000,000 for the project described in sub-*
21 *section (c)(17).”.*

22 **SEC. 518. CORPS CAPABILITY TO CONSERVE FISH AND**
23 **WILDLIFE.**

24 *Section 704(b) of the Water Resources Development Act*
25 *of 1986 (33 U.S.C. 2263(b); 100 Stat. 4157) is amended—*

1 (1) *by striking “\$5,000,000”; and inserting*
2 *“\$10,000,000”; and*

3 (2) *in paragraph (4) by inserting “and Vir-*
4 *ginia” after “Maryland”.*

5 **SEC. 519. PERIODIC BEACH NOURISHMENT.**

6 *The Secretary shall carry out periodic beach nourish-*
7 *ment for each of the following projects for a period of 50*
8 *years beginning on the date of initiation of construction*
9 *of such project:*

10 (1) *BROWARD COUNTY, FLORIDA.—Project for*
11 *shoreline protection, segments II and III, Broward*
12 *County, Florida.*

13 (2) *FORT PIERCE, FLORIDA.—Project for shore-*
14 *line protection, Fort Pierce, Florida.*

15 (3) *LEE COUNTY, FLORIDA.—Project for shoreline*
16 *protection, Lee County, Captiva Island segment, Flor-*
17 *ida.*

18 (4) *PALM BEACH COUNTY, FLORIDA.—Project for*
19 *shoreline protection, Jupiter/Carlin, Ocean Ridge,*
20 *and Boca Raton North Beach segments, Palm Beach*
21 *County, Florida.*

22 (5) *PANAMA CITY BEACHES, FLORIDA.—Project*
23 *for shoreline protection, Panama City Beaches, Flor-*
24 *ida.*

1 (6) *TYBEE ISLAND, GEORGIA.—Project for beach*
2 *erosion control, Tybee Island, Georgia.*

3 **SEC. 520. CONTROL OF AQUATIC PLANTS.**

4 *The Secretary shall carry out under section 104(b) of*
5 *the River and Harbor Act of 1958 (33 U.S.C. 610(b))—*

6 (1) *a program to control aquatic plants in Lake*
7 *St. Clair, Michigan; and*

8 (2) *program to control aquatic plants in the*
9 *Schuylkill River, Philadelphia, Pennsylvania.*

10 **SEC. 521. HOPPER DREDGES.**

11 *Section 3 of the Act of August 11, 1888 (33 U.S.C.*
12 *622; 25 Stat. 423), is amended by adding at the end the*
13 *following:*

14 “(c) *PROGRAM TO INCREASE USE OF PRIVATE HOP-*
15 *PER DREDGES.—*

16 “(1) *INITIATION.—The Secretary shall initiate a*
17 *program to increase the use of private industry hop-*
18 *per dredges for the construction and maintenance of*
19 *Federal navigation channels.*

20 “(2) *READY RESERVE STATUS FOR HOPPER*
21 *DREDGE WHEELER.—In order to carry out the re-*
22 *quirements of this subsection, the Secretary shall, not*
23 *later than the earlier of 90 days after the date of com-*
24 *pletion of the rehabilitation of the hopper dredge*
25 *McFarland pursuant to section 552 of the Water Re-*

1 *sources Development Act of 1996 or January 1, 1998,*
2 *place the Federal hopper dredge Wheeler in a ready*
3 *reserve status.*

4 “(3) *TESTING AND USE OF READY RESERVE HOP-*
5 *PER DREDGE.—The Secretary may periodically per-*
6 *form routine tests of the equipment of the vessel*
7 *placed in a ready reserve status under this subsection*
8 *to ensure the vessel’s ability to perform emergency*
9 *work. The Secretary shall not assign any scheduled*
10 *hopper dredging work to such vessel but shall perform*
11 *any repairs needed to maintain the vessel in a fully*
12 *operational condition. The Secretary may place the*
13 *vessel in active status in order to perform any dredg-*
14 *ing work only in the event the Secretary determines*
15 *that private industry has failed to submit a respon-*
16 *sive and responsible bid for work advertised by the*
17 *Secretary or to carry out the project as required pur-*
18 *suant to a contract with the Secretary.*

19 “(4) *REPAIR AND REHABILITATION.—The Sec-*
20 *retary may undertake any repair and rehabilitation*
21 *of any Federal hopper dredge, including the vessel*
22 *placed in ready reserve status under paragraph (2) to*
23 *allow the vessel to be placed into active status as pro-*
24 *vided in paragraph (3).*

1 “(5) *PROCEDURES.*—*The Secretary shall develop*
2 *and implement procedures to ensure that, to the max-*
3 *imum extent practicable, private industry hopper*
4 *dredge capacity is available to meet both routine and*
5 *time-sensitive dredging needs. Such procedures shall*
6 *include—*

7 “(A) *scheduling of contract solicitations to*
8 *effectively distribute dredging work throughout*
9 *the dredging season; and*

10 “(B) *use of expedited contracting procedures*
11 *to allow dredges performing routine work to be*
12 *made available to meet time-sensitive, urgent, or*
13 *emergency dredging needs.*

14 “(6) *REPORT.*—*Not later than 2 years after the*
15 *date of the enactment of this subsection, the Secretary*
16 *shall report to Congress on whether the vessel placed*
17 *in ready reserve status pursuant to paragraph (2) is*
18 *needed to be returned to active status or continued in*
19 *a ready reserve status or whether another Federal*
20 *hopper dredge should be placed in a ready reserve sta-*
21 *tus.*

22 “(7) *LIMITATIONS.*—

23 “(A) *REDUCTIONS IN STATUS.*—*The Sec-*
24 *retary may not further reduce the readiness sta-*
25 *tus of any Federal hopper dredge below a ready*

1 *reserve status except any vessel placed in such*
2 *status for not less than 5 years which the Sec-*
3 *retary determines has not been used sufficiently*
4 *to justify retaining the vessel in such status.*

5 “(B) INCREASE IN ASSIGNMENTS OF DREDG-
6 ING WORK.—*For each fiscal year beginning after*
7 *the date of the enactment of this subsection, the*
8 *Secretary shall not assign any greater quantity*
9 *of dredging work to any Federal hopper dredge*
10 *in an active status than was assigned to that*
11 *vessel in the average of the 3 prior fiscal years.*

12 “(8) CONTRACTS; PAYMENT OF CAPITAL COSTS.—
13 *The Secretary may enter into a contract for the*
14 *maintenance and crewing of any vessel retained in a*
15 *ready reserve status. The capital costs (including de-*
16 *preciation costs) of any vessel retained in such status*
17 *shall be paid for out of funds made available from the*
18 *Harbor Maintenance Trust Fund and shall not be*
19 *charged against the Corps of Engineers’ Revolving*
20 *Fund Account or any individual project cost unless*
21 *the vessel is specifically used in connection with that*
22 *project.”.*

23 **SEC. 522. DESIGN AND CONSTRUCTION ASSISTANCE.**

24 *The Secretary shall provide design and construction*
25 *assistance to non-Federal interests for the following projects:*

1 (1) *Repair and rehabilitation of the Lower Gi-*
2 *rard Lake Dam, Girard, Ohio, at an estimated total*
3 *cost of \$2,500,000.*

4 (2) *Repair and upgrade of the dam and appur-*
5 *tenant features at Lake Merriweather, Little*
6 *Calfpasture River, Virginia, at an estimated total*
7 *cost of \$6,000,000.*

8 **SEC. 523. FIELD OFFICE HEADQUARTERS FACILITIES.**

9 *Subject to amounts being made available in advance*
10 *in appropriations Acts, the Secretary may use Plant Re-*
11 *placement and Improvement Program funds to design and*
12 *construct a new headquarters facility for—*

13 (1) *the New England Division, Waltham, Massa-*
14 *chusetts; and*

15 (2) *the Jacksonville District, Jacksonville, Flor-*
16 *ida.*

17 **SEC. 524. LAKE SUPERIOR CENTER.**

18 (a) *CONSTRUCTION.—The Secretary shall assist the*
19 *Minnesota Lake Superior Center authority in the construc-*
20 *tion of an educational facility to be used in connection with*
21 *efforts to educate the public in the economic, recreational,*
22 *biological, aesthetic, and spiritual worth of Lake Superior*
23 *and other large bodies of fresh water.*

24 (b) *PUBLIC OWNERSHIP.—Prior to providing any as-*
25 *sistance under subsection (a), the Secretary shall verify that*

1 *the facility to be constructed under subsection (a) will be*
2 *owned by the public authority established by the State of*
3 *Minnesota to develop, operate, and maintain the Lake Su-*
4 *perior Center.*

5 *(c) AUTHORIZATION OF APPROPRIATIONS.—There is*
6 *authorized to be appropriated for fiscal years beginning*
7 *after September 30, 1996, \$10,000,000 for the construction*
8 *of the facility under subsection (a).*

9 **SEC. 525. JACKSON COUNTY, ALABAMA.**

10 *The Secretary shall provide technical, planning, and*
11 *design assistance to non-Federal interests for wastewater*
12 *treatment and related facilities, remediation of point and*
13 *nonpoint sources of pollution and contaminated riverbed*
14 *sediments, and related activities in Jackson County, Ala-*
15 *bama, including the city of Stevenson. The Federal cost of*
16 *such assistance may not exceed \$5,000,000.*

17 **SEC. 526. EARTHQUAKE PREPAREDNESS CENTER OF EXPER-**
18 **TISE EXTENSION.**

19 *The Secretary shall establish an extension of the Earth-*
20 *quake Preparedness Center of Expertise for the central*
21 *United States at an existing district office of the Corps of*
22 *Engineers near the New Madrid fault.*

1 **SEC. 527. QUARANTINE FACILITY.**

2 *Section 108(c) of the Water Resources Development Act*
3 *of 1992 (106 Stat. 4816) is amended by striking*
4 *“\$1,000,000” and inserting “\$4,000,000”.*

5 **SEC. 528. BENTON AND WASHINGTON COUNTIES, ARKAN-**
6 **SAS.**

7 *Section 220 of the Water Resources Development Act*
8 *of 1992 (106 Stat. 4836–4837) is amended by adding at*
9 *the end the following new subsection:*

10 *“(c) USE OF FEDERAL FUNDS.—The Secretary may*
11 *make available to the non-Federal interests funds not to ex-*
12 *ceed an amount equal to the Federal share of the total*
13 *project cost to be used by the non-Federal interests to under-*
14 *take the work directly or by contract.”.*

15 **SEC. 529. CALAVERAS COUNTY, CALIFORNIA.**

16 *The Secretary, in cooperation with Federal, State, and*
17 *local agencies, is authorized—*

18 *(1) to conduct investigations and surveys of the*
19 *watershed of the Lower Mokelumne River in Calaveras*
20 *County, California; and*

21 *(2) to provide technical, planning, and design*
22 *assistance for abatement and mitigation of degrada-*
23 *tion caused by abandoned mines and mining activity*
24 *in the vicinity of such river.*

1 **SEC. 530. PRADO DAM SAFETY IMPROVEMENTS, CALIFOR-**
2 **NIA.**

3 *The Secretary, in coordination with the State of Cali-*
4 *fornia, shall provide technical assistance to Orange County,*
5 *California, in developing appropriate public safety and ac-*
6 *cess improvements associated with that portion of Califor-*
7 *nia State Route 71 being relocated for the Prado Dam fea-*
8 *ture of the project authorized as part of the project for flood*
9 *control, Santa Ana River Mainstem, California, by section*
10 *401(a) of the Water Resources Development Act of 1986*
11 *(100 Stat. 4113).*

12 **SEC. 531. MANATEE COUNTY, FLORIDA.**

13 *The project for flood control, Cedar Hammock (Wares*
14 *Creek), Florida, is authorized to be carried out by the Sec-*
15 *retary substantially in accordance with the Final Detailed*
16 *Project Report and Environmental Assessment, dated April*
17 *1995, at a total cost of \$13,846,000, with an estimated first*
18 *Federal cost of \$8,783,000 and an estimated non-Federal*
19 *cost of \$5,063,000.*

20 **SEC. 532. TAMPA, FLORIDA.**

21 *The Secretary may enter into a cooperative agreement*
22 *under section 230 of this Act with the Museum of Science*
23 *and Industry, Tampa, Florida, to provide technical, plan-*
24 *ning, and design assistance to demonstrate the water qual-*
25 *ity functions found in wetlands, at an estimated total Fed-*
26 *eral cost of \$500,000.*

1 **SEC. 533. WATERSHED MANAGEMENT PLAN FOR DEEP**
2 **RIVER BASIN, INDIANA.**

3 (a) *DEVELOPMENT.*—*The Secretary, in consultation*
4 *with the Natural Resources Conservation Service of the De-*
5 *partment of Agriculture, shall develop a watershed manage-*
6 *ment plan for the Deep River Basin, Indiana, which in-*
7 *cludes Deep River, Lake George, Turkey Creek, and other*
8 *related tributaries in Indiana.*

9 (b) *CONTENTS.*—*The plan to be developed by the Sec-*
10 *retary under subsection (a) shall address specific concerns*
11 *related to the Deep River Basin area, including sediment*
12 *flow into Deep River, Turkey Creek, and other tributaries;*
13 *control of sediment quality in Lake George; flooding prob-*
14 *lems; the safety of the Lake George Dam; and watershed*
15 *management.*

16 **SEC. 534. SOUTHERN AND EASTERN KENTUCKY.**

17 (a) *ESTABLISHMENT OF PROGRAM.*—*The Secretary*
18 *shall establish a program for providing environmental as-*
19 *sistance to non-Federal interests in southern and eastern*
20 *Kentucky. Such assistance may be in the form of design*
21 *and construction assistance for water-related environmental*
22 *infrastructure and resource protection and development*
23 *projects in southern and eastern Kentucky, including*
24 *projects for wastewater treatment and related facilities,*
25 *water supply, storage, treatment, and distribution facilities,*
26 *and surface water resource protection and development.*

1 (b) *PUBLIC OWNERSHIP REQUIREMENT.*—The Sec-
2 retary may provide assistance for a project under this sec-
3 tion only if the project is publicly owned.

4 (c) *PROJECT COOPERATION AGREEMENTS.*—

5 (1) *IN GENERAL.*—Before providing assistance
6 under this section, the Secretary shall enter into a
7 project cooperation agreement with a non-Federal in-
8 terest to provide for design and construction of the
9 project to be carried out with such assistance.

10 (2) *REQUIREMENTS.*—Each agreement entered
11 into under this subsection shall provide for the follow-
12 ing:

13 (A) *PLAN.*—Development by the Secretary,
14 in consultation with appropriate Federal and
15 State officials, of a facilities development plan or
16 resource protection plan, including appropriate
17 plans and specifications.

18 (B) *LEGAL AND INSTITUTIONAL STRUC-*
19 *TURES.*—Establishment of each such legal and
20 institutional structures as are necessary to as-
21 sure the effective long-term operation of the
22 project by the non-Federal interest.

23 (3) *COST SHARING.*—

24 (A) *IN GENERAL.*—Total project costs under
25 each agreement entered into under this sub-

1 *section shall be shared at 75 percent Federal and*
2 *25 percent non-Federal, except that the non-Fed-*
3 *eral interest shall receive credit for the reason-*
4 *able costs of design work completed by such in-*
5 *terest before entry into the agreement with the*
6 *Secretary. The Federal share may be in the form*
7 *of grants or reimbursements of project costs.*

8 *(B) CREDIT FOR CERTAIN FINANCING*
9 *COSTS.—In the event of delays in the reimburse-*
10 *ment of the non-Federal share of a project, the*
11 *non-Federal interest shall receive credit for rea-*
12 *sonable interest and other associated financing*
13 *costs necessary for such non-Federal interest to*
14 *provide the non-Federal share of the project's*
15 *cost.*

16 *(C) LANDS, EASEMENTS, AND RIGHTS-OF-*
17 *WAY.—The non-Federal interest shall receive*
18 *credit for lands, easements, rights-of-way, and*
19 *relocations provided by the non-Federal interest*
20 *toward its share of project costs, including for*
21 *costs associated with obtaining permits necessary*
22 *for the placement of such project on publicly*
23 *owned or controlled lands, but not to exceed 25*
24 *percent of total project costs.*

1 (D) *OPERATION AND MAINTENANCE.*—*Oper-*
2 *ation and maintenance costs shall be 100 percent*
3 *non-Federal.*

4 (d) *APPLICABILITY OF OTHER FEDERAL AND STATE*
5 *LAWS.*—*Nothing in this section shall be construed as*
6 *waiving, limiting, or otherwise affecting the applicability*
7 *of any provision of Federal or State law which would other-*
8 *wise apply to a project to be carried out with assistance*
9 *provided under this section.*

10 (e) *REPORT.*—*Not later than December 31, 1999, the*
11 *Secretary shall transmit to Congress a report on the results*
12 *of the program carried out under this section, together with*
13 *recommendations concerning whether or not such program*
14 *should be implemented on a national basis.*

15 (f) *SOUTHERN AND EASTERN KENTUCKY DEFINED.*—
16 *For purposes of this section, the term “southern and eastern*
17 *Kentucky” means Morgan, Floyd, Pulaski, Wayne, Laurel,*
18 *Knox, Pike, Menifee, Perry, Harlan, Breathitt, Martin,*
19 *Jackson, Wolfe, Clay, Magoffin, Owsley, Johnson, Leslie,*
20 *Lawrence, Knott, Bell, McCreary, Rockcastle, Whitley, Lee,*
21 *and Letcher Counties, Kentucky.*

22 (g) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
23 *authorized to be appropriated to carry out this section*
24 *\$10,000,000.*

1 **SEC. 535. LOUISIANA COASTAL WETLANDS RESTORATION**
2 **PROJECTS.**

3 *Section 303(f) of the Coastal Wetlands Planning, Pro-*
4 *tection and Restoration Act (16 U.S.C. 3952(f); 104 Stat.*
5 *4782–4783) is amended—*

6 *(1) in paragraph (4) by striking “and (3)” and*
7 *inserting “(3), and (5)”;* and

8 *(2) by adding at the end the following:*

9 *“(5) FEDERAL SHARE IN CALENDAR YEARS 1996*
10 *AND 1997.—Notwithstanding paragraphs (1) and (2),*
11 *amounts made available in accordance with section*
12 *306 of this title to carry out coastal wetlands restora-*
13 *tion projects under this section in calendar years*
14 *1996 and 1997 shall provide 90 percent of the cost of*
15 *such projects.”.*

16 **SEC. 536. SOUTHEAST LOUISIANA.**

17 *(a) FLOOD CONTROL.—The Secretary is directed to*
18 *proceed with engineering, design, and construction of*
19 *projects to provide for flood control and improvements to*
20 *rainfall drainage systems in Jefferson, Orleans, and St.*
21 *Tammany Parishes, Louisiana, in accordance with the fol-*
22 *lowing reports of the New Orleans District Engineer: Jeffer-*
23 *son and Orleans Parishes, Louisiana, Urban Flood Control*
24 *and Water Quality Management, July 1992; Tangipahoa,*
25 *Techefuncte, and Tickfaw Rivers, Louisiana, June 1991; St.*

1 *Tammany Parish, Louisiana, June 1996; and Schneider*
2 *Canal, Slidell, Louisiana, Hurricane Protection, May 1990.*

3 (b) *COST SHARING.*—*The cost of any work performed*
4 *by the non-Federal interests subsequent to the reports re-*
5 *ferred to in subsection (a) and determined by the Secretary*
6 *to be a compatible and integral part of the projects shall*
7 *be credited toward the non-Federal share of the projects.*

8 (c) *FUNDING.*—*There is authorized to be appropriated*
9 *\$100,000,000 for the initiation and partial accomplishment*
10 *of projects described in the reports referred to in subsection*
11 *(a).*

12 **SEC. 537. RESTORATION PROJECTS FOR MARYLAND, PENN-**
13 **SYLVANIA, AND WEST VIRGINIA.**

14 (a) *IN GENERAL.*—

15 (1) *COOPERATION AGREEMENTS.*—*The Secretary*
16 *shall enter into cooperation agreements with non-Fed-*
17 *eral interests to develop and carry out, in cooperation*
18 *with Federal and State agencies, reclamation and*
19 *protection projects for the purpose of abating and*
20 *mitigating surface water quality degradation caused*
21 *by abandoned mines along—*

22 (A) *the North Branch of the Potomac River,*
23 *Maryland, Pennsylvania, and West Virginia;*
24 *and*

1 (B) *the New River, West Virginia, water-*
2 *shed.*

3 (2) *ADDITIONAL MEASURES.—Projects under*
4 *paragraph (1) may also include measures for the*
5 *abatement and mitigation of surface water quality*
6 *degradation caused by the lack of sanitary wastewater*
7 *treatment facilities or the need to enhance such facili-*
8 *ties.*

9 (3) *CONSULTATION WITH FEDERAL ENTITIES.—*
10 *Any project under paragraph (1) that is located on*
11 *lands owned by the United States shall be undertaken*
12 *in consultation with the Federal entity with adminis-*
13 *trative jurisdiction over such lands.*

14 (b) *FEDERAL SHARE.—The Federal share of the cost*
15 *of the activities conducted under cooperation agreements en-*
16 *tered into under subsection (a)(1) shall be 75 percent; except*
17 *that, with respect to projects located on lands owned by the*
18 *United States, the Federal share shall be 100 percent. The*
19 *non-Federal share of project costs may be provided in the*
20 *form of design and construction services. Non-Federal inter-*
21 *ests shall receive credit for the reasonable costs of such serv-*
22 *ices completed by such interests prior to entering an agree-*
23 *ment with the Secretary for a project.*

24 (c) *AUTHORIZATION OF APPROPRIATIONS.—There is*
25 *authorized to be appropriated to carry out this section*

1 \$5,000,000 for projects undertaken under subsection
2 (a)(1)(A) and \$5,000,000 for projects undertaken under
3 subsection (a)(1)(B).

4 **SEC. 538. BENEFICIAL USE OF DREDGED MATERIAL, POP-**
5 **LAR ISLAND, MARYLAND.**

6 *The Secretary shall carry out a project for the bene-*
7 *ficial use of dredged material at Poplar Island, Maryland,*
8 *pursuant to section 204 of the Water Resources Development*
9 *Act of 1992; except that, notwithstanding the limitation*
10 *contained in subsection (e) of such section, the initial cost*
11 *of constructing dikes for the project shall be \$78,000,000,*
12 *with an estimated Federal cost of \$58,500,000 and an esti-*
13 *mated non-Federal cost of \$19,500,000.*

14 **SEC. 539. EROSION CONTROL MEASURES, SMITH ISLAND,**
15 **MARYLAND.**

16 (a) *IN GENERAL.*—*The Secretary shall implement ero-*
17 *sion control measures in the vicinity of Rhodes Point,*
18 *Smith Island, Maryland, at an estimated total Federal cost*
19 *of \$450,000.*

20 (b) *IMPLEMENTATION ON EMERGENCY BASIS.*—*The*
21 *project under subsection (a) shall be carried out on an emer-*
22 *gency basis in view of the national, historic, and cultural*
23 *value of the island and in order to protect the Federal in-*
24 *vestment in infrastructure facilities.*

1 (c) *COST SHARING.*—*Cost sharing applicable to hurri-*
2 *cane and storm damage reduction shall be applicable to the*
3 *project to be carried out under subsection (a).*

4 **SEC. 540. BENEFICIAL USE OF DREDGED MATERIAL,**
5 **WORTON POINT, KENT COUNTY, MARYLAND.**

6 *The Secretary shall carry out a project for the bene-*
7 *ficial use of dredged material at Worton Point, Kent Coun-*
8 *ty, Maryland, pursuant to section 204 of the Water Re-*
9 *sources Development Act of 1992.*

10 **SEC. 541. DULUTH, MINNESOTA, ALTERNATIVE TECH-**
11 **NOLOGY PROJECT.**

12 (a) *PROJECT AUTHORIZATION.*—*The Secretary shall*
13 *develop and implement alternative methods for decon-*
14 *tamination and disposal of contaminated dredged material*
15 *at the Port of Duluth, Minnesota.*

16 (b) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
17 *authorized to be appropriated for fiscal years beginning*
18 *after September 30, 1996, to carry out this section*
19 *\$1,000,000. Such sums shall remain available until ex-*
20 *pended.*

21 **SEC. 542. REDWOOD RIVER BASIN, MINNESOTA.**

22 (a) *STUDY AND STRATEGY DEVELOPMENT.*—*The Sec-*
23 *retary, in cooperation with the Secretary of Agriculture and*
24 *the State of Minnesota, shall conduct a study, and develop*
25 *a strategy, for using wetland restoration, soil and water*

1 *conservation practices, and nonstructural measures to re-*
2 *duce flood damages, improve water quality, and create*
3 *wildlife habitat in the Redwood River basin and the sub-*
4 *basins draining into the Minnesota River, at an estimated*
5 *Federal cost of \$4,000,000.*

6 **(b) NON-FEDERAL SHARE.**—*The non-Federal share of*
7 *the cost of the study and development of the strategy shall*
8 *be 25 percent and may be provided through in-kind services*
9 *and materials.*

10 **(c) COOPERATION AGREEMENT.**—*In conducting the*
11 *study and developing the strategy under this section, the*
12 *Secretary shall enter into cooperation agreements to provide*
13 *financial assistance to appropriate Federal, State, and*
14 *local government agencies, including activities for the im-*
15 *plementation of wetland restoration projects and soil and*
16 *water conservation measures.*

17 **(d) IMPLEMENTATION.**—*The Secretary shall undertake*
18 *development and implementation of the strategy authorized*
19 *by this section in cooperation with local landowners and*
20 *local government officials.*

21 **SEC. 543. NATCHEZ BLUFFS, MISSISSIPPI.**

22 **(a) IN GENERAL.**—*The Secretary shall carry out the*
23 *project for bluff stabilization, Natchez Bluffs, Natchez, Mis-*
24 *sissippi, substantially in accordance with (1) the Natchez*
25 *Bluffs Study, dated September 1985, (2) the Natchez Bluffs*

1 *Study: Supplement I, dated June 1990, and (3) the Natchez*
2 *Bluffs Study: Supplement II, dated December 1993, in the*
3 *portions of the bluffs described in subsection (b), at a total*
4 *cost of \$17,200,000, with an estimated Federal cost of*
5 *\$12,900,000 and an estimated non-Federal cost of*
6 *\$4,300,000.*

7 (b) *DESCRIPTION OF PROJECT LOCATION.*—*The por-*
8 *tions of the Natchez Bluffs where the project is to be carried*
9 *out under subsection (a) are described in the studies referred*
10 *to in subsection (a) as—*

11 (1) *Clifton Avenue, area 3;*

12 (2) *the bluff above Silver Street, area 6;*

13 (3) *the bluff above Natchez Under-the-Hill, area*
14 *7; and*

15 (4) *Madison Street to State Street, area 4.*

16 **SEC. 544. SARDIS LAKE, MISSISSIPPI.**

17 *The Secretary shall work cooperatively with the State*
18 *of Mississippi and the city of Sardis, Mississippi, to the*
19 *maximum extent practicable, in the management of existing*
20 *and proposed leases of land consistent with the master tour-*
21 *ism and recreational plan for the economic development of*
22 *the Sardis Lake area prepared by the city.*

23 **SEC. 545. MISSOURI RIVER MANAGEMENT.**

24 (a) *NAVIGATION SEASON EXTENSION.*—

1 (1) *INCREASES.*—*The Secretary, working with*
2 *the Secretary of Agriculture and the Secretary of the*
3 *Interior, shall incrementally increase the length of*
4 *each navigation season for the Missouri River by 15*
5 *days from the length of the previous navigation sea-*
6 *son and those seasons thereafter, until such time as*
7 *the navigation season for the Missouri River is in-*
8 *creased by 1 month from the length of the navigation*
9 *season on April 1, 1996.*

10 (2) *APPLICATION OF INCREASES.*—*Increases in*
11 *the length of the navigation season under paragraph*
12 *(1) shall be applied in calendar year 1996 so that the*
13 *navigation season in such calendar year for the Mis-*
14 *souri River begins on April 1, 1996, and ends on De-*
15 *cember 15, 1996.*

16 (3) *ADJUSTMENT OF NAVIGATION LEVELS.*—
17 *Scheduled full navigation levels shall be incrementally*
18 *increased to coincide with increases in the navigation*
19 *season under paragraph (1).*

20 (b) *WATER CONTROL POLICIES AFFECTING NAVIGA-*
21 *TION CHANNELS.*—*The Secretary may not take any action*
22 *which is inconsistent with a water control policy of the*
23 *Corps of Engineers in effect on January 1, 1995, if such*
24 *action would result in—*

1 (1) *a reduction of 10 days or more in the total*
2 *number of days in a year during which vessels are*
3 *able to use navigation channels; or*

4 (2) *a substantial increase in flood damage to*
5 *lands adjacent to a navigation channel, unless such*
6 *action is specifically authorized by a law enacted*
7 *after the date of the enactment of this Act.*

8 (c) *ECONOMIC AND ENVIRONMENTAL IMPACT EVALUA-*
9 *TION.—Whenever a Federal department, agency, or instru-*
10 *mentality conducts an environmental impact statement*
11 *with respect to management of the Missouri River system,*
12 *the head of such department, agency, or instrumentality*
13 *shall also conduct a cost benefit analysis on any changes*
14 *proposed in the management of the Missouri River.*

15 **SEC. 546. ST. CHARLES COUNTY, MISSOURI, FLOOD PROTEC-**
16 **TION.**

17 (a) *IN GENERAL.—Notwithstanding any other provi-*
18 *sion of law or regulation, no county located at the con-*
19 *fluence of the Missouri and Mississippi Rivers or commu-*
20 *nity located in any county located at the confluence of the*
21 *Missouri and Mississippi Rivers shall have its participa-*
22 *tion in any Federal program suspended, revoked, or other-*
23 *wise affected solely due to that county or community per-*
24 *mitting the raising of levees by any public-sponsored levee*
25 *district, along an alignment approved by the circuit court*

1 of such county, to a level sufficient to contain a 20-year
2 flood.

3 (b) *TREATMENT OF EXISTING PERMITS.*—If any pub-
4 lic-sponsored levee district has received a Federal permit
5 valid during the Great Flood of 1993 to improve or modify
6 its levee system before the date of the enactment of this Act,
7 such permit shall be considered adequate to allow the rais-
8 ing of the height of levees in such system under subsection
9 (a).

10 **SEC. 547. COCHECO RIVER, NEW HAMPSHIRE.**

11 *The Secretary is directed to provide technical assist-*
12 *ance to the city of Dover, New Hampshire, in resolving en-*
13 *croachment issues related to maintenance dredging of the*
14 *project for navigation on the Cocheco River, New Hamp-*
15 *shire.*

16 **SEC. 548. DURHAM, NEW HAMPSHIRE.**

17 *The Secretary may enter into a cooperative agreement*
18 *under section 230 of this Act with the University of New*
19 *Hampshire to provide technical assistance for a water treat-*
20 *ment technology center addressing the needs of small com-*
21 *munities.*

22 **SEC. 549. HACKENSACK MEADOWLANDS AREA, NEW JERSEY.**

23 *Section 324(b)(1) of the Water Resources Development*
24 *Act of 1992 (106 Stat. 4849) is amended to read as follows:*

1 “(1) *Mitigation, enhancement, and acquisition of*
2 *significant wetlands that contribute to the*
3 *Meadowlands ecosystem.*”.

4 **SEC. 550. AUTHORIZATION OF DREDGE MATERIAL CON-**
5 **TAINMENT FACILITY FOR PORT OF NEW**
6 **YORK/NEW JERSEY.**

7 (a) *IN GENERAL.*—*The Secretary is authorized to con-*
8 *struct, operate, and maintain a dredged material contain-*
9 *ment facility with a capacity commensurate with the long-*
10 *term dredged material disposal needs of port facilities*
11 *under the jurisdiction of the Port of New York/New Jersey.*
12 *Such facility may be a near-shore dredged material disposal*
13 *facility along the Brooklyn waterfront. The costs associated*
14 *with feasibility studies, design, engineering, and construc-*
15 *tion shall be shared with the local sponsor in accordance*
16 *with the provisions of section 101 of the Water Resources*
17 *Development Act of 1986.*

18 (b) *BENEFICIAL USE.*—*After the facility to be con-*
19 *structed under subsection (a) has been filled to capacity*
20 *with dredged material, the Secretary shall maintain the fa-*
21 *cility for the public benefit.*

22 **SEC. 551. HUDSON RIVER HABITAT RESTORATION, NEW**
23 **YORK.**

24 (a) *HABITAT RESTORATION PROJECT.*—*The Secretary*
25 *shall expedite the feasibility study of the Hudson River*

1 *Habitat Restoration, Hudson River Basin, New York, and*
2 *shall carry out no fewer than 4 projects for habitat restora-*
3 *tion, to the extent the Secretary determines such work to*
4 *be technically feasible. Such projects shall be designed to—*

5 (1) *provide a pilot project to assess and improve*
6 *habitat value and environmental outputs of rec-*
7 *ommended projects;*

8 (2) *provide a demonstration project to evaluate*
9 *various restoration techniques for effectiveness and*
10 *cost;*

11 (3) *fill an important local habitat need within*
12 *a specific portion of the study area; and*

13 (4) *take advantage of ongoing or planned actions*
14 *by other agencies, local municipalities, or environ-*
15 *mental groups that would increase the effectiveness or*
16 *decrease the overall cost of implementing one of the*
17 *recommended restoration project sites.*

18 (b) *NON-FEDERAL SHARE.—Non-Federal interests*
19 *shall provide 25 percent of the cost on each project under-*
20 *taken under subsection (a). The non-Federal share may be*
21 *in the form of cash or in-kind contributions.*

22 (c) *AUTHORIZATION OF APPROPRIATIONS.—There is*
23 *authorized to be appropriated to carry out this section*
24 *\$11,000,000.*

1 **SEC. 552. NEW YORK BIGHT AND HARBOR STUDY.**

2 *Section 326(f) of the Water Resources Development Act*
3 *of 1992 (106 Stat. 4851) is amended by striking*
4 *“\$1,000,000” and inserting “\$5,000,000”.*

5 **SEC. 553. NEW YORK STATE CANAL SYSTEM.**

6 *(a) IN GENERAL.—The Secretary is authorized to*
7 *make capital improvements to the New York State Canal*
8 *System.*

9 *(b) AGREEMENTS.—The Secretary shall, with the con-*
10 *sent of appropriate local and State entities, enter into such*
11 *arrangements, contracts, and leases with public and private*
12 *entities as may be necessary for the purposes of rehabilita-*
13 *tion, renovation, preservation, and maintenance of the New*
14 *York State Canal System and its related facilities, includ-*
15 *ing trailside facilities and other recreational projects along*
16 *the waterways of the canal system.*

17 *(c) NEW YORK STATE CANAL SYSTEM DEFINED.—In*
18 *this section, the term “New York State Canal System”*
19 *means the Erie, Oswego, Champlain, and Cayuga-Seneca*
20 *Canals.*

21 *(d) FEDERAL SHARE.—The Federal share of the cost*
22 *of capital improvements under this section shall be 50 per-*
23 *cent.*

24 *(e) AUTHORIZATION OF APPROPRIATIONS.—There is*
25 *authorized to be appropriated to carry out this section*
26 *\$10,000,000.*

1 **SEC. 554. NEW YORK CITY WATERSHED.**

2 (a) *ESTABLISHMENT.*—

3 (1) *IN GENERAL.*—*The Secretary shall establish*
4 *a program for providing environmental assistance to*
5 *non-Federal interests in the New York City Water-*
6 *shed.*

7 (2) *FORM.*—*Assistance provided under this sec-*
8 *tion may be in the form of design and construction*
9 *assistance for water-related environmental infrastruc-*
10 *ture and resource protection and development projects*
11 *in the New York City Watershed, including projects*
12 *for water supply, storage, treatment, and distribution*
13 *facilities, and surface water resource protection and*
14 *development.*

15 (b) *PUBLIC OWNERSHIP REQUIREMENT.*—*The Sec-*
16 *retary may provide assistance for a project under this sec-*
17 *tion only if the project is publicly owned.*

18 (c) *ELIGIBLE PROJECTS.*—

19 (1) *CERTIFICATION.*—*A project shall be eligible*
20 *for financial assistance under this section only if the*
21 *State director for the project certifies to the Secretary*
22 *that the project will contribute to the protection and*
23 *enhancement of the quality or quantity of the New*
24 *York City water supply.*

25 (2) *SPECIAL CONSIDERATION.*—*In certifying*
26 *projects to the Secretary, the State director shall give*

1 *special consideration to those projects implementing*
2 *plans, agreements, and measures which preserve and*
3 *enhance the economic and social character of the wa-*
4 *tershed communities.*

5 (3) *PROJECT DESCRIPTIONS.—Projects eligible*
6 *for assistance under this section shall include the fol-*
7 *lowing:*

8 (A) *Implementation of intergovernmental*
9 *agreements for coordinating regulatory and*
10 *management responsibilities.*

11 (B) *Acceleration of whole farm planning to*
12 *implement best management practices to main-*
13 *tain or enhance water quality and to promote*
14 *agricultural land use.*

15 (C) *Acceleration of whole community plan-*
16 *ning to promote intergovernmental cooperation*
17 *in the regulation and management of activities*
18 *consistent with the goal of maintaining or en-*
19 *hancing water quality.*

20 (D) *Natural resources stewardship on public*
21 *and private lands to promote land uses that pre-*
22 *serve and enhance the economic and social char-*
23 *acter of the watershed communities and protect*
24 *and enhance water quality.*

1 (d) *COOPERATION AGREEMENTS.*—*Before providing*
2 *assistance under this section, the Secretary shall enter into*
3 *a project cooperation agreement with the State director for*
4 *the project to be carried out with such assistance.*

5 (e) *COST SHARING.*—

6 (1) *IN GENERAL.*—*Total project costs under each*
7 *agreement entered into under this section shall be*
8 *shared at 75 percent Federal and 25 percent non-Fed-*
9 *eral. The non-Federal interest shall receive credit for*
10 *the reasonable costs of design work completed by such*
11 *interest prior to entering into the agreement with the*
12 *Secretary for a project. The Federal share may be in*
13 *the form of grants or reimbursements of project costs.*

14 (2) *INTEREST.*—*In the event of delays in the re-*
15 *imbursement of the non-Federal share of a project, the*
16 *non-Federal interest shall receive credit for reasonable*
17 *interest costs incurred to provide the non-Federal*
18 *share of a project's cost.*

19 (3) *LANDS, EASEMENTS, AND RIGHTS-OF-WAY*
20 *CREDIT.*—*The non-Federal interest shall receive credit*
21 *for lands, easements, rights-of-way, and relocations*
22 *provided by the non-Federal interest toward its share*
23 *of project costs, including direct costs associated with*
24 *obtaining permits necessary for the placement of such*

1 *project on public owned or controlled lands, but not*
2 *to exceed 25 percent of total project costs.*

3 (4) *OPERATION AND MAINTENANCE.*—*Operation*
4 *and maintenance costs for projects constructed with*
5 *assistance provided under this section shall be 100*
6 *percent non-Federal.*

7 (f) *APPLICABILITY OF OTHER FEDERAL AND STATE*
8 *LAWS.*—*Nothing in this section shall be construed to waive,*
9 *limit, or otherwise affect the applicability of any provision*
10 *of Federal or State law that would otherwise apply to a*
11 *project carried out with assistance provided under this sec-*
12 *tion.*

13 (g) *REPORT.*—*Not later than December 31, 2000, the*
14 *Secretary shall transmit to Congress a report on the results*
15 *of the program carried out under this section, together with*
16 *recommendations concerning whether such program should*
17 *be implemented on a national basis.*

18 (h) *NEW YORK CITY WATERSHED DEFINED.*—*For*
19 *purposes of this section, the term “New York City Water-*
20 *shed” means the land area within the counties of Delaware,*
21 *Greene, Schoharie, Ulster, Sullivan, Westchester, Putnam,*
22 *and Dutchess which contributes water to the water supply*
23 *system of New York City.*

1 (i) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
2 *authorized to be appropriated to carry out this section*
3 *\$25,000,000.*

4 **SEC. 555. OHIO RIVER GREENWAY.**

5 (a) *EXPEDITED COMPLETION OF STUDY.*—*The Sec-*
6 *retary is directed to expedite the completion of the study*
7 *for the Ohio River Greenway, Jeffersonville, Clarksville,*
8 *and New Albany, Indiana.*

9 (b) *CONSTRUCTION.*—*Upon completion of the study, if*
10 *the Secretary determines that the project is feasible, the Sec-*
11 *retary shall participate with the non-Federal interests in*
12 *the construction of the project.*

13 (c) *COST SHARING.*—*Total project costs under this sec-*
14 *tion shall be shared at 50 percent Federal and 50 percent*
15 *non-Federal.*

16 (d) *LANDS, EASEMENTS, AND RIGHTS-OF-WAY.*—*Non-*
17 *Federal interests shall be responsible for providing all lands,*
18 *easements, rights-of-way, relocations, and dredged material*
19 *disposal areas necessary for the project.*

20 (e) *CREDIT.*—*The non-Federal interests shall receive*
21 *credit for those costs incurred by the non-Federal interests*
22 *that the Secretary determines are compatible with the*
23 *study, design, and implementation of the project.*

1 **SEC. 556. NORTHEASTERN OHIO.**

2 *The Secretary is authorized to provide technical assist-*
3 *ance to local interests for planning the establishment of a*
4 *regional water authority in northeastern Ohio to address*
5 *the water problems of the region. The Federal share of the*
6 *costs of such planning shall not exceed 75 percent.*

7 **SEC. 557. GRAND LAKE, OKLAHOMA.**

8 *(a) STUDY.—Not later than 1 year after the date of*
9 *the enactment of this Act, the Secretary of the Army shall*
10 *carry out and complete a study of flood control in Grand/*
11 *Neosho Basin and tributaries in the vicinity of Pensacola*
12 *Dam in northeastern Oklahoma to determine the scope of*
13 *the backwater effects of operation of the dam and to identify*
14 *any lands which the Secretary determines have been ad-*
15 *versely impacted by such operation or should have been*
16 *originally purchased as flowage easement for the project.*

17 *(b) ACQUISITION OF REAL PROPERTY.—Upon comple-*
18 *tion of the study and subject to advance appropriations,*
19 *the Secretary shall acquire from willing sellers such real*
20 *property interests in any lands identified in the study as*
21 *the Secretary determines are necessary to reduce the adverse*
22 *impacts identified in the study conducted under subsection*
23 *(a).*

24 *(c) IMPLEMENTATION REPORTS.—The Secretary shall*
25 *transmit to Congress reports on the operation of the Pensa-*
26 *cola Dam, including data on and a description of releases*

1 *in anticipation of flooding (referred to as preoccupancy re-*
2 *leases), and the implementation of this section. The first*
3 *of such reports shall be transmitted not later than 2 years*
4 *after the date of the enactment of this Act.*

5 *(d) AUTHORIZATION OF APPROPRIATIONS.—*

6 *(1) IN GENERAL.—There is authorized to be ap-*
7 *propriated to carry out this section \$25,000,000 for*
8 *fiscal years beginning after September 30, 1996.*

9 *(2) MAXIMUM FUNDING FOR STUDY.—Of*
10 *amounts appropriated to carry out this section, not*
11 *to exceed \$1,500,000 shall be available for carrying*
12 *out the study under subsection (a).*

13 **SEC. 558. BROAD TOP REGION OF PENNSYLVANIA.**

14 *Section 304 of the Water Resources Development Act*
15 *of 1992 (106 Stat. 4840) is amended—*

16 *(1) by striking subsection (b) and inserting the*
17 *following:*

18 *“(b) COST SHARING.—The Federal share of the cost of*
19 *the activities conducted under the cooperative agreement en-*
20 *tered into under subsection (a) shall be 75 percent. The non-*
21 *Federal share of project costs may be provided in the form*
22 *of design and construction services. Non-Federal interests*
23 *shall receive credit for the reasonable costs of such services*
24 *completed by such interests prior to entering an agreement*
25 *with the Secretary for a project.”; and*

1 (2) *in subsection (c) by striking “\$5,500,000”*
2 *and inserting “\$11,000,000”.*

3 **SEC. 559. HOPPER DREDGE MCFARLAND.**

4 (a) *PROJECT AUTHORIZATION.*—*The Secretary shall*
5 *carry out a project at the Philadelphia Naval Shipyard,*
6 *Pennsylvania, to make modernization and efficiency im-*
7 *provements to the hopper dredge McFarland.*

8 (b) *REQUIREMENTS.*—*In carrying out the project*
9 *under subsection (a), the Secretary shall—*

10 (1) *determine whether the McFarland should be*
11 *returned to active service or the reserve fleet after the*
12 *project is completed; and*

13 (2) *establish minimum standards of dredging*
14 *service to be met in areas served by the McFarland*
15 *while the drydocking is taking place.*

16 (c) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
17 *authorized to be appropriated to carry out this section*
18 *\$20,000,000 for fiscal years beginning after September 30,*
19 *1996.*

20 **SEC. 560. PHILADELPHIA, PENNSYLVANIA.**

21 (a) *WATER WORKS RESTORATION.*—

22 (1) *IN GENERAL.*—*The Secretary shall provide*
23 *planning, design, and construction assistance for the*
24 *protection and restoration of the Philadelphia, Penn-*
25 *sylvania Water Works.*

1 (2) *COORDINATION.*—*In providing assistance*
2 *under this subsection, the Secretary shall coordinate*
3 *with the Fairmount Park Commission and the Sec-*
4 *retary of the Interior.*

5 (3) *FUNDING.*—*There is authorized to be appro-*
6 *priated to carry out this subsection \$1,000,000 for fis-*
7 *cal years beginning after September 30, 1996.*

8 (b) *COOPERATION AGREEMENT FOR SCHUYLKILL*
9 *NAVIGATION CANAL.*—

10 (1) *IN GENERAL.*—*The Secretary shall enter into*
11 *a cooperation agreement with the city of Philadel-*
12 *phia, Pennsylvania, to participate in the operation,*
13 *maintenance, and rehabilitation of the Schuylkill*
14 *Navigation Canal at Manayunk.*

15 (2) *LIMITATION ON FEDERAL SHARE.*—*The Fed-*
16 *eral share of the cost of the operation, maintenance,*
17 *and rehabilitation under paragraph (1) shall not ex-*
18 *ceed \$300,000 annually.*

19 (3) *AREA INCLUDED.*—*For purposes of this sub-*
20 *section, the Schuylkill Navigation Canal includes the*
21 *section approximately 10,000 feet long extending be-*
22 *tween Lock and Fountain Streets, Philadelphia,*
23 *Pennsylvania.*

24 (c) *SCHUYLKILL RIVER PARK.*—

1 (1) *ASSISTANCE.*—*The Secretary is authorized to*
2 *provide technical, planning, design, and construction*
3 *assistance for the Schuylkill River Park, Philadel-*
4 *phia, Pennsylvania.*

5 (2) *FUNDING.*—*There is authorized to be appro-*
6 *propriated \$2,700,000 to carry out this subsection.*

7 (d) *PENNYPACK PARK.*—

8 (1) *ASSISTANCE.*—*The Secretary is authorized to*
9 *provide technical, design, construction, and financial*
10 *assistance for measures for the improvement and res-*
11 *toration of aquatic habitats and aquatic resources at*
12 *Pennypack Park, Philadelphia, Pennsylvania.*

13 (2) *COOPERATION AGREEMENTS.*—*In providing*
14 *assistance under this subsection, the Secretary shall*
15 *enter into cooperation agreements with the city of*
16 *Philadelphia, acting through the Fairmount Park*
17 *Commission.*

18 (3) *FUNDING.*—*There is authorized to be appro-*
19 *priated for fiscal years beginning after September 30,*
20 *1996, \$15,000,000 to carry out this subsection.*

21 (e) *FRANKFORD DAM.*—

22 (1) *COOPERATION AGREEMENTS.*—*The Secretary*
23 *shall enter into cooperation agreements with the city*
24 *of Philadelphia, Pennsylvania, acting through the*
25 *Fairmount Park Commission, to provide assistance*

1 *for the elimination of the Frankford Dam, the re-*
2 *placement of the Rhawn Street Dam, and modifica-*
3 *tions to the Roosevelt Dam and the Verree Road Dam.*

4 (2) *FUNDING.*—*There is authorized to be appro-*
5 *priated for fiscal years beginning after September 30,*
6 *1996, \$900,000, to carry out this subsection.*

7 **SEC. 561. UPPER SUSQUEHANNA RIVER BASIN, PENNSYLVANIA AND NEW YORK.**

8 (a) *STUDY AND STRATEGY DEVELOPMENT.*—*The Sec-*
9 *retary, in cooperation with the Secretary of Agriculture, the*
10 *State of Pennsylvania, and the State of New York, shall*
11 *conduct a study, and develop a strategy, for using wetland*
12 *restoration, soil and water conservation practices, and non-*
13 *structural measures to reduce flood damages, improve water*
14 *quality, and create wildlife habitat in the following portions*
15 *of the Upper Susquehanna River basin:*

16 (1) *the Juniata River watershed, Pennsylvania,*
17 *at an estimated Federal cost of \$15,000,000; and*

18 (2) *the Susquehanna River watershed upstream*
19 *of the Chemung River, New York, at an estimated*
20 *Federal cost of \$10,000,000.*

21 (b) *NON-FEDERAL SHARE.*—*The non-Federal share of*
22 *the cost of the study and development of the strategy shall*
23 *be 25 percent and may be provided through in-kind services*
24 *and materials.*

1 (c) *COOPERATION AGREEMENTS.*—*In conducting the*
2 *study and developing the strategy under this section, the*
3 *Secretary shall enter into cooperation agreements to provide*
4 *financial assistance to appropriate Federal, State, and*
5 *local government agencies, including activities for the im-*
6 *plementation of wetland restoration projects and soil and*
7 *water conservation measures.*

8 (d) *IMPLEMENTATION.*—*The Secretary shall undertake*
9 *development and implementation of the strategy authorized*
10 *by this section in cooperation with local landowners and*
11 *local government officials.*

12 **SEC. 562. SEVEN POINTS VISITORS CENTER, RAYSTOWN**
13 **LAKE, PENNSYLVANIA.**

14 (a) *IN GENERAL.*—*The Secretary shall construct a*
15 *visitors center and related public use facilities at the Seven*
16 *Points Recreation Area at Raystown Lake, Pennsylvania,*
17 *generally in accordance with the Master Plan Update*
18 *(1994) for the Raystown Lake Project.*

19 (b) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
20 *authorized to be appropriated to carry out this section*
21 *\$2,500,000.*

22 **SEC. 563. SOUTHEASTERN PENNSYLVANIA.**

23 (a) *ESTABLISHMENT OF PROGRAM.*—*The Secretary*
24 *shall establish a pilot program for providing environmental*
25 *assistance to non-Federal interests in southeastern Penn-*

1 *sylvania. Such assistance may be in the form of design and*
2 *construction assistance for water-related environmental in-*
3 *frastructure and resource protection and development*
4 *projects in southeastern Pennsylvania, including projects*
5 *for waste water treatment and related facilities, water sup-*
6 *ply, storage, treatment, and distribution facilities, and sur-*
7 *face water resource protection and development.*

8 **(b) PUBLIC OWNERSHIP REQUIREMENT.**—*The Sec-*
9 *retary may provide assistance for a project under this sec-*
10 *tion only if the project is publicly owned.*

11 **(c) LOCAL COOPERATION AGREEMENTS.**—

12 **(1) IN GENERAL.**—*Before providing assistance*
13 *under this section, the Secretary shall enter into a*
14 *local cooperation agreement with a non-Federal inter-*
15 *est to provide for design and construction of the*
16 *project to be carried out with such assistance.*

17 **(2) REQUIREMENTS.**—*Each local cooperation*
18 *agreement entered into under this subsection shall*
19 *provide for the following:*

20 **(A) PLAN.**—*Development by the Secretary,*
21 *in consultation with appropriate Federal and*
22 *State officials, of a facilities or resource protec-*
23 *tion and development plan, including appro-*
24 *propriate engineering plans and specifications.*

1 (B) *LEGAL AND INSTITUTIONAL STRUC-*
2 *TURES.—Establishment of each such legal and*
3 *institutional structures as are necessary to as-*
4 *sure the effective long-term operation of the*
5 *project by the non-Federal interest.*

6 (3) *COST SHARING.—*

7 (A) *IN GENERAL.—Total project costs under*
8 *each local cooperation agreement entered into*
9 *under this subsection shall be shared at 75 per-*
10 *cent Federal and 25 percent non-Federal. The*
11 *non-Federal interest shall receive credit for the*
12 *reasonable costs of design work completed by*
13 *such interest prior to entering into a local co-*
14 *operation agreement with the Secretary for a*
15 *project. The credit for such design work shall not*
16 *exceed 6 percent of the total construction costs*
17 *of the project. The Federal share may be in the*
18 *form of grants or reimbursements of project costs.*

19 (B) *INTEREST.—In the event of delays in*
20 *the funding of the non-Federal share of a project*
21 *that is the subject of an agreement under this*
22 *section, the non-Federal interest shall receive*
23 *credit for reasonable interest incurred in provid-*
24 *ing the non-Federal share of a project's cost.*

1 (C) *LANDS, EASEMENTS, AND RIGHTS-OF-*
2 *WAY CREDIT.*—*The non-Federal interest shall re-*
3 *ceive credit for lands, easements, rights-of-way,*
4 *and relocations toward its share of project costs,*
5 *including all reasonable costs associated with ob-*
6 *taining permits necessary for the construction,*
7 *operation, and maintenance of such project on*
8 *publicly owned or controlled lands, but not to ex-*
9 *ceed 25 percent of total project costs.*

10 (D) *OPERATION AND MAINTENANCE.*—*Oper-*
11 *ation and maintenance costs for projects con-*
12 *structed with assistance provided under this sec-*
13 *tion shall be 100 percent non-Federal.*

14 (d) *APPLICABILITY OF OTHER FEDERAL AND STATE*
15 *LAWS.*—*Nothing in this section shall be construed as*
16 *waiving, limiting, or otherwise affecting the applicability*
17 *of any provision of Federal or State law which would other-*
18 *wise apply to a project to be carried out with assistance*
19 *provided under this section.*

20 (e) *REPORT.*—*Not later than December 31, 1998, the*
21 *Secretary shall transmit to Congress a report on the results*
22 *of the pilot program carried out under this section, together*
23 *with recommendations concerning whether or not such pro-*
24 *gram should be implemented on a national basis.*

1 (f) *SOUTHEASTERN PENNSYLVANIA DEFINED.*—For
2 *purposes of this section, the term “Southeastern Pennsylva-*
3 *nia” means Philadelphia, Bucks, Chester, Delaware, and*
4 *Montgomery Counties, Pennsylvania.*

5 (g) *AUTHORIZATION OF APPROPRIATIONS.*—There is
6 *authorized to be appropriated to carry out this section*
7 *\$25,000,000 for fiscal years beginning after September 30,*
8 *1996. Such sums shall remain available until expended.*

9 **SEC. 564. BLACKSTONE RIVER VALLEY, RHODE ISLAND AND**
10 **MASSACHUSETTS.**

11 (a) *IN GENERAL.*—The Secretary, in coordination
12 *with Federal, State, and local interests, shall provide tech-*
13 *nical, planning, and design assistance in the development*
14 *and restoration of the Blackstone River Valley National*
15 *Heritage Corridor, Rhode Island, and Massachusetts.*

16 (b) *FEDERAL SHARE.*—Funds made available under
17 *this section for planning and design of a project may not*
18 *exceed 75 percent of the total cost of such planning and*
19 *design.*

20 **SEC. 565. EAST RIDGE, TENNESSEE.**

21 *The Secretary shall review the flood management study*
22 *for the East Ridge and Hamilton County area undertaken*
23 *by the Tennessee Valley Authority and shall carry out the*
24 *project at an estimated total cost of \$25,000,000.*

1 **SEC. 566. MURFREESBORO, TENNESSEE.**

2 *The Secretary shall carry out a project for environ-*
3 *mental enhancement, Murfreesboro, Tennessee, in accord-*
4 *ance with the Report and Environmental Assessment, Black*
5 *Fox, Murfree and Oaklands Spring Wetlands, Murfreesboro,*
6 *Rutherford County, Tennessee, dated August 1994.*

7 **SEC. 567. BUFFALO BAYOU, TEXAS.**

8 *The non-Federal interest for the projects for flood con-*
9 *trol, Buffalo Bayou Basin, Texas, authorized by section 203*
10 *of the Flood Control Act of 1954 (68 Stat. 1258), and Buf-*
11 *falo Bayou and tributaries, Texas, authorized by section*
12 *101 of the Water Resources Development Act of 1990 (104*
13 *Stat. 4610), may be reimbursed by up to \$5,000,000 or may*
14 *receive a credit of up to \$5,000,000 against required non-*
15 *Federal project cost-sharing contributions for work per-*
16 *formed by the non-Federal interest at each of the following*
17 *locations if such work is compatible with the following au-*
18 *thorized projects: White Oak Bayou, Brays Bayou, Hunting*
19 *Bayou, Garners Bayou, and the Upper Reach on Greens*
20 *Bayou.*

21 **SEC. 568. HARRIS COUNTY, TEXAS.**

22 *(a) IN GENERAL.—During any evaluation of economic*
23 *benefits and costs for projects set forth in subsection (b) that*
24 *occurs after the date of the enactment of this Act, the Sec-*
25 *retary shall not consider flood control works constructed by*
26 *non-Federal interests within the drainage area of such*

1 *projects prior to the date of such evaluation in the deter-*
2 *mination of conditions existing prior to construction of the*
3 *project.*

4 (b) *SPECIFIC PROJECTS.—The projects to which sub-*
5 *section (a) apply are—*

6 (1) *the project for flood control, Buffalo Bayou*
7 *and Tributaries, Texas, authorized by section 101(a)*
8 *of the Water Resources Development Act of 1990 (104*
9 *Stat. 4610);*

10 (2) *the project for flood control, Cypress Creek,*
11 *Texas, authorized by section 3(a)(13) of the Water Re-*
12 *sources Development Act of 1988 (102 Stat. 4014);*
13 *and*

14 (3) *the project for flood control, Buffalo Bayou*
15 *Basin, authorized by section 203 of the Flood Control*
16 *Act of 1954 (68 Stat. 1258).*

17 **SEC. 569. PIERCE COUNTY, WASHINGTON.**

18 (a) *TECHNICAL ASSISTANCE.—The Secretary shall*
19 *provide technical assistance to Pierce County, Washington,*
20 *to address measures that are necessary to assure that non-*
21 *Federal levees are adequately maintained and satisfy eligi-*
22 *bility criteria for rehabilitation assistance under section 5*
23 *of the Act entitled “An Act authorizing the construction of*
24 *certain public works on rivers and harbors for flood control,*
25 *and for other purposes”, approved August 18, 1941 (33*

1 *U.S.C. 701n; 55 Stat. 650). Such assistance shall include*
2 *a review of the requirements of the Puyallup Tribe of Indi-*
3 *ans Settlement Act of 1989 (Public Law 101-41) and*
4 *standards for project maintenance and vegetation manage-*
5 *ment used by the Secretary to determine eligibility for levee*
6 *rehabilitation assistance with a view toward amending such*
7 *standards as needed to make non-Federal levees eligible for*
8 *assistance that may be necessary as a result of future flood-*
9 *ing.*

10 (b) *LEVEE REHABILITATION.*—*The Secretary shall ex-*
11 *pedite a review to determine the extent to which require-*
12 *ments of the Puyallup Tribe of Indians Settlement Act of*
13 *1989 limited the ability of non-Federal interests to ade-*
14 *quately maintain existing non-Federal levees that were*
15 *damaged by flooding in 1995 and 1996 and, to the extent*
16 *that such ability was limited by such Act, the Secretary*
17 *shall carry out the rehabilitation of such levees.*

18 **SEC. 570. WASHINGTON AQUEDUCT.**

19 (a) *REGIONAL ENTITY.*—

20 (1) *IN GENERAL.*—*Congress encourages the non-*
21 *Federal public water supply customers of the Wash-*
22 *ington Aqueduct to establish a non-Federal public or*
23 *private entity, or to enter into an agreement with an*
24 *existing non-Federal public or private entity, to re-*
25 *ceive title to the Washington Aqueduct and to operate,*

1 *maintain, and manage the Washington Aqueduct in*
2 *a manner that adequately represents all interests of*
3 *such customers.*

4 (2) *CONSENT OF CONGRESS.*—*Congress grants*
5 *consent to the jurisdictions which are customers of the*
6 *Washington Aqueduct to establish a non-Federal en-*
7 *tity to receive title to the Washington Aqueduct and*
8 *to operate, maintain, and manage the Washington*
9 *Aqueduct.*

10 (3) *LIMITATION ON STATUTORY CONSTRU-*
11 *CTION.*—*Nothing in this subsection shall preclude the*
12 *jurisdictions referred to in this subsection from pursu-*
13 *ing alternative options regarding ownership, oper-*
14 *ation, maintenance, and management of the Washing-*
15 *ton Aqueduct.*

16 (b) *PROGRESS REPORT AND PLAN.*—*Not later than 1*
17 *year after the date of the enactment of this Act, the Sec-*
18 *retary shall transmit to the Committee on Environment*
19 *and Public Works of the Senate and the Committee on*
20 *Transportation and Infrastructure of the House of Rep-*
21 *resentatives a report on the progress in achieving the objec-*
22 *tives of subsection (a) and a plan for the transfer of owner-*
23 *ship, operation, maintenance, and management of the*
24 *Washington Aqueduct to a non-Federal public or private*
25 *entity. Such plan shall include a transfer of ownership, op-*

1 *eration, maintenance, and management of the Washington*
2 *Aqueduct that is consistent with the provisions of this sec-*
3 *tion and a detailed consideration of any proposal to trans-*
4 *fer such ownership or operation, maintenance, or manage-*
5 *ment to a private entity.*

6 (c) *TRANSFER.—*

7 (1) *IN GENERAL.—Not later than 2 years after*
8 *the date of the enactment of this Act, the Secretary*
9 *shall transfer, without consideration but subject to*
10 *such terms and conditions as the Secretary considers*
11 *appropriate to protect the interests of the United*
12 *States and the non-Federal public water supply cus-*
13 *tomers, all right, title, and interest of the United*
14 *States in the Washington Aqueduct, its real property,*
15 *facilities, equipment, supplies, and personalty—*

16 (A) *to a non-Federal public or private en-*
17 *tity established pursuant to subsection (a); or*

18 (B) *in the event no entity is established*
19 *pursuant to subsection (a), a non-Federal public*
20 *or private entity selected by the Secretary which*
21 *reflects, to the extent possible, a consensus among*
22 *the non-Federal public water supply customers.*

23 (2) *TRANSFeree SELECTION CRITERIA.—The se-*
24 *lection of a non-Federal public or private entity*
25 *under paragraph (1)(B) shall be based on technical,*

1 *managerial, and financial capabilities and on con-*
2 *sultation with the non-Federal public water supply*
3 *customers and after opportunity for public input.*

4 (3) *ASSUMPTION OF RESPONSIBILITIES.—The*
5 *entity to whom transfer under paragraph (1) is made*
6 *shall assume full responsibility for performing and fi-*
7 *nancing the operation, maintenance, repair, replace-*
8 *ment, rehabilitation, and necessary capital improve-*
9 *ments of the Washington Aqueduct so as to ensure the*
10 *continued operation of the Washington Aqueduct con-*
11 *sistent with its intended purpose of providing an un-*
12 *interrupted supply of potable water sufficient to meet*
13 *the current and future needs of the Washington Aque-*
14 *duct service area.*

15 (4) *EXTENSION.—Notwithstanding the 2-year*
16 *deadline established in paragraph (1), the Secretary*
17 *may provide a 1-time 6-month extension of such*
18 *deadline if the Secretary determines that the non-Fed-*
19 *eral public water supply customers are making*
20 *progress in establishing an entity pursuant to sub-*
21 *section (a) and that such an extension would likely*
22 *result in the establishment of such an entity.*

23 (d) *INTERIM BORROWING AUTHORITY.—*

24 (1) *IN GENERAL.—Subject to paragraph (2),*
25 *there is authorized to be appropriated to the Sec-*

1 *retary for fiscal years 1997 and 1998 borrowing au-*
2 *thority in amounts sufficient to cover those obliga-*
3 *tions which the Army Corps of Engineers is required*
4 *to incur in carrying out capital improvements during*
5 *such fiscal years for the Washington Aqueduct to as-*
6 *sure its continued operation until such time as the*
7 *transfer under subsection (c) has taken place, pro-*
8 *vided that such amounts do not exceed \$16,000,000*
9 *for fiscal year 1997 and \$54,000,000 for fiscal year*
10 *1998.*

11 (2) *TERMS AND CONDITIONS.—The borrowing*
12 *authority under paragraph (1) shall be provided to*
13 *the Secretary by the Secretary of the Treasury under*
14 *such terms and conditions as the Secretary of the*
15 *Treasury determines to be necessary in the public in-*
16 *terest and may be provided only after each of the non-*
17 *Federal public water supply customers of the Wash-*
18 *ington Aqueduct has entered into a contractual agree-*
19 *ment with the Secretary to pay its pro rata share of*
20 *the costs associated with such borrowing.*

21 (3) *IMPACT ON IMPROVEMENT PROGRAM.—Not*
22 *later than 6 months after the date of the enactment*
23 *of this Act, the Secretary, in consultation with other*
24 *Federal agencies, shall transmit to the Committee on*
25 *Environment and Public Works of the Senate and the*

1 *Committee on Transportation and Infrastructure of*
2 *the House of Representatives a report that assesses the*
3 *impact of the borrowing authority provided under*
4 *this subsection on near-term improvement projects*
5 *under the Washington Aqueduct Improvement Pro-*
6 *gram, work scheduled during fiscal years 1997 and*
7 *1998, and the financial liability to be incurred.*

8 *(e) DEFINITIONS.—For purposes of this section, the fol-*
9 *lowing definitions apply:*

10 *(1) WASHINGTON AQUEDUCT.—The term “Wash-*
11 *ington Aqueduct” means the Washington Aqueduct fa-*
12 *cilities and related facilities owned by the Federal*
13 *Government as of the date of the enactment of this*
14 *Act, including the dams, intake works, conduits, and*
15 *pump stations that capture and transport raw water*
16 *from the Potomac River to the Dalecarlia Reservoir,*
17 *the infrastructure and appurtenances used to treat*
18 *water taken from the Potomac River by such facilities*
19 *to potable standards, and related water distributions*
20 *facilities.*

21 *(2) NON-FEDERAL PUBLIC WATER SUPPLY CUS-*
22 *TOMERS.—The term “non-Federal public water sup-*
23 *ply customers” means the District of Columbia, Ar-*
24 *lington County, Virginia, and the city of Falls*
25 *Church, Virginia.*

1 **SEC. 571. HUNTINGTON, WEST VIRGINIA.**

2 *The Secretary may enter into a cooperative agreement*
3 *with Marshall University, Huntington, West Virginia, to*
4 *provide technical assistance to the Center for Environ-*
5 *mental, Geotechnical and Applied Sciences.*

6 **SEC. 572. LOWER MUD RIVER, MILTON, WEST VIRGINIA.**

7 *The Secretary shall review the watershed plan and the*
8 *environmental impact statement prepared for the Lower*
9 *Mud River, Milton, West Virginia by the Natural Resources*
10 *Conservation Service pursuant to the Watershed Protection*
11 *and Flood Prevention Act (16 U.S.C. 1001 et seq.) and shall*
12 *carry out the project.*

13 **SEC. 573. EVALUATION OF BEACH MATERIAL.**

14 *(a) IN GENERAL.—The Secretary and the Secretary of*
15 *the Interior shall evaluate procedures and requirements*
16 *used in the selection and approval of materials to be used*
17 *in the restoration and nourishment of beaches. Such evalua-*
18 *tion shall address the potential effects of changing existing*
19 *procedures and requirements on the implementation of*
20 *beach restoration and nourishment projects and on the*
21 *aquatic environment.*

22 *(b) CONSULTATION.—In conducting the evaluation*
23 *under this section, the Secretaries shall consult with appro-*
24 *priate State agencies.*

1 (c) *REPORT.*—Not later than 6 months after the date
2 of the enactment of this Act, the Secretaries shall transmit
3 a report to Congress on their findings under this section.

4 **SEC. 574. SENSE OF CONGRESS REGARDING ST. LAWRENCE**
5 **SEAWAY TOLLS.**

6 *It is the sense of Congress that the President should*
7 *engage in negotiations with the Government of Canada for*
8 *the purposes of—*

9 (1) *eliminating tolls along the St. Lawrence Sea-*
10 *way system; and*

11 (2) *identifying ways to maximize the movement*
12 *of goods and commerce through the St. Lawrence Sea-*
13 *way.*